

GENERAL
ASSEMBLY

SIXTH SESSION

Official Records



Tuesday, 29 January 1952, at 10.30 a.m.

Palais de Chaillot, Paris

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Chairman : Mrs. Ana FIGUEROA (Chile).

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[Item 29]*

DRAFT RESOLUTIONS CONCERNING MEASURES OF
IMPLEMENTATION OF THE COVENANT

1. The CHAIRMAN recalled that a number of members of the Committee had asked to be allowed to explain the votes they had cast at the 408th meeting concerning the joint draft procedural resolution (A/C.3/L.229/Rev.2).

2. Mr. PLEIC (Yugoslavia) said that his delegation had voted against the USSR amendment (A/C.3/L.230) because the USSR representative had stated on several occasions that his Government was against any system of implementation of the international covenant on human rights. The attitude of a country towards the implementation of the covenant showed to what extent that country was prepared to contribute towards the achievement of the purposes of the Charter.

3. His delegation had voted against the proposal to include the third version of the Syrian draft resolution (A/C.3/L.191/Rev.2) in the list of documents cited in the joint draft procedural resolution because the document in question had been withdrawn by its sponsor before it had been studied by the Third Committee. It had not voted in favour of the draft procedural resolution submitted by Denmark, New Zealand, Nor-

way and Sweden (A/C.3/L.229/Rev.2) in spite of the fact that that draft resolution offered the only possible solution to the difficulties encountered by the Committee, in order to show its regret that the Committee had once again postponed the consideration of the basic problems concerning measures of implementation. In view of such repeated setbacks it might well be asked whether, in spite of their statements, the members of the Committee were really ready to draw up an adequate system of implementation of the international covenant on human rights.

4. Mr. TSYBA (Ukrainian Soviet Socialist Republic) said that his delegation had abstained from voting on the draft procedural resolution submitted by Denmark, New Zealand, Norway and Sweden (A/C.3/L.229/Rev.2), because it would be premature to study measures of implementation of an instrument which did not yet exist. His delegation had therefore voted in favour of the USSR amendment (A/C.3/L.230) in which it was proposed that consideration of the various draft resolutions on measures of implementation should be deferred.

5. The delegation of the Ukrainian SSR was convinced of the fact that the implementation of the covenant came exclusively within the jurisdiction of the signatory States and that to establish a supervisory body as well as to send visiting missions would be so many indirect methods of allowing one State to intervene in the domestic affairs of another. His delegation's abstention on the joint draft procedural resolution (A/C.3/L.229/Rev.2) should by no means be taken to mean that his delegation was in agreement with the principles laid down in the draft resolutions which would be submitted to the Commission on Human Rights. His delegation would, at the appropriate stage, express its opinion on the substance of those draft resolutions, which were far from meeting with its approval.

* Indicates the item number on the General Assembly agenda.

6. Mr. MENEMENCIOGLU (Turkey) said that his delegation had voted in favour of the inclusion in the joint draft procedural resolution (A/C.3/L.229/Rev.2) of all the texts which had been put to the vote. That affirmative vote did not mean that the Turkish Government was in agreement with the content of those documents; indeed, his delegation would have objections to make to some of the proposals contained in those draft resolutions when their substance was considered.

7. Mrs. MARSHALL (Canada) said that her delegation had not wished to take a final decision on the implementation of the covenant as it was impossible to adopt concrete measures in that respect so long as the contents of the covenant had not been finally established. Furthermore, the question raised extremely important and complex problems which could be solved only after a full examination of their technical and political implications.

8. Her delegation was of the opinion that, in proceeding to reconsider the matter, the Commission on Human Rights should be guided by the discussion that had been held in the Third Committee and, without committing her delegation on the substance of the proposals submitted during the debate, it had voted in favour of referring the various draft resolutions and the records of the debate to the Commission on Human Rights.

9. The Canadian delegation had voted against the USSR amendments because it believed that the question of implementation deserved attention and that the Commission on Human Rights should be acquainted with the discussion which had taken place thereon during the sixth session of the General Assembly.

10. Mr. BALLARD (Australia) said that his delegation was in agreement with the principle of the joint draft procedural resolution (A/C.3/L.229/Rev.2); it would indeed be premature to take a decision at that stage on the proposals before the Committee regarding the implementation of the covenant. The Australian delegation had, however, not voted in favour of that text in view of the fact that the Syrian amendment (A/C.3/L.191/Rev.3), which it considered to be of a discriminatory nature and incompatible with the principles of the Charter of the United Nations and particularly chapters XI, XII and XIII, had been included in the list of documents concerned.

11. Mr. CORLEY SMITH (United Kingdom) explained that his delegation had voted in favour of the draft procedural resolution (A/C.3/L.229/Rev.2), which had appeared to offer the best solution to a delicate and complex problem. By voting in favour of transmitting some of the documents to the Commission on Human Rights, his delegation had not, in his opinion, in any way committed itself to subscribing to the principles and proposals that some of them contained.

12. He had voted against the inclusion of the fourth version of the Syrian draft resolution (A/C.3/L.191/Rev.3) in the list of documents to be transmitted; that draft, which had been submitted at the last moment, constituted a proposal of a discriminatory character to which his delegation could not subscribe. Naturally,

if the General Assembly were eventually to adopt covenants which would gain the approval of all delegations, such instruments would be universally applied, that is to say, they would have to be implemented in metropolitan territories as well as in Trust Territories and Non-Self-Governing Territories. Such implementation could not give rise to any discrimination, in one direction or another.

13. When the Third Committee had decided (408th meeting) to include the revised version of the Syrian draft resolution in the list of documents to be referred to the Commission on Human Rights, the United Kingdom delegation had nevertheless voted in favour of the joint draft procedural resolution (A/C.3/L.229/Rev.2) as a whole, in spite of its objections to the Syrian draft resolution, as it believed that its vote could not possibly give rise to any misunderstanding in the Committee.

14. Mr. LANNUNG (Denmark) said that on reading the fourth version of the Syrian draft resolution (A/C.3/L.191/Rev.3), he had imagined himself back in the Fourth Committee during its consideration of the question of visiting missions to the Trust Territories. The Syrian draft resolution was superfluous as far as the Trust Territories were concerned since they had already been provided for under the provisions of Chapters XIII and XIV of the Charter; the provisions of that draft resolution, as far as the Non-Self-Governing Territories were concerned, would be anti-constitutional because there was no basis for any distinction or discrimination in that respect between provisions applicable to Non-Self-Governing Territories and those applicable to other territories.

15. His delegation had therefore voted against the inclusion of the fourth version of the Syrian draft resolution (A/C.3/L.191/Rev.3) but in favour of the inclusion of the third version (A/C.3/L.191/Rev.2) in the list of documents to be transmitted to the Commission on Human Rights.

16. Mr. PAZHAWAK (Afghanistan) said that his delegation had voted in favour of the joint draft procedural resolution (A/C.3/L.229/Rev.2) because it believed that all the proposals which had been submitted called for the attention of the Commission on Human Rights. His delegation's affirmative vote did not in any way prejudice the position his Government would take when the content of those draft resolutions came to be considered.

17. Mrs. COELHO LISBOA DE LARRAGOITI (Brazil) stated that she had abstained from voting on the joint draft procedural resolution in view of the fact that the Third Committee had decided to include in the list of documents cited therein the Israel draft resolution (A/C.3/L.193) and the third version of the Syrian draft resolution (A/C.3/L.191/Rev.2), with regard to which her delegation made formal and serious reservations.

18. Mr. BAROODY (Saudi Arabia) said that he had abstained from voting on the joint draft procedural resolution. The Third Committee should have referred the draft resolutions and amendments on measures of implementation referred to in that draft to the Sixth Committee for its opinion on the matter. But he had no

fundamental objections to the Commission on Human Rights studying those documents, and had not, therefore, voted against the joint draft procedural resolution.

19. Mr. TSAO (China) pointed out that, in the opinion of the Chinese delegation, the General Assembly was not at the moment in a position to establish an organ for receiving claims or complaints from non-governmental organizations or individuals concerning violations of human rights. In view of the limited time at the disposal of the Committee and of the importance of the problem, the Chinese delegation had considered that the wisest plan was to adopt the joint draft procedural resolution (A/C.3/L.229/Rev.2) and had therefore voted for it. But, at the seventh session of the General Assembly, his delegation would welcome every concrete proposal which the Commission on Human Rights might recommend with relation to measures of implementation.

20. The CHAIRMAN said that, in connexion with the draft covenant, the Committee still had before it a Mexican draft resolution (A/C.3/L.194), a Lebanese draft resolution (A/C.3/L.198/Rev.2) and a Chilean draft resolution (A/C.3/L.218/Rev.2).

21. Mr. DE ALBA (Mexico) proposed that the Committee should first take up the Mexican draft resolution (A/C.3/L.194), which was not of a controversial nature.

It was so agreed.

DRAFT RESOLUTION SUBMITTED BY MEXICO (A/C.3/L.194)

22. Mr. DE ALBA (Mexico) stated that the Mexican draft resolution suggested that, in the Spanish texts relating to the Universal Declaration of Human Rights, the expression *derechos humanos* should be adopted instead of the words *derechos del hombre*. The Mexican delegation did not intend to embark upon an analysis of the etymology and evolution of the Spanish language, but the Universal Declaration of Human Rights was obviously universal in scope inasmuch as it had to apply to every human being irrespective of age or sex. Moreover, since the concepts were obvious, the words in which they were expressed must also be clear.

23. The expression "rights of man" dated from the French Revolution of 1789, when philosophers and humanists looked upon the individual as an end in himself. It was also a concept proclaimed by the United States Declaration of Independence, in which Jefferson had stated that individual rights included the right to life, liberty and the pursuit of happiness; but man had not been long in realizing that happiness presupposed the existence of favourable social and family conditions, that it was based on the solidarity of individuals and peoples and, at the same time, on the fulfilment of various economic, social and cultural conditions.

24. The Universal Declaration of Human Rights, adopted by the General Assembly in 1948 (Assembly resolution 217 A (III)), proclaimed the fundamental human rights both in its preamble and in articles 2, 7,

15, 23, 25, 28 and 29, but it added that, if those rights were to be fully effective, there must be social and international order and, furthermore, that the individual had duties towards the community in which the free and full development of his personality was possible. The Universal Declaration of Human Rights adopted in 1948 was the manifesto of a new humanism based on the principle of equal rights and the brotherhood of peoples; but the principles of the Declaration had no binding force and it was therefore essential to render the expression "human rights" in Spanish as *derechos humanos* to avoid ambiguity and to ensure concordance between the letter and the substance of the covenant.

25. As early as 1948 the delegation of the Dominican Republic had raised the question and had stressed the need to protect women's rights.¹ The proposal had not been adopted for lack of time.

26. He hoped that his draft resolution (A/C.3/L.194), which had already been favourably received by the Latin American Press, could be approved by the Third Committee in spite of the technical difficulties in which it might involve the United Nations.

27. Miss BERNARDINO (Dominican Republic) stressed that her delegation whole-heartedly supported the proposal made in the Mexican draft resolution (A/C.3/L.194).

28. The expression *derechos del hombre* related to a glorious period of the eighteenth century, a period which should be respected because it was precisely that period which had incited the women of several countries to struggle for emancipation. It was none the less true that in the mid-twentieth century, when woman had been recognized as a person before the law in most of the world, the expression was out of date.

29. It was on that account that, during the general discussion on the draft covenant, the delegation of the Dominican Republic had pointed out (367th meeting) that the word *hombre*, taken to represent the human race, could only mean man as opposed to woman, whereas the adjective *humanos* applied to the whole of mankind. The expression *derechos del hombre* was therefore out of place in such an important and far-reaching document as the covenant.

30. By retaining that expression in the future covenant the Committee might compromise the progress already achieved by woman in the recognition of her rights. Furthermore, confusion would unfortunately be bound to arise which would be damaging to the dignity of the female sex and would impede the fulfilment of its aspirations to absolute equality of rights.

31. It was at the San Francisco Conference that woman had undertaken the most difficult part of the campaign to have that equality recognized, when she had requested that her rights should be embodied in the United Nations Charter. The representatives who had participated in the San Francisco Conference still remembered with emotion the day when, through the efforts of the group of delegations which supported the

¹ See *Official Records of the General Assembly, Third Session, Part I, Third Committee, 98th meeting.*

worthy cause of woman, equal rights for men and women had been specifically mentioned in the Charter of the United Nations.²

32. Since the Charter used the expression *derechos humanos* in its broadest meaning, which would allow an interpretation which was more favourable to woman's interests, she wondered why that term was not adopted. She asked why an expression which did not correspond to the wording of the Charter should be used in the Universal Declaration of Human Rights and in the covenant.

33. The delegation of the Dominican Republic emphasized the need to co-ordinate the text of General Assembly documents with the language used in the Charter of the United Nations, particularly in the case of documents setting forth the principles and postulates of the most elementary human justice.

34. It should also be recognized that woman had not been a person before the law at the time when the Declaration of the Rights of Man and of the Citizen of 1789 had been proclaimed. In spite of the important part which French women had played in the history of the French Revolution, in spite of the willing sacrifices, in spite of the blood they had shed, woman had not been covered by the Declaration of the Rights of Man and of the Citizen, since, at that time, they had not enjoyed the rights which should apply to every human being. The Declaration of 1789 had been in keeping with the political conception of human rights of those days.

35. The twentieth century conception, on the contrary, had been extended to cover economic, social and cultural rights. In keeping with that new tendency there was a modern classification of rights for which the expression *derechos humanos*, already established by the Charter of the United Nations, was more appropriate.

36. The delegation of the Dominican Republic respected the conception which the French-speaking delegations might have of the expression *droits de l'homme*. It was therefore merely requesting, together with the Mexican representative, that the expression *derechos humanos* should be used rather than the words *derechos del hombre* in the working documents and publications in Spanish relating to the Universal Declaration and to the draft international covenant on human rights.

37. She asked the members of the Committee to vote for the Mexican draft resolution (A/C.3/L.194) in order to assist women, who represented more than half of the world's population, to have their rights guaranteed by the international covenant on human rights.

38. Mr. BAROODY (Saudi Arabia) said he would vote for the Mexican draft resolution and added that the same difficulties arose in Arabic as in Spanish regarding the meaning of the phrase "rights of man". The concept of human rights to which the Mexican representative had referred went back to the period

before the French Revolution and had its origins in the Bible itself.

39. The part played by women in society was indeed an important one. Whether as the mother, protecting man in his childhood and youth, or as man's wife and the mother of his children, it was beyond question that she was indispensable to man and had equal rights with him. Accordingly, the Saudi Arabian representative supported the Mexican draft resolution.

40. Mr. PAZHAWAK (Afghanistan) said that his delegation entirely approved the purpose of the Mexican draft resolution. He wondered, however, whether it would not be more advisable to broaden its scope by stating in the operative part that in future, Member States would be asked to use a phrase equivalent to *derechos humanos* in all documents published in their language and in their countries dealing with the Universal Declaration of Human Rights or the international covenant on human rights.

41. Mr. DE ALBA (Mexico) thought that the various versions of the covenant and the relevant texts should be closely related. He would not, however, wish to make any judgment regarding the French language, with which he was far less acquainted than with Spanish. He would therefore like to hear the views of the French-speaking representatives regarding the Afghan suggestion. If those views were favourable, the representative of Afghanistan might submit an amendment to the Mexican draft resolution.

42. Mr. CASSIN (France) could not give an opinion as to whether the expression *derechos humanos* in Spanish was better than *derechos del hombre*, but he thought that all the official languages were, to some extent, interdependent.

43. He warned the Committee against changes relating to past decisions, for they might have serious consequences.

44. From a procedural point of view, it should be recalled that the title of the Declaration was part of the text and that if it were altered, the text would also be changed. When the Chinese delegation had criticized the Chinese text of the Convention on the Prevention and Suppression of the Crime of Genocide, it had requested the inclusion in the General Assembly's agenda of the question of the revision of that text. The Third Committee was not competent, on its own initiative, to alter the text of the Universal Declaration of Human Rights, which had been officially adopted by the United Nations (General Assembly resolution 217 A (III)). Once a specially-convened meeting of linguistic experts had discussed the problem, the same would not apply to the future covenant.

45. With regard to the conception of human rights, the French representative recalled that his delegation had been the first to endorse the proposal of the Dominican Republic to include in the text of the preamble of the Declaration the principle of equality before the law for men and women. Without fear that its intentions might be misunderstood, it could therefore assert that the conception defended by those who wished to

² See *Documents of the United Nations Conference on International Organization, San Francisco, 1945*, vol. VI, document 1006.

alter the text adopted in the Universal Declaration of Human Rights was not compatible either with the principles or purposes of that document.

46. The representative of Lebanon had already demonstrated (370th meeting) that the Declaration was a manifesto, a protest by mankind against oppression of the human being as a human being; it expressed his claim to the rights of the human person as opposed to the rights of the human herd. The expression *droits humains* meant nothing or should be interpreted in the much wider sense of general juridical relations between human beings, relations between individuals, between communities and between communities and individuals. However broad the interpretation placed on the concept of human rights, it was inconceivable that the Declaration governed collective relations; it governed only the fundamental rights of human beings, as such, *vis-à-vis* the community as well as *vis-à-vis* one another.

47. The French representative therefore had to point out the risk the Committee would incur if it approved the Mexican draft resolution, which was not in conformity with past United Nations practice or with the conception of human rights as expressed in the Universal Declaration of Human Rights.

48. With regard to the covenant, the members of the Committee were of course free to adopt whatever terminology seemed appropriate.

49. His delegation could not vote in favour of the reference to the Universal Declaration of Human Rights.

50. AZMI Bey (Egypt) said that he would abstain from voting on the Mexican draft resolution (A/C.3/L.194). He pointed out, however, that in Arabic there could be no difficulty in translating the words "human rights", since there was a generic term meaning human person and applicable to both sexes.

51. Mr. RAADI (Iran) said he would accept the opinion of the Spanish-speaking delegations, who were competent to decide whether the proposed alteration should be made. In support of the argument submitted by the Mexican delegation, he pointed out that there were similar difficulties in translating the expression "human rights" into certain oriental languages although it was true that they were not working languages, like Spanish. Moreover, most often, translations were based on the English words "human rights" which were more in keeping with the genus of those languages.

52. Accordingly, the Iranian delegation viewed with sympathy the draft resolution submitted by Mexico and would vote for it.

53. Mr. AZKOUL (Lebanon) recalled the bonds of friendship between Lebanon and the Latin American republics and the fact that there were Lebanese settled in those countries who loved their adoptive country as much as their country of origin. He would not wish his intentions to be misinterpreted.

54. He would understand a change in terminology if the expression "rights of man" might actually be interpreted as excluding women. He doubted, however, that any sane person in modern times could claim that

the provisions of the Universal Declaration of Human Rights and the draft covenant did not apply to women. Moreover, the word "man" had never been interpreted otherwise in the United Nations and delegations had consistently maintained that it included men and women.

55. The Lebanese delegation was particularly distressed by the reasons given by the author of the draft resolution (A/C.3/L.194) and by the philosophical concepts underlying his proposal. Mr. Azkoul had been gratified to hear the French representative recall that the authors of the Charter and of the Universal Declaration of Human Rights were reacting against the growing collectivism of society, against the conception of man as a mere element of the collectivity, as a mere cog in a wheel. It was for that reason that the United Nations, in opposition to nazism, fascism and the totalitarian legislation tending to submerge the individual, had strengthened the human person and the rights of the human person. The Lebanese delegation could not therefore admit that man should be considered solely in terms of his relationship with his fellowmen.

56. It would be compelled to vote against the draft resolution if, by adopting it, the members of the Committee were endorsing the theory put forward by the Mexican representative in the observations he had made on 5 December 1951 (360th meeting).

57. He did not think that the words *droits humains* made the title any clearer; he thought they would be understood to include the rights of the State, of the Church or of groups. The Universal Declaration of Human Rights, however, dealt only with the rights of the individual, of the human person. When certain delegations had suggested that it should include the duties of the individual, the Commission on Human Rights had rejected that suggestion and had stressed that it was the rights of the individual that were in danger, thus showing that its concern was with the human person. Moreover, the USSR proposals to add to the Declaration rights of States as distinct from rights of the individual had always been rejected by the Commission on Human Rights and the General Assembly.

58. Article 29 of the Universal Declaration of Human Rights, the only article dealing with the duties of the individual to the community, made it a condition that the community should promote the development of the human personality; when a community rendered such development impossible, the individual no longer had duties to it. The authors of the Universal Declaration of Human Rights had meant to take a stand against totalitarianism and exaggerated collectivism.

59. Words had meaning only in relation to other words. Thus *droits humains* could be set only against the rights of animals or plants, but *droits de l'homme* contrasted with the rights of the State, of society, and of the community. Those remarks would also apply to the English text, where, however, the question of interpretation had never arisen.

60. As to the Afghan representative's suggestion, there was no point, as the Egyptian representative had

observed, in amending the Arabic text. The main reason for his opposition was that the interpretation by which it had been sought to justify the terminological change was contrary to the intentions, the scope, the tenor and the sense of the Universal Declaration of Human Rights.

61. Mr. ALBORNOZ (Ecuador) observed that it was customary in legal matters to consult the dictionary on words concerning which doubt existed. In the dictionary of the Spanish Academy, the first meaning of the word *hombre* was an individual of the human species; a representative of the male sex was only the second meaning.

62. Article 20 of the Ecuadorean Civil Code provided that the words man, person, child, adult and other similar words which applied generally speaking to individuals of the human race, without distinction of sex, should be understood as embracing both sexes under provisions of the law. The cases where legislation applied to only one of the sexes were the exception. But in the case, for example, of the "citizen", "official" and "teacher", both men and women were implied, unless the law expressly provided otherwise. The civil legislation of Ecuador was similar to that of other Latin-American countries.

63. As to the enjoyment by women of the rights enumerated in the Universal Declaration of Human Rights, he was pleased to say that the Ecuadorean legislation guaranteed absolute equality as between men and women. He quoted article 17 of the Constitution of Ecuador, the provisions of which were equivalent to article 21, paragraph 1, of the Universal Declaration of Human Rights and which conferred citizenship on all Ecuadoreans, whether men or women, of over 18 years of age and able to read and write, and who could vote or be elected. He said that a large number of women held public office, the majority being engaged in teaching. Labour legislation in Ecuador not only guaranteed equality as between men and women but also provided special protection for women, as did the legislation guaranteeing freedom of assembly, religion and association.

64. He recognized that the Spanish text of the Charter spoke of "the rights of man" and of "human rights", while that of the Declaration spoke of "the rights of man". Where the question of the emancipation of women and of guaranteeing their rights was concerned, particularly in countries where women had not yet exercised any right, the ambiguity should clearly not be allowed to subsist. He was in full agreement with the Dominican Republic representative on that point.

65. Thus, not because of a contradiction in the Spanish language between the concept "rights of man" and that of "human rights", but rather because there was no such contradiction, he would not only refrain from opposing the Mexican draft resolution (A/C.3/L.194) but would vote in favour of it, thus endorsing the sense of justice behind that draft and paying a tribute to the women representatives and to particularly the Chairman of the Third Committee who was an honour to her high post.

66. He would, however, request a vote in parts, for he would abstain on the second paragraph of the preamble; in fact, the contents and purpose of the Universal Declaration of Human Rights and of the draft covenant had always been adequately defined by the term "rights of man". He would also vote for the draft resolutions because of the repercussions it might have in the case of other languages in which real differences between the expression "rights of man" and "human rights" might give rise to undue restrictions. If, however, the Mexican representative made certain formal changes to the second paragraph, he might be able to vote for it.

67. Mrs. AFNAN (Iran) supported the Mexican draft resolution and spoke of her delegation's respect for the ideals and humanitarian concern of the Mexican representative. She saw in the draft resolution a further effort to eliminate a last vestige of discrimination from the draft international covenant on human rights and approved it, not only as a woman but more particularly as an individual with a profound interest in the draft covenant and in the Universal Declaration of Human Rights.

68. In interpreting the draft resolution, the Lebanese representative had found that it contained traces of heresy. The Iraqi delegation was not opposed to heresies, for they were inseparable from dogma and helped to keep the latter alive. She would probably have approved the heresies, but she had been unable to detect the dangerous socialist or collectivist tendencies the Lebanese delegation had read into the text.

69. Mrs. COELHO LISBOA DE LARRAGOITI (Brazil) regretted that, instead of giving rise to a unanimous vote, the draft resolution had revived an old dispute. The United Nations Charter itself, to which some members had referred, did not entirely bear them out. While the Charter spoke of the human person, it also recognized a difference between man and woman by proclaiming their equality. The Lebanese representative had said that no sensible person could misinterpret the expression "rights of man". But if the world were sensible, there was little reason why the United Nations should exist.

70. The Brazilian delegation would vote for the Mexican draft resolution and hoped that the members of the Committee would do likewise.

71. Mr. DE ALBA (Mexico) asked the Afghan representative not to insist on extending the effect of the Mexican proposal to all languages.

72. When the Universal Declaration of Human Rights had been drafted in 1948, Spanish had not yet become a working language. It had only become a working language at the end of the third session of the General Assembly (Assembly resolution 247 (III)). Consequently, the General Assembly had not voted on the draft declaration of human rights in Spanish. The existing text was thus only an official translation.

73. He thought that the Lebanese representative had with too much subtlety read between the lines and found there intentions that did not exist. The life of

contemporary man was based on the idea of human solidarity, a view which the Lebanese representative could not contest. The fact that the Universal Declaration of Human Rights could be applied to various political sectors of the world was only another argument in its favour. He thanked those delegations that had supported his draft and in particular the representative of Ecuador, who had approved it although with many reservations.

74. The CHAIRMAN confirmed that by resolution 247 (III) adopted on 7 December 1948^a the General Assembly had decided that Spanish should become one of its working languages and that it was only on 11 December 1948, the day after the adoption of the Universal Declaration of Human Rights, that it had adopted the amendment to rule 44 of its rules of procedure (resolution 262 (III)), making the necessary changes.^b Thus the General Assembly had not officially adopted the Spanish text of the Universal Declaration of Human Rights and the existing text was only an official translation.

75. Mr. PAZHWAQ (Afghanistan) would not press his proposal since the Mexican representative had not accepted it. Only he and the representative of Iran spoke the same language, which was not a working language, and he had always bowed to the opinion of the majority. In any event, since the Mexican draft resolution (A/C.3/L.194) appeared to him to have certain advantages, he would vote for it in its existing form.

76. Mr. MENEMENCIOGLU (Turkey) said his delegation had insufficient information on which to decide as to the advantages of the words "human rights" in Spanish as against the words "rights of man".

77. He would, therefore, abstain from voting.

78. Mr. PAMONTJAK (Indonesia) relied in the matter of terminology on the opinion of the specialists in the Spanish language. The Indonesian Constitution contained a special chapter on human rights, and the expression had already been translated into his language, with the correct distinction between the human race on the one hand and men and women on the other, by a word derived from sanscrit corresponding to the German *Mensch*. The legislation of Indonesia provided for complete equality between men and women in practice as well as in theory.

79. His delegation would therefore vote in favour of the Mexican draft resolution.

80. Mr. AZKOUL (Lebanon) was glad to hear from the Mexican representative's last statement that his proposal was not necessarily connected with any one concept but in fact covered them all. He suggested that the second paragraph of the preamble should be deleted in order to avoid asking representatives who were not Spanish-speaking to settle a linguistic problem outside their competence and also to avoid the possi-

bility of an interpretation which some would consider dangerous. For that latter reason, he also suggested that the words "the statements to this effect made by" should be replaced by "the preference for the wording of the Charter expressed by" in the third paragraph of the preamble. With those amendments, the draft resolution would achieve the desired purpose of replacing a word in the Spanish text by another word preferred by the Spanish-speaking delegations, without involving an interpretation which certain delegations would consider very dangerous and which would compel them to vote against the Mexican draft resolution.

81. Mr. BAROODY (Saudi Arabia) was personally in favour of the Mexican draft resolution and saw no reason to object to an amendment which the Latin American delegations considered highly important. The change would be made only in the Spanish text and would not in any way affect the position of each delegation on the text in its own language. It would be pointless to enter into a philosophical and philological discussion on the matter and there was no reason to prolong the debate.

82. Miss BERNARDINO (Dominican Republic) did not agree with the representative of Ecuador on the meaning of the word *hombre* in the constitutions and legislative texts of the Spanish-speaking countries. The representative of Ecuador had referred to the dictionary of the Spanish Royal Academy, but perhaps that dictionary also required revision. The constitutions of most Latin American countries contained a provision couched in the following terms: "All (the name of the nationals of the country in question) are citizens", but that did not mean that they all, and particularly the women, had necessarily been granted the right of franchise and, in many cases, the constitution had had to be amended before they could be granted that right. There was still much to be done in that respect and in certain countries, such as Ecuador, the vote was optional for women but compulsory for men.

83. She assured the representative of France that she had not forgotten his support of the draft resolution she had submitted in 1948 for the insertion of a provision proclaiming the equality of the sexes in the preamble of the Universal Declaration. She was well aware that Mr. Cassin was the great champion of the rights of women in the Commission on Human Rights. All that she was asking, in support of the Mexican representative, was that the wording of the Universal Declaration of Human Rights and of the covenant should be brought into line with that of the United Nations Charter, in order to avoid any confusion.

84. Mr. PAVLOV (Union of Soviet Socialist Republics) pointed out that the Russian word *cheloviek* meant a human being and applied to women as well as men, since it covered both sexes. If the same was not the case for the Spanish word *hombre*, only the Spanish delegations were competent to decide whether that word should be changed. The Universal Declaration of Human Rights was in fact based on the recognition of the complete equality of the sexes, a

^a See *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, 174th meeting.

^b *Ibid.*, 186th meeting.

point on which his delegation had insisted. If the Spanish text did not express that principle clearly, it should be corrected. It was only natural that he should hold that view because he represented a country where men and women were on a footing of complete equality and enjoyed equal rights in all respects.

85. There were no difficulties involved in the proposed alteration, because, as the Chairman had pointed out, it was not a question of revising a text adopted by the General Assembly but simply of improving a translation. Consequently there was no justification for the French representative's objections.

86. Obviously the fact that the principle of equality was proclaimed in the Universal Declaration of Human Rights was not enough in itself; steps should also be taken to make sure that the principle became a reality. Although there was equality in every respect in the USSR, the same was not the case in many other countries, where, for example, women did not receive equal pay for equal work. The covenant should be drafted in such a way as to prevent the survival of that type of discrimination.

87. The representative of Lebanon had quite unjustifiably attempted to distort completely the attitude of the USSR delegation towards the question of human rights. With his idea of man isolated from the community, he was reminiscent of a mediaeval alchemist trying to create a homunculus in a retort. His remarks amounted in fact to an argument for inequality and, indeed, it might well be asked what equality the women of Lebanon enjoyed. On the other hand, it was true that a society should be created in which each individual could exercise his rights. That was a fact which certain delegations accepted, but which others, turning their backs on civilization, refused to recognize. The USSR delegation favoured complete equality for men and women in all respects. To achieve that end, a social structure must be created consonant with the full development of the human personality and an atmosphere of perfect harmony between the individual and his surroundings. It was for the State to create the necessary conditions for that harmony and full development.

88. He proposed that the words "in the Spanish text" or "in Spanish" should be added at the end of the second paragraph of the preamble to the Mexican draft resolution (A/C.3/L.194). His delegation would vote in favour of that draft which reflected the legitimate desire of the Latin American delegations to give the Universal Declaration of Human Rights its true meaning.

89. Mr. BUNGE (Argentina) said that his delegation supported the Mexican proposal in its entirety. It was true that the word *hombre* could mean the human race, but it was ambiguous and had had to be defined in many constitutions and legislative texts.

90. His delegation would vote for the draft resolution.

91. Mr. ALBORNOZ (Ecuador) was grateful to the representative of the Dominican Republic for having spoken of the women's vote in Ecuador. In his

country, all literate citizens over the age of 18 years were entitled to vote. The vote was compulsory for men and optional for women, which was in fact an advantage for the women because they were not penalized if they failed to vote. That provision was perfectly justified since in Ecuador the right to vote had been granted to women only about twenty years previously.

92. Mr. DE ALBA (Mexico) accepted the USSR amendment for the addition of the words "in Spanish" at the end of the second paragraph of the preamble. He could not however accept the Lebanese representative's suggestion for the deletion of that paragraph because it was precisely there that the purpose of the draft resolution was explained and the idea of man in society was expressed. That idea was in keeping with the spirit of the Universal Declaration of Human Rights, which considered man in relation to society and embodied many purely collective rights, such as the right to have a family, the right of association and the right to social security. In a spirit of compromise, he accepted the Lebanese representative's proposal to substitute "the preference for the wording of the Charter expressed by" for "the statements to this effect made by" in the third paragraph of the preamble.

93. Mr. PAZHWAQ (Afghanistan) said he would vote for the Mexican draft resolution. He could not agree that it was a question that concerned only Spanish-speaking delegations. An idea was involved, as well as a word, to which the members of the Third Committee could not remain indifferent. For its part, his delegation could not fail to be interested in any question that came before the General Assembly.

94. Mr. VALENZUELA (Chile) would vote for the Mexican draft resolution. He was not interested in an academic discussion but rather in the Universal Declaration of Human Rights and the covenant as instruments for attaining certain objectives. It was important that in Spanish-speaking countries the term used should not permit of any interpretation that would discriminate against women. The Lebanese representative's theory was interesting but seemed highly contestable; for man could not be regarded as an individual divorced from his surroundings but had to be thought of in relation to society. The first of those two notions constituted a retrograde step and was tantamount to wiping out all progress already achieved.

95. Miss BERNARDINO (Dominican Republic) requested a roll-call vote on the draft resolution as a whole.

96. The Chairman first put to the vote the second paragraph of the preamble to the Mexican draft resolution (A/C.3/L.194) as amended by the USSR delegation.

The paragraph, as amended, was adopted by 33 votes to none, with 12 abstentions.

97. The CHAIRMAN put to the vote by roll-call the draft resolution submitted by Mexico (A/C.3/L.194), as a whole, as amended by the Lebanese amendment to the third paragraph of the preamble.

A vote was taken by roll-call.

The Philippines, having been drawn by lot by the Chairman, was called upon to vote first.

In favour : Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Greece, Indonesia, Iran, Iraq, Israel, Liberia, Mexico, Netherlands, New Zealand, Norway.

Abstaining : Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, France, India, Lebanon, Pakistan.

The draft resolution (A/C.3/L.194), as a whole, as amended, was approved by 36 votes to none, with 9 abstentions.

98. Mr. AZKOUL (Lebanon), exercising his right of reply, said it was easy to invent arguments and put them in the mouth of a speaker in order to be able to demolish them. The USSR representative had interpreted him as saying that he favoured inequality as between men and women. Nothing could be further from the truth and it was enough to refer to the

statement he had made at the current meeting in which he had emphasized that no reasonable person could interpret the expression "rights of man" as applying exclusively to the male sex and not to the human being. The USSR representative had also alleged that he (Mr. Azkoul) had envisaged the individual as deprived of economic, social and cultural rights. He had, on the contrary, held that the full development of the individual should be assured. What he had said, and what had not been refuted by the USSR representative, was that there was a tendency to think of the individual only in terms of the community, a tendency against which the Commission on Human Rights and the General Assembly had taken a categorical stand by rejecting all the draft resolutions submitted by the Soviet Union with a view to confirming the subordination of the individual to the collectivity. The enemies that the USSR representative was fighting were the windmills of his own imagining.

99. In deference to the Chairman and in order to avoid embarking on a possibly lengthy debate, he would refrain from replying to the allusions to Lebanon and from making comparisons between the observance of human rights in his country and in that of the USSR representative.

The meeting rose at 1.35 p.m.