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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Sixteenth Session

SUMMARY RECORD OF THE FOUR HUNDRED AND THIRTY-FIRST MEETING

Held at Headquarters, New York,
on Friday, 31 January 1964, at 10.55 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. SANTA CRUZ	(Chile)
<u>Rapporteur:</u>	Mr. CAPOTORTI	(Italy)
<u>Members:</u>	Mr. ABRAM	(United States of America)
	Mr. AWAD	(United Arab Republic)
	Mr. BOUQUIN	(France)
	Mr. CALVOCORESSI	(United Kingdom of Great Britain and Northern Ireland)
	Mr. CUEVAS CANCINO	(Mexico)
	Mr. INGLES	(Philippines)
	Mr. MATSCH	(Austria)
	Mr. MUDAWI	(Sudan)
	Mr. OSTROVSKY	(Union of Soviet Socialist Republics)
	Mr. SAARIO	(Finland)
	Mr. SOLTYSIK	(Poland)

Observers from Member States:

Mr. SAJJAD	India
Mr. BARROMI	Israel
Mr. SCHAAPVELD	Netherlands
Mrs. NASON	United States of America

Representative of a specialized agency:

Mr. FARMAN-FARMAIAN	International Labour Organisation
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Secretariat:

Mr. HUMPHREY	Director, Division of Human Rights
Mr. LAWSON	Secretary of the Sub-Commission

ADOPTION OF THE REPORT OF THE SUB-COMMISSION (E/CN.4/Sub.2/L.345 and Add.1-4)

The CHAIRMAN, announcing that the Sub-Commission's final meeting was to be devoted to the adoption of the report, which was the last item on the agenda, proposed that the meeting should be suspended to enable members to read Addendum 4, which had just been circulated, and to give Mr. Capotorti, the Rapporteur, time to make any corrections requested by members.

The meeting was suspended at 11 a.m. and resumed at 11.40 a.m.

The CHAIRMAN, invited Mr. Capotorti, the Rapporteur, to present the report.

Mr. CAPOTORTI said that the report contained a brief account of the Sub-Commission's work, arranged in the order in which the items had been discussed. He felt obliged to explain the reasons for the schematic nature of the report and the fact that it was based chiefly on the documents submitted rather than on the views expressed by the various members. The first reason was that the debates had been complex and had often become technical. The angle from which a question had been considered had often changed from one meeting to the next, each member taking into account the opinion of the others. Although that method had made for rapid progress, it had complicated the task of the Rapporteur, who had feared that he might not do everyone justice and that, by summarizing the opinions expressed he might distort them and destroy the balance between them. That was why, in Addendum 1, paragraph 6, he had drawn attention to the summary records where the opinions of the various members of the Sub-Commission were recorded.

Furthermore, those opinions were reflected in the documents quoted in the report, particularly as it reproduced both the initial and the final texts, giving all the amendments introduced, so that the development of the experts' thought on any given question could be followed.

Finally, he stressed that it was partly for lack of time that he had been unable to draft a more detailed report. He was prepared to accept any suggestion for the improvement of the structure and content of the report and he thanked the members for their co-operation and for the confidence they had shown in him by electing him Rapporteur.

Mr. ABRAM said that there was no question of doubling the Rapporteur's good faith, or of minimizing the difficulties he had encountered in preparing the report, especially as there had been so little time. But he hoped that in future there would be more time available for the purpose, and that the report now before the Sub-Commission would not constitute a precedent.

He congratulated the Chairman, whose impartiality, efficiency and wisdom had enabled the Sub-Commission to complete two important documents.

In his opinion, the session which was now closing had once more demonstrated the advantages of entrusting to independent experts the study of important questions connected with human rights, if for no other reason than that those experts, serving in their own private capacity, expressed their views more freely than if they had been representing their respective Governments. He himself had learned much from that confrontation of different views and experiences.

Mr. SAARIO pointed out that in the English text of paragraph 5 of section IV of the report (Study of discrimination against persons born out of wedlock) the words "In his view" were confusing, as it was not clear to whom they referred.

The CHAIRMAN assured Mr. Saario that the text would be corrected.

Mr. FARMAN-FARMAIAN (International Labour Organisation) remarked that in paragraph 13 of section I of the report (E/CN.4/Sub.2/L.345) contained no reference to the statement made by the representative of the International Labour Organisation.

Mr. CAPOTORTI said that that was merely an omission which would be remedied in the final version.

The CHAIRMAN stated that the summary records of the Sub-Commission's session would be transmitted to the Commission on Human Rights, whose session started on 15 February. Members who had any corrections to make to those records should accordingly send them in as soon as possible.

The draft report (E/CN.4/Sub.2/L.345 and Add.1-4) was adopted unanimously.

CLOSURE OF THE SESSION

The CHAIRMAN thanked the members of the Sub-Commission for their co-operation and was happy to have acted as the Chairman of a body which had done valuable work in so short a time.

He declared the sixteenth session of the Sub-Commission closed.

The meeting rose at 12 noon.