'NITED NATIONS

CONOMIC
ND
OCIAL COUNCIL

GENERAL

E/CN.4/SR.332
27 June 1952

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

Eighth Session

SUMMARY RECORD OF THE THREE HUNDRED AND THIRTY-SECOND MEETING (Closed)

Held at Headquarters, New York
on Wednesday, 11 June 1952, at 2.30 p.m.

CONTENTS:

Chairman:	Mr. MALIK	(Lebanon)
Rapporteur:	Mr. WHITLAM	Australia
Members:	Mr. MARSHALL	Australia
	Mr. NISOT	Belgium
	Mr. VALENZUELA	Chile
	Mr. CHEN PAONAN	China
	AZMI Bey	Egypt
	Mr. CASSIN	France

This meeting was held in private. At the end of the meeting the Commission decided in accordance with rule 40 of the rules of procedure of the Functional Commissions of the Economic and Social Council to make public that part of the record dealing with the discussion on the draft resolution of India (E/CN.4/L.21). At its 333rd meeting the Commission decided to make the record of the whole meeting public.

(17 p.)
2 7003

Members: (Cont'd)	Mr. KYROU	Greece
	Mrs. MEHTA	India
	Mr. AZKOUL	Lebanon
	Mr. WAHEED	Pakistan
	Mr. BORATYNSKI	Poland
	Mrs. RÖSSEL	Sweden
	Mr. KOVALENKO	Ukrainian Soviet Socialist Republic
	Mr. MOROZOV	Union of Soviet Socialist Republics
	Mr. HOARE	United Kingdom of Great Britain and Northern Ireland
	Mrs. ROOSEVELT	United States of America
	Mr. BRACCO	Uruguay
	Mr. JEVREMOVIC	Yugoslavia
Secretariat:		
	Mr. HUMPHREY	Representative of the Secretary-General
	Mr. SCHWELB	Deputy Director, Division of Human Rights
	Mr. DAS Miss KITCHEN	Secretaries of the Commission

LISTS OF COMMUNICATIONS CONCERNING HUMAN RIGHTS (E/CN.4/L.215)

Mr. HUMPHREY (Representative of the Secretary-General) said that the Commission would recall that at its 283rd meeting, which had been held in private on 7 May 1952, it had received the Confidential List of Communications prepared in accordance with resolution 75 (V) of the Economic and Social Council as amended (H.R.Communications List No.2). It had also received the Non-Confidential List of Communications dealing with principles (E/CN.4/CR.21, E/CN.4/CR.1/Add.1, E/CN.4/CR.21/Corr.1). The Secretary-General was distributing at the current meeting three addenda to the Confidential List. The List and its three addenda contained summaries of communications received during the period 3 April 1951 to 7 May 1952. Since 7 May 1952, 417 further communications had been received by the Secretary-General, but it had not been possible to process them in time for the current meeting.

/The Commission

The Commission would note that there was a total of 25,279 communications, of which thirty-six dealt with principles involved in the promotion of universal respect for and observance of human rights.

Of the 25,243 communications summarized in the Confidential List the great majority (24,194) dealt with alleged persecution on political grounds. Other communications dealt principally with genocide (305 communications), alleged violation of the right to freedom of association and assembly (119), prevention of discrimination and protection of minorities (64) and trade union rights (83). The remaining 480 communications dealt with a variety of rights and freedoms including the right of asylum, old age rights, freedom of religion, the right to a fair trial, the right to a nationality, protection against deportation, the right to personal property, the right to leave or return to one's country, and so on. A detailed analysis of the topics of communications received would be available to members of the Commission.

In addition to the communications referred to in the Lists, the Secretary-General had received fourteen replies from Member Governments in response to the forwarding of complaints to the Government concerned, under the terms of resolution 75(V) as amended. Thirteen of those replies had been distributed at the Commission's previous private meeting in documents HR/Communications Nos. 11 to 23. Another reply from a Member Government was being distributed at the current meeting (HR/Communication No. 24).

The CHAIRMAN said that it was clear that the Commission on Human Rights had aroused the expectation of thousands throughout the world, as was shown by the fact that it had received more than 25,000 communications within a year. The United Nations work on human rights was only beginning and the Commission had as yet no powers to take action, but the List of Communications was an objective measure of the importance attached to its work.

AZMI Bey (Egypt) cited General Assembly resolution 542(VI) and noted that an item dealing with communications concerning human rights appeared on the agenda of the current session of the Economic and Social Council in order to show that the Commission had been requested to formulate recommendations on such communications. He therefore proposed that the analysis given by the representative of the Secretary-General should be attached to the Commission's

report to the Council for its information and to enable it to give the Commission on Human Rights instructions for its ninth session with regard to such communications.

Mr. MOROZOV (Union of Soviet Socialist Republics) opposed the Egyptian proposal, which was vague because it related to the reproduction in the report of a statement which had been presented orally and which the Commission had not had an opportunity to examine. Moreover it would be incorrect for the Commission to include in a public report material which had been presented at a closed meeting. He also stressed the inadvisability of including an analysis which had not been verified and properly investigated and which might not be considered objective. That procedure would distort facts and mislead public opinion.

AZMI Bey (Egypt) said that the Secretariat analysis was merely a tabulation of the number of communications received and the categories into which they fell. The material he proposed to transmit to the Economic and Social Council would contain no comments or subjective material of any kind.

Mr. BRACCO (Uruguay) proposed, as a compromise, that the Commission should authorize its Rapporteur to prepare a brief text on the analysis of communications concerning human rights given by the representative of the Secretary-General for consideration in private by the Commission for possible inclusion in its report.

Mrs. MEHTA (India) saw no objection to sending the analysis of communications on human rights to the Economic and Social Council. The Commission would not be passing any judgment but merely informing the Council of the number of communications which had been received.

/In reply

In reply to a question from Mr. CASSIN (France), Mr. HUMPHREY (Representative of the Secretary-General) said that as far as he knew the annual report of the Secretary-General had never contained an analysis or any indication of the number of communications received concerning human rights.

He indicated, however, that a note by the Secretary-General to the Economic and Social Council (E/2206) contained a discussion of problems which had arisen in connexion with communications concerning human rights, especially the interpretation of that expression. In that connexion, the Secretary-General had reported that "the confidential list of communications prepared for the eighth session of the Commission on Human Rights contains references to some 21,480 communications, ranging from those relating to personal grievances to those alleging serious violations of rights of larger groups or classes of people". Since the submission of the Secretary-General's note to the Economic and Social Council additional communications concerning human rights had been received and the total was now over 25,000.

Mr. MOROZOV (Union of Soviet Socialist Republics) supported by Mr. BORATYNSKI (Poland), said that in view of the doubts expressed by the representative of the Secretary-General regarding the interpretation of the statistics presented, it would be unwise for the Commission to adopt the Uruguayan proposal and consider the inclusion of an analysis of communications concerning human rights in a report which must be accepted by members on behalf of their Governments.

Mr. HUMPHREY (Representative of the Secretary-General) wished to make it clear that he had no doubts about the number of communications received and processed by the Secretariat. He had merely noted that the document referred to the question of the interpretation of the expression "communications concerning human rights" and had said that some communications related to personal grievances.

AZMI Bey (Egypt) asked whether it would be possible to submit a confidential report to the Council in addition to the regular public report.

Mr. HUMPHREY (Representative of the Secretary-General) said that he knew of no precedent for confidential communication between the Commission and the Council.

Mr. AZKOUL (Lebanon) suggested that the Secretariat might wish to issue an additional document to the Economic and Social Council informing them of the further communications received concerning human rights.

Mr. HUMPHREY (Representative of the Secretary-General) pointed out that the only figure disclosed in the Secretary-General's note to the Council (E/2206) was the total number of communications received. No analysis of the various types of communication had been given. In the light of the debate in the Commission, the Secretary-General would hesitate to disclose the nature of those communications without instructions to that effect from the Commission.

Mr. BRACCO (Uruguay) moved closure of the debate.

The motion for closure of the debate was unanimously adopted.

The CHAIRMAN put to the vote the Uruguayan proposal authorizing the Rapporteur to prepare a brief text on the analysis of communications concerning human rights given by the representative of the Secretary-General for consideration in private by the Commission for possible inclusion in its report.

That proposal was adopted by 9 votes to 7, with 2 abstentions.

The CHAIRMAN drew attention to the Indian draft resolution (E/CN.4/L.215).

Mr. MOROZOV (Union of Soviet Socialist Republics), speaking on a point of order, said that the Indian proposal could not be considered under the agenda item relating to lists of communications because it logically belonged under procedure for the handling of communications relating to human rights. He pointed out that the Commission had completed its consideration of lists of communications and that therefore a closed meeting was no longer required.

/After an

69

After an exchange of views regarding procedure, the CHAIRMAN ruled that the Indian proposal could be considered in connexion with lists of communications.

After a further procedural discussion, Mr. ERACCO (Uruguay) said that, in order to expedite the Commission's work, he challenged the Chairman's ruling. He indicated that in the vote he would support that ruling.

By 10 votes to none, with 8 abstentions, the Chairman's ruling was sustained.

Mrs. MEHTA (India) said it was deplorable that the Economic and Social Council had not only refused to give the Commission on Human Rights powers to deal with communications, but had taken away the few powers the Commission had possessed. Yet, the Lists of Communications included some petitions on which the United Nations could take immediate action and others in connexion with which the rousing of public opinion might have deterred a government from violating human rights. An example of the latter was the recent legislative action of the Government of the Union of South Africa to prohibit Indians domiciled in South Africa from marrying elsewhere. The Commission should have some powers to bring such communications to the Council's attention. She therefore submitted the Indian draft resolution (E/CN.4/L.215).

Mr. ERACCO (Uruguay) said that hundreds of thousands of persecuted and oppressed groups and individuals looked upon the United Nations for their only hope of redress. The Uruguayan Government had always believed that the United Nations should do its utmost to fulfil such hopes, and it had always taken an active part in such action as the United Nations had been able to take, as in the case of the Indians in the Union of South Africa and the alleged violations of human rights in Bulgaria, Hungary, Romania and Franco Spain. Thus, it regarded Council resolution 75 (V) as amended as one of the most ill-conceived, noxious and demoralizing restraints ever imposed by a United Nations body. He therefore wholeheartedly supported the Indian draft resolution. The Commission

/should not,

should not, however, confine itself to making reports and recommendations concerning only serious cases of violation of human rights, but should do so, at least until the measures of implementation of the covenants on human rights came into force, in respect of all cases. The Commission could state when in its opinion the allegations were unfounded. Such violations could not be allowed to continue in so many countries without any action at all being taken.

Mrs. ROOSEVELT (United States of America) said that all members of the Commission had often felt that it was unfortunate that they could do nothing about the very numerous communications received by them. The conclusion reached, however, had been that the only possible remedy was to speed the Commission's work in drafting the covenants on human rights, so that the obligations incumbent on States were known, the standards settled and a satisfactory legal basis for action laid down. She feared that serious difficulties would result from the Indian proposal. She could not see who would decide which violations were serious. To attempt to find some way to deal with communications concerning human rights would be inopportune at that stage. Some machinery to deal with the communications might eventually be worked out, either in the measures of implementation or in a separate protocol concerning petitions. The Council should not be asked to authorize the Commission to make reports and recommendations concerning communications, because that would be tantamount to making the Commission an implementing body.

AZMI Bey (Egypt) emphasized that Assembly resolution 542 (VI) clearly established the principle that the Commission should make recommendations to the Council concerning communications. That principle must be accepted without discussion. All that the Indian draft resolution was asking was that the Commission should make such recommendations to the Council when it took up its agenda item dealing with that subject; in fact, it merely drew the Council's attention to the substance of Assembly resolution 542 (VI). It was for the Council, not the Commission, to decide how the reports and recommendations should be framed. He therefore wholeheartedly supported the Indian draft resolution.

/Mr. BRACCO

Mr. BRACCO (Uruguay) could not accept the United States representative's contentions. He protested strongly against the idea that nothing whatever could be done to protect human rights and freedoms until that distant day on which the measures of implementation of the covenants came into force, just as nothing effective had been done since the foundation of the United Nations. It was deplorable that the terms of Council resolution 75 (V) compelled the Commission to discuss such a subject behind closed doors, whereas the most shocking exchanges resulting from the clash of political opinion were aired in the Commission's open meetings. He agreed with the Egyptian representative that the principle embodied in the Indian proposal had been established in the relevant Assembly resolution. The adoption of the Indian draft resolution would be a striking demonstration of the abhorrence with which many members of the Commission regarded Council resolution 75 (V).

Mr. NISOT (Belgium) said that human rights and measures of implementation must be determined and defined by the covenants, which alone could impose mandatory standards on States and, by conferring powers of implementation on the United Nations, remedy its constitutional weakness resulting from Article 2, paragraph 7 of the Charter. That being so, he would vote against the Indian proposal, which would authorize the Commission at the present stage to recommend measures to be taken by the United Nations to remedy situations which, according to its own standards, seemed to it to be violations of human rights.

Mr. WAHEED (Pakistan) said that, although it was unfortunate that the United Nations, to which so many people looked for a remedy for their ills, could not do anything effective, and although his delegation was as eager as any for the establishment of measures of implementation, he was forced to agree with the United States representative that the solution did not lie in the Indian draft resolution. It violated the fundamental principle of sovereignty in seeking authority for the Commission to pass judgment upon petitions. That would prejudge the question of the right of individuals and non-governmental organizations to petition, a subject which the Commission had not yet exhausted. If the

proposed human rights committee came into existence, the Commission on Human Rights would lack competence to deal with communications in the manner proposed. The representative of the Secretary-General had supplied staggering figures of the number of petitions received. Those figures alone should be an indication of the size and complexity of the task and showed clearly enough the impracticability of the Commission's attempting to deal with them. Furthermore, most of the communications had been classified by the Secretary-General as political. There was a wide divergence of political opinion within the Commission. Thus, to embark upon the examination of so many and such controversial communications would be wholly beyond the Commission's powers. He could not support the Indian draft resolution.

AZMI Bey (Egypt) could not agree with the Pakistani representative's contention that the Commission could not deal with communications owing to the divergence of political opinion within it. The members of a functional commission were not really sitting as the representatives of their governments but owed an overriding loyalty to the United Nations as an organization and to humanity as a whole. Nor could he agree with the Belgian representative that the Commission was not competent to act on communications because the covenants had not yet been completed. The fact that the Commission had been working almost exclusively on drafting the covenants for three years gave a false impression that that was its only business. Article 62, paragraph 2, of the Charter gave the legal basis which the Belgian representative had questioned, by authorizing the Economic and Social Council to make recommendations for the purpose of promoting respect for human rights, and the Council had delegated those powers to the Commission in its terms of reference (E/20). Thus, the Commission was wholly competent to make such recommendations as those proposed in the Indian draft resolution. That draft resolution was not itself a recommendation; it was merely a request; to make such a request was particularly opportune since the Council had a relevant item on its current agenda.

Mr BRACCO (Uruguay) moved the closure of the debate on the Indian proposal, which had been discussed at length.

Mr. HOARE (United Kingdom) opposed the motion. There had so far been only limited discussion of the substance of the Indian proposal.

Mr. CASSIN (France) also opposed the motion. The Indian proposal related to an important question which merited full discussion.

The motion for closure of debate on the Indian proposal was rejected by 9 votes to 2, with 5 abstentions.

Mrs. MEHTA (India) noted that misconceptions had arisen regarding the Indian proposal relating to the disposal of the 25,000 communications concerning human rights which the Commission received each year. The Indian proposal merely requested the Economic and Social Council to authorize the Commission to submit reports or recommend action; the Commission would not pass judgment or make inquiries. She felt it essential, however, that the communications should be transmitted to the Council with at least some recommendation.

Mr. HOARE (United Kingdom) said that the explanation just given by the Indian representative was at variance with the text of her proposal. While she had said that the Commission would not judge or investigate communications, her proposal would require the Commission to sift the mass of communications it received and decide which were serious and which were not and which could be defined as violations of human rights. Even if the Commission itself assumed the heavy responsibility of screening the communications, he supported the view that it would not with its present structure and terms of reference be competent to investigate cases which appeared to constitute violations of human rights and pass judgment upon them; many Governments might wish to be differently represented for such a task, which would involve quasi-judicial responsibility, and machinery for investigation.

The existing procedure, under which the Commission took no action on communications, was the result of the Commission's own recommendations after lengthy consideration of the matter at its third, fifth and sixth sessions. In essence, the Indian proposal called upon the Commission to transmit communications with recommendations but without investigation to the Council. That procedure did not constitute a satisfactory solution of the problem, and would impose on the Commission a task which was not within its competence, which implied tremendous responsibility, and which would be of no assistance to the Council. He was therefore unable to support the Indian proposal.

Mr. CASSIN (France) said that his delegation attached great importance to the Indian proposal and agreed that the present situation with regard to communications was unsatisfactory to everyone concerned. Unfortunately, it was too late for the Commission to deal with individual complaints, as suggested in the Indian proposal. It had been decided at the outset, over the opposition of the French delegation, that the members of the Commission were not to be independent experts but government representatives; and by its resolution 75 (V) the Economic and Social Council had laid down that the Commission was to take no action on the communications it received. If the Commission were to adopt the Indian proposal now, the Council might well ask it what procedure it intended to follow; but the procedure to be followed on individual complaints would, in effect, be established by the Commission at its following session, when it drafted the measures of implementation. It had been decided that the implementation machinery would include a committee of independent experts; in other words, the Commission had in advance renounced that role, and it would be most illogical for it to ask for powers to deal with communications for the brief time which remained before that other machinery was set up.

The Commission's proper task, in addition to drafting the covenant, was to follow closely the implementation and development of human rights by the legislation of various States and to draw attention to any undesirable laws and practices. It was thus that it would best perform its function of protecting human rights.

/Mr. WHITLAM

Mr. WHITLAM (Australia) would be regretfully obliged to vote against the Indian proposal because, as the Belgian representative had pointed out, by adopting it the Commission would be asking for powers for which there was no juridical basis. Any consideration of the communications it received would inevitably call for making enquiries and passing judgments. In the absence of juridical authority for such action, any enquiry would be bound to have a political character, which could only result in lessening the Commission's prestige. The Commission might, perhaps, ask for permission to analyse communications; but the action suggested in the Indian proposal was far beyond its competence.

AZMI Bey (Egypt) recalled that at its seventh session, the Commission had adopted a resolution (E/1992, page 19) in which it drew the Economic and Social Council's attention to the fact that it had been receiving communications concerning human rights since its establishment -- a polite way of asking what was to be done with them, beyond the highly unsatisfactory and perfunctory act of taking note. At the sixth session of the General Assembly the Egyptian delegation had introduced a resolution -- which had since become resolution 542 (VI) -- inviting the Council to give the Commission instructions with regard to dealing with communications. The Council would take action pursuant to that resolution at its present session. By adopting the Indian proposal, therefore, the Commission would be meeting the Council half-way, and indicating that it was ready and eager to accept the task. He agreed, however, with the United Kingdom representative's observation that the word "serious" implied a choice, and "violation of human rights" implied a judgment, and consequently proposed the deletion in the operative part of the words "serious cases or instances of violation of human rights which are brought to the notice of the Commission in the course of its examination of the".

Mr. AZKOUL (Lebanon) agreed that the present situation was entirely unsatisfactory and that the Commission should be able to do something more than devote half an hour each year to taking note of the communications it received. Nevertheless, it was hardly ready to ask the Council for powers to make reports and recommendations concerning those communications, since a number of problems

/would have

would have to be solved first: the extent of responsibility the Commission was ready to accept; the Commission's competence to undertake such a task under its present terms of reference; the exact definition of the term "communications concerning human rights"; the application or non-application of the principle of anonymity of the complainants; and, last but not least, the imposition on governments of the obligation to reply to charges of violations of human right He was sure that the Secretariat could draw attention to a number of related problems. It would therefore be wiser to ask the Secretariat to prepare a report on all such problems, and to take a decision on the matter with a clearer knowledge of the difficulties involved. He accordingly moved the substitution for the operative part of the Indian draft resolution of the following paragraph: "Requests the Secretary-General to prepare a report on this question for the next session of the Commission."

Mrs. MEHTA (India) did not share the fears of the United Kingdom representative. It was not her delegation's intention that the Commission should sit in judgment on the communications it received, but merely that it should use its judgment in deciding which of those communications were serious and which were not. It seemed obvious that some 300 complaints of genocide, some supported by statements from recognized non-governmental organizations, were serious, or that a law prohibiting a country's residents from marrying persons of the same stock outside the country was a violation of human rights. To suggest that the Commission was unable to select those communications on which action was needed was to belittle its judgment. Nevertheless, in the interests of compromise, she accepted the Egyptian representative's amendment.

Mr. MOROZOV (Union of Soviet Socialist Republics) failed to see that the deletion accepted by the Indian representative made any difference in principle.

As he had not prepared himself for a discussion of the item, he would merely sketch out his delegation's position. The Egyptian representative had given the impression that under General Assembly resolution 542 (VI) the Commission was bound to take some action at the present stage. The fact was,

/however,

however, that the resolution was addressed to the Economic and Social Council and invited it to give the Commission instructions for its ninth session, in no way prejudging what those instructions should be. The proper course for the Commission was to await those instructions, and to comply with them at its next session, instead of making hasty last-minute decisions on a serious and complicated question. The Commission had not even discussed how it would organize the work which would fall to it under the Indian proposal; and in view of forthcoming action by the Council, any decision on the whole question of dealing with communications was obviously premature. He would therefore vote against the Indian draft resolution.

AZMI Bey (Egypt) replied that General Assembly resolution 542 (VI) -- which the Egyptian delegation had introduced and the USSR delegation had opposed - plainly invited the Council to request the Commission to formulate recommendations on communications concerning human rights. The issue was therefore already decided in principle. Moreover, the only reason for the reference to the Commission's ninth session was that it was physically impossible for the Council to give the Commission instructions any earlier.

Mrs. ROOSEVELT (United States of America) remarked that at the present stage of its work the Commission could not set up implementation machinery, and it could certainly not investigate communications until States had assumed specific obligations under the covenants on human rights. If the Indian proposal were adopted, and if on the basis of it the Economic and Social Council should instruct the Commission to make reports and recommendations, the Commission would need machinery for investigation which it did not have. She knew from personal experience both that a complaint could not be taken at face value and that the real facts were extremely hard to ascertain. The Indian draft resolution would impose an appalling task on the Commission, and the work entrusted to the Secretary-General under the Lebanese amendment would be equally appalling. All the members of the Commission were anxious that communications should receive the treatment they deserved; but the Commission could not ask the Council for an assignment it was not prepared to carry out.

/Mr. NISOT

Mr. NISOT (Belgium) shared the views of the USSR and United States representatives. The Egyptian amendment did not alter the situation: under it, the Commission would still be empowered to make decisions in the absence of mandatory standards and to recommend remedies which the United Nations was powerless to implement. The members of the Commission themselves, after years of effort, had not yet been able to agree on what was a human right and what was not. By placing such a proposal before the Economic and Social Council the Commission would give the impression that its primary intention had been to obtain that its existence should be prolonged indefinitely, in spite of decisions to the contrary.

Mr. BRACCO (Uruguay) repeated that he would support the Indian draft resolution. As several delegations had, however, remarked that it was in contradiction with the General Assembly resolution and with established procedure, he asked for a separate vote on the words: "Requests the Economic and Social Council to reconsider its resolution 75 (V) as amended".

The CHAIRMAN put to the vote the Lebanese amendment to replace the operative part of the Indian draft resolution by the words: "Requests the Secretary-General to prepare a report on this question for the next session of the Commission."

The Lebanese amendment was rejected by 11 votes to 1, with 4 abstentions.

The words "Requests the Economic and Social Council to reconsider its resolution 75 (V) as amended" were rejected by 9 votes to 6, with 2 abstentions.

Mrs. MEHTA (India) withdrew the Indian draft resolution.

Mr. BRACCO (Uruguay) proposed that the part of the summary record dealing with the discussion of the Indian draft resolution should be made public.

That proposal was adopted by 12 votes to none, with 5 abstentions.

/Mr. WAHEED

Mr. WAHEED (Pakistan) suggested that the Commission should employ the usual formula (E/1992, paragraph 94) in taking note of the confidential lists of communications.

Mr. AZKOUL (Lebanon) and AZMI Bey (Egypt) thought that the decision should be deferred, since the Commission might wish to add something in the light of what the Rapporteur might draft in accordance with the Uruguayan proposal adopted.

Mr. MOROZOV (Union of Soviet Socialist Republics), supported by Mr. NISOT (Belgium), proposed that the discussion on agenda item 19 (a) should be closed.

The CHAIRMAN called for the vote on the proposition that item 19 (a) of the agenda had been exhausted.

That proposition was accepted by 10 votes to 7.

Mr. MOROZOV (Union of Soviet Socialist Republics) asked for a vote on the adoption of the formula contained in document E/1992, paragraph 94, proposed by the Pakistani representative.

That formula was rejected by 7 votes to 6, with 5 abstentions.

Mr. VALENZUELA (Chile) explained that he had voted against the adoption of the formula because his delegation had not wished to be associated with the way in which the Commission had dealt with the communications. The relevant paragraph in the report might state that the Commission had not even wished to take note of the lists of communications concerning human rights prepared for its eighth session.

After a brief discussion, the CHAIRMAN said that the report would merely state that the Commission, sitting in closed session at its 332nd meeting, had discussed the confidential lists of communications concerning human rights.

The meeting rose at 6.25 p.m.

30/6 p.m.