

**ECONOMIC
AND
SOCIAL COUNCIL****CONSEIL
ECONOMIQUE
ET SOCIAL**E/CN.4/Sub.2/SR 30
20 June 1949ENGLISH
ORIGINAL: FRENCH

COMMISSION ON HUMAN RIGHTS
SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION
AND THE PROTECTION OF MINORITIES
Second Session

SUMMARY RECORD OF THE THIRTIETH MEETING

Held at Lake Success, New York,
on Monday, 20 June 1949, at 2.30 p.m.

CONTENTS:	Report of the Committee appointed to review the confidential list of Communications (E/CN.4/Sub.2/61)	
<u>Chairman:</u>	Mr. EKSTRAND	Sweden
<u>Rapporteur:</u>	Miss MONROE	United Kingdom
<u>Members:</u>	Mr. BORISOV	Union of Soviet Socialist Republics
	Mr. CHANG	China
	Mr. DANIELS	United States of America
	Mr. MASANI	India
	Mr. McNAMARA	Australia
	Mr. MENESES PALLARES	Ecuador
	Mr. NISOT	Belgium
	Mr. ROY	Haiti
	Mr. SHAFAKH	Iran
	Mr. SPANZEN	France

Any corrections of this record should be submitted in writing, in either of the working languages (English or French), and within two working days, to Mr. E. Delavenay, Director, Official Records Division, Room F-852, Lake Success. Corrections should be accompanied by or incorporated in a letter, on headed notepaper, bearing the appropriate symbol number and enclosed in an envelope marked "Urgent". Corrections can be dealt with more speedily by the services concerned if delegations will be good enough also to incorporate them in a mimeographed copy of the record.

RECEIVED

JUN 27 1949

UNITED NATIONS
ARCHIVES

Also present:

Miss ZUNG

Commission on the Status of Women

Representative of a Specialized Agency:

Mr. STOLZ

American Federation of Labor (AF of L)

Secretariat:

Mr. LAWSON

Secretary of the Sub-Commission

REPORT OF THE COMMITTEE APPOINTED TO REVIEW THE CONFIDENTIAL LIST OF
COMMUNICATIONS (E/CN.4/Sub.2/61)

The CHAIRMAN opened the meeting, held in closed session, and requested Miss Monroe to present the Committee's report (E/CN.4/Sub.2/61).

Miss MONROE felt that the report was sufficiently clear. She drew attention, however, to a statement which the representative of the Secretariat had made to the Committee concerning the decision taken by the Commission on Human Rights in connexion with the examination of communications. It would be well for members of the Sub-Commission to hear the explanations of the Secretariat; they would then know what measures had been taken by the Commission on Human Rights in order to ensure that communications were reviewed and to overcome the obstacle raised by resolution 75 (V) of the Economic and Social Council.

At the request of the CHAIRMAN, Mr. LAWSON (Secretariat) read the resolution adopted by the Commission on Human Rights concerning communications (E/CN.4/AC.9/3). The Commission on Human Rights had seen fit to request the Secretary-General to inform the authors of the communications of the fact that the Commission felt that it was unable to take any steps regarding claims made in connexion with human rights. The Secretary-General had followed those instructions. Nevertheless, when the above-mentioned draft resolution had been discussed, the members of the Commission on Human Rights had thought that such a categorical statement would discourage those who had set their hopes on the Commission. It had therefore decided to amend the wording and to inform the authors of the communications that the Sub-Commission did not have such power "at the moment."

/The CHAIRMAN

The CHAIRMAN noted that Mr. Borisov had abstained from voting on the recommendations contained in the report of the Committee appointed to review the confidential list of communications, and that he had reserved the right to explain his point of view in the Sub-Commission.

The Chairman called on him to speak.

Mr. BORISOV stated that the Committee had not had the time to make a thorough study of the question. Its decision had been taken too quickly; he had therefore reserved his position. He thought that it would be most desirable to adopt a resolution saying that the Sub-Commission would review only communications from Non-Self-Governing Territories or Trust Territories, because those were the communications which most often raised the questions which the Sub-Commission had to examine.

Miss MONROE did not understand how Mr. Borisov could make such a proposal in view of the fact that the list of communications which Mr. Borisov had examined showed that the majority did not come from Non-Self-Governing Territories or Trust Territories. She interpreted Mr. Borisov's proposal as meaning that he was interested in the Sub-Commission only because he could express there his point of view on the administration of those territories. He apparently considered that the Sub-Commission served no other useful purpose.

Mr. McNAMARA wondered whether Mr. Borisov meant to say that, while receiving all communications, the Sub-Commission should, for the moment, give its attention principally to those from Non-Self-Governing Territories or Trust Territories.

Mr. BORISOV explained that only communications from those territories were worth while studying. Their examination would contribute to the search for solutions which might improve the lot of millions of human beings. The other communications did not deserve the attention of the Sub-Commission because they did not have the same significance and because most of them were anonymous.

/Mr. McNAMARA

Mr. McNAMARA said that he had not received a specific answer to his question, but, in view of the last explanations given by Mr. Borisov, he would vote against the latter's proposal anyway.

The CHAIRMAN put to the vote Mr. Borisov's proposal.
The proposal was rejected by 10 votes to one, with one abstention.

Mr. SHAFAGE explained that he had abstained from voting at that time because he wondered whether Mr. Borisov's proposal did not mean that, in beginning the review of communications, those received from Non-Self-Governing Territories and Trust Territories should first be examined, leaving the others until later.

Mr. ROY explained that he had voted against Mr. Borisov's proposal, not because he was opposed to communications from Non-Self-Governing Territories or Trust Territories being reviewed, but because, in his opinion, all communications should be taken into consideration, regardless of their origin.

The other members of the Sub-Commission shared his point of view.

The CHAIRMAN declared open the discussion on the Committee's report (E/CN.4/Sub.2/61).

Mr. McNAMARA objected to the second paragraph of the report. Its adoption would be a confession of lack of authority and would discourage those of the members who had come in the hope of making a positive contribution to the solution of the problem of minorities. He did not know to what extent the resolution adopted by the Commission on Human Rights, which the Secretary had just read, prevented the Sub-Commission from studying concrete measures for the review of communications, but he thought that there were possibilities of action which had not yet been considered.

Mr. ROY thought that it would be advisable to distinguish between the ^{current} situation and the future. The Commission on Human Rights should be asked to request the Economic and Social Council to extend the powers of the Sub-Commission in order to enable it to study communications and to submit a report to the Commission on Human Rights on the questions brought to its attention during the consideration of communications.

/Mr. DANIELS

Mr. DANIELS explained that, in approving the Committee's report, he had taken into consideration the fact that the Sub-Commission could undertake no action at the moment. It was obvious, however, that it should take action as soon as it could.

Mr. SEAFAGH asked what was meant by the expression "take note" of the communications under discussion.

Miss MONROE recalled that members could request the text of communications which dealt with the violation of the rights of minorities. A summary of the communications had been distributed to each member so that they might know the contents of them. As the Sub-Commission could take no action on the measures which were recommended to it, it must confine itself to saying that it had taken note of the communications.

The Sub-Commission could not request a detailed text of communications which contained only criticisms of the existing state of world affairs. In such cases, also, it could only take note of the summary distributed.

Mr. DANIELS stated that the Sub-Commission was already engaged in a discussion on the procedure to be followed in the examination of communications. It had been agreed that the proposal which he had submitted on that subject would be studied as soon as the Committee had presented its report.

Mr. MASANI suggested taking note of the report without approving it.

Mr. SHAFAGH supported that suggestion.

Mr. ROY also approved that proposal. He could not vote for the second paragraph, which amounted to saying that it was impossible, at that time, to take effective measures to ensure the review of communications.

Mr. BORISOV indicated that he would abstain from voting on the proposal.

Mr. McNAMARA could not approve it either.

/After

After a brief discussion, the CHAIRMAN announced that, except for the reservations made by Mr. Borisov and Mr. McNamara, the Sub-Commission took note of the report but did not wish to adopt it by taking a vote.

The meeting rose at 4 p.m.