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*Chairman: Mr. S. Amjad ALI (Pakistan).*

**Draft convention on political rights of women (A/2156, A/2156/Add.1, A/2172, chapter V, section XII, paragraphs 620-624, A/C.3/L.330) (concluded)**

[Item 61]\*

**CONSIDERATION OF THE JOINT DRAFT RESOLUTION (A/C.3/L.330) AND OF THE DRAFT CONVENTION ANNEXED THERETO (concluded)**

1. Mrs. BERGER (Canada) wished to explain her delegation's vote on the draft resolution (A/C.3/L.330) which had been adopted at the preceding meeting with certain amendments.

2. Her delegation has abstained in the vote on a similar resolution at the fourteenth session of the Economic and Social Council because it had doubted that a convention like the one just adopted would really further the cause of political rights of women and because, to a federal State like Canada, the convention on political rights of women might present legal and constitutional difficulties. While those arguments remained valid, the Canadian delegation had been impressed by the repeated affirmations that the convention would be an important step towards the universal attainment of equal rights for men and women. It had therefore voted in favour of the draft resolution and of the draft convention embodied in it, but that vote should not be taken to mean that the Canadian Government would necessarily sign and ratify the convention. Moreover, as there was no federal clause in the draft convention, she reserved her Government's right, if it should decide to ratify that instrument, to make any reservations which the constitutional structure of Canada might necessitate.

3. Mr. DUNLOP (New Zealand) said that, as many delegations had stressed the urgent need for adopting the draft convention on political rights of women, his delegation had taken a positive attitude and had endeavoured to achieve the best possible text. It firmly believed in the full political equality of men and women. The New Zealand Government, however, had not yet had an opportunity to study the formal clauses and to consider the draft convention as amended; its position would therefore be determined after a careful examination of the final text.

4. The inclusion of the words "without any discrimination" in articles 1 and 2 appeared illogical, as the entire convention dealt only with discrimination on the ground of sex. He therefore hoped that the point would be reconsidered at a plenary meeting of the General Assembly and also that full concordance would be established between the various translations.

5. Mr. AREVALO CARREÑO (Peru) stated that he had voted for the draft convention because its contents were in agreement with the purposes and principles of the Charter of the United Nations. Although in his country women enjoyed full civil rights and the right to vote in municipal elections, they had not yet been granted other political rights, and the accession of Peru to the draft convention would therefore depend on the carrying out of a constitutional reform giving them such rights.

6. Mr. FRONTAURA ARGANDOÑA (Bolivia) explained that his delegation had abstained on the Indian amendment (A/C.3/L.333) to the draft convention. It had preferred the joint amendment (A/C.3/L.332), since it believed that in exercising human freedoms no distinction should be made between the persons comprising the human race, especially since there were many highly civilized peoples in the Non-Self-Govern-

\* Indicates the item number on the agenda of the General Assembly.

ing and Trust Territories perfectly capable of exercising such freedoms in a responsible manner.

7. It had voted against the Netherlands amendment (A/C.3/L.329/Rev.2) because it ran counter to the provisions of the Bolivian Constitution, under which government was exercised through legally elected representatives, not directly.

8. It had voted for all proposals designed to make the draft convention as democratic in scope as possible.

9. It had been wholly in favour of a very broad reservations clause, in order that there should be no impression that the convention was unduly binding.

10. It had been favourably impressed by the explanations of the representative of the United Nations Legal Department regarding many of the articles against which objections had been raised. Recourse to the International Court of Justice would be the correct method, not so much because it was usually provided for in such instruments as because electoral laws and their effect on the personal status of electors varied from country to country and often conflicted. The existing legal, economic and political institutions should be strengthened until better ones could be prepared.

11. Mr. CASTILLO (Ecuador) remarked that he had voted for the draft convention and was happy that it had been adopted without a dissenting vote.

12. His Government would undoubtedly wish to ratify it.

13. With regard to the inclusion of the words "without any discrimination" in article 1, he explained that, while in his country men and women enjoyed the same political rights, men were obliged to vote and could be fined for failure to do so, whereas for women the exercise of the right to vote was optional, so that in fact there was a certain discrimination in favour of women.

14. Mr. JOUBLANC RIVAS (Mexico) said that he had voted against the proposal to introduce the words "without any discrimination" into articles 1 and 2, feeling that they were redundant and made for confusion, and had opposed their insertion in article 3 because women in his country enjoyed certain privileges which might be construed as discrimination in their favour. He therefore hoped that the General Assembly would delete those words.

15. He had voted against articles 7 and 9 for reasons explained previously, and would support any proposals that might be made at a plenary meeting of the General Assembly to delete article 9.

16. In spite of what he considered its shortcomings, he had voted for the draft convention as a whole, *ad referendum*.

17. He emphasized that, as the Spanish text would be one of the authentic texts of the draft convention, it would have to be revised in order to bring it into concordance with the versions in other languages.

18. Mr. PAZHAWAK (Afghanistan) explained that at the preceding meeting the situation had been so confused that his delegation had been compelled to declare itself present but not voting. Having had time since then to seek the necessary instructions, his delegation, which was firmly in favour of the principle of political

equality of men and women, wished to cast an affirmative vote for the draft resolution (A/C.3/L.330) and for the draft convention on political rights of women.

19. Because of constitutional difficulties to which he had drawn attention earlier, however, that vote did not mean that his Government would necessarily sign or accede to the convention.

20. Mr. CAMPOS CATELIN (Argentina) observed that he had voted against article 9 of the draft convention because it was inadmissible that a matter which lay wholly within the competence of sovereign States should be brought before an international court.

21. He had found no difficulty in voting for the draft convention as a whole, since the women in his country enjoyed full political rights, but he reserved the right of his Government to make reservations to the convention if article 9 was maintained.

22. Since his Government did not recognize the sovereignty of the metropolitan Powers over Trust and Non-Self-Governing Territories, it could not accept either that the draft convention should automatically apply to those territories or that the decision regarding its application should be taken by the metropolitan Powers. It was a matter to be decided by the peoples of the territories themselves. He had therefore abstained on the two amendments dealing with the colonial clause.

23. Mrs. ROSSEL (Sweden) said that she had voted for the draft convention on the understanding that articles 1, 2 and 3 would be brought into conformity and that the words "without any discrimination" would either be deleted from articles 1 and 2—which she would much prefer—or be inserted in article 3. If the words were maintained, she suggested that the proper place for them would be near the beginning of each article.

24. The adoption of the convention was an achievement of decisive importance for the rights of both men and women everywhere.

25. Mr. HUNEIDI (Syria) said that he had voted for the draft convention, although he was aware that it had certain shortcomings and contradictions and that the colonial clause, in particular, did not adequately provide for the needs of non-self-governing populations. Some governments, including his own, might find some difficulty in signing the convention at present, so that immediate action was not to be expected, but the adoption of the instrument beyond doubt constituted a major contribution towards the implementation of one of the basic principles of the United Nations Charter.

**Report of the Economic and Social Council  
(chapter V, sections III to V and VII to XII)  
(A/2172)**

[Item 11]\*

26. Mr. MARTIN (Canada) said that more than half the discussions and resolutions in the United Nations related to questions of human rights. The speeches on that subject since 1945 should leave no doubt that the principle of the observance of human rights was accepted without qualification by all Member States. Yet, experience had shown the great difference between words and deeds. At the current session, members of the Third Committee had drawn the most gruesome pictures of the way in which other Member States vio-

lated human rights, while in fact they themselves had, according to all available evidence, shown themselves guilty of the most flagrant discrimination and the most inhuman persecution.

27. It was because of the ever-deepening gulf between the words spoken by those representatives and the actions of their governments that the Canadian delegation felt it necessary to draw the Committee's attention to section V of chapter V of the report of the Economic and Social Council (A/2172). It was not the first time that the Canadian delegation had been impelled to protest against the flagrant disregard of human rights in Eastern Europe, more particularly in Bulgaria, Hungary and Romania. Other delegations had associated themselves with such protests in the *Ad Hoc* Political Committee at the fourth session of the General Assembly. It might have been hoped that the Governments concerned would pay some heed to the protests, but such hopes had been vain. Discrimination had continued in the three countries he had cited and had spread to other countries associated with them. Persecution had been intensified until it might well be compared with the conditions prevalent during the darkest days of the nazi and fascist régimes.

28. The United Nations had endeavoured for three years to put an end to the sufferings of the victims of that persecution. In 1949, the General Assembly had considered many resolutions on the question of the observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms, which might have supplied a solution, had the Governments concerned only shown good faith. Evidence of their good faith had not been forthcoming and the General Assembly had been compelled to confine itself to adopting a resolution (294 (IV)) most urgently drawing the attention of the Governments concerned to their obligations under the peace treaties. In supporting the proposal originally submitted by the Australian and Bolivian delegations, the Canadian representative had at that time specifically referred to the trial of Cardinal Mindszenty, to the persecution suffered by the Calvinist Church in Hungary and to discriminatory measures taken against fifteen Protestant pastors in Bulgaria. He had explained further that, in the opinion of the Canadian Government, those persecutions had been the natural outgrowth of communism.

29. The Governments of the three countries concerned had rejected the charges of violation of the peace treaties made by the Allied Governments, and the advisory opinion of the International Court of Justice had been sought. The opinion handed down<sup>1</sup> had left no doubt that an international dispute had arisen and that Bulgaria, Hungary and Romania were bound under the peace treaties to appoint representatives to the commission provided for in those instruments. Their Governments had, however, completely ignored the advisory opinion of the Court.

30. When the question had been raised again at the fifth session of the General Assembly, it had already become evident that, without the co-operation of the Governments concerned, there could be little hope for

progress in the United Nations efforts to put an end to violations of human rights in the three countries. Since then, discriminatory measures and persecution had been intensified and the good faith and goodwill of the Governments had deteriorated rather than improved. The Canadian delegation was therefore aware of the futility of proposing that the United Nations should taken any specific action on the problem.

31. Nevertheless, his delegation wished to protest formally against the systematic persecution raging behind the "iron curtain" against millions of human beings whose only crime was their desire for freedom. Much documentation was available on such violations of human rights and gave a picture of brutality and inconceivable cruelty. He assumed that many other delegations would speak on the subject and would therefore give only one example of the pattern designed to terrorize satellite régimes, to punish them for their shortcomings, to compel greater sacrifices under the shadow of fear, to produce scapegoats and to promote the Soviet Union's favourite propaganda of hatred against the free world.

32. The case he had in mind was that of forty defendants in Bulgaria, including the Senior Bishop of the Church in Bulgaria and several leading educationists. The six leading defendants had been charged with trying to overthrow the Bulgarian Government and the others with assisting them in varying degrees. All had been found guilty, four had been sentenced to death and two to twenty years' imprisonment.

33. The manner in which the trial had been conducted showed how little it resembled the proceedings of a court conducting an impartial inquiry in a civilized country. The guilt of all the defendants had been assumed from the outset by the Bulgarian Press, in the speeches of communist leaders and in the very wording of the indictment. The trial of no fewer than forty defendants had lasted only five days. The thirty witnesses had all been heard on the morning of the last day of the trial, when the court not only heard the speeches of the counsel for the prosecution and for the defence, but also delivered its verdict. No attempt had been made to establish a convincing case on the basis of adequate evidence. Apart from the so-called confessions of some of the accused and the testimony of witnesses, some of whom were themselves prisoners, the material evidence produced to prove that the defendants were preparing an underground resistance movement had consisted of two small radio transmitters, four fire-arms and some medical supplies.

34. The trial had clearly been a further example of attempts to crush Christian churches and to reduce them to subservience to the State. It was generally recognized that nearly 80 per cent of the Catholic priests in Bulgaria had been arrested or otherwise persecuted and that the one remaining bishop had been arrested on the basis of the alleged revelations of the aforementioned trial.

35. The ultimate fate of the persons tried was not yet known; according to certain rumours, some of them had already been hanged, but there was reason to believe that some of them were still alive. Although there were no grounds for great optimism about the success of any representations, the Canadian delegation

<sup>1</sup> See *Interpretation of Peace Treaties, Advisory Opinion: I.C.J. Reports 1950, p. 65* and *Interpretation of Peace Treaties, Advisory Opinion: I.C.J. Reports 1950, p. 221*.

hoped that, if a minimum sense of justice and humanity prevailed in Bulgaria, its appeal would be heard and the lives of the persons concerned might be saved.

36. The trial had been a further attack on freedom of conscience, which was the corner-stone of civilization. The defendants' only crime had been to practise their religion and thus, perhaps, to oppose communism spiritually and morally. The Government responsible for that action was not represented in the United Nations and it was unlikely that the controlled Press of Bulgaria would give the Bulgarian people any idea of the indignation of the free world at such travesties of justice.

37. The Canadian delegation therefore appealed to all States Members of the United Nations which still maintained diplomatic and consular relations with Bulgaria to inform the Bulgarian authorities of the protest of the peoples of free nations against such flagrant violations of the most elementary principles of humanity.

38. Mr. HESSEL (France) said that chapter V of the report of the Economic and Social Council unfortunately contained little of practical moment because the Commission on Human Rights had found its agenda overburdened with demagogic rather than practical items. It had accordingly had to give priority to long and fruitless debates on somewhat academic subjects and had been unable to spare sufficient time even for the consideration of the reports of its sub-commissions.

39. Whereas there was an urgent need for concrete action with regard to the universal protection of human rights, particularly in the critical contemporary circumstances, the debates of the Economic and Social Council and of the Commission on Human Rights had all too often been confined to long-drawn disputes between the administering Powers and other Powers which had themselves shown a lack of respect for

human rights. It was to be hoped that those organs would in the near future be able to resume their real task, that of giving effect to the Universal Declaration of Human Rights by the completion of the draft international covenants on human rights and the measures of implementation.

40. Until it thus became clear which countries were genuinely concerned with the protection of their nationals' rights against arbitrary governmental action the Council's work in that field must of necessity be limited. Some good work had been done, as chapter V of the report showed; but it was particularly to be regretted that there had been so little response from the Eastern European countries to requests for information on the plight of survivors of so-called scientific experiments in nazi concentration camps.

41. Unfortunately, owing to the lack of concrete achievements recorded, the Committee could do little more than take note of chapter V of the report of the Economic and Social Council, in the hope that in subsequent years that chapter would give an account of accomplishments more satisfactory to the General Assembly as a whole.

42. The CHAIRMAN reminded the Committee that it had agreed to take action on chapter IV and the relevant sections of chapter V of the report of the Economic and Social Council together. Since no further delegations had asked to speak on chapter V, he proposed that the Third Committee should take note of chapter IV, sections I to V, and chapter V, sections III to V and VII to XII.

*It was so agreed.*

The meeting rose at 4.55 p.m.