



UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/690/Add.9
1 February 1954

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS
Tenth session

DEVELOPMENT OF THE WORK OF THE UNITED NATIONS FOR WIDER
OBSERVANCE OF, AND RESPECT FOR, HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS THROUGHOUT THE WORLD AND
ANNUAL REPORTS ON HUMAN RIGHTS

Comments of Member States received by the Secretary-General
under Economic and Social Council resolution 501 C (XVI)

United Kingdom

(Note verbale, dated 25 January 1954 to the Secretary-General from the
permanent representative of the United Kingdom to the United Nations)

The Permanent Representative of the United Kingdom of Great Britain and
Northern Ireland to the United Nations presents his compliments to the Secretary-
General and in reply to His Excellency's Note No. SOA 317/07 (1) of the 10th of
August, 1953 has the honour to inform him that the views of Her Majesty's
Government on the three proposals for action in the field of Human Rights, embodied
in documents E/CN.4/L.266/Rev.2, E/CN.4/L.267/Rev.1, and E/CN.4/L.268 are as
follows:

It will be recalled that Her Majesty's Government in the United Kingdom were
among the original proposers of a Covenant on Human Rights: they were among the
first Governments to sign and ratify the European Convention on Human Rights, and
have now, by declaration made under that Convention, extended its operation to
forty-two territories for whose international relations they are responsible.
They are still of the opinion that the promotion of human rights by the United
Nations would be assisted by universal legal instruments imposing obligations in
this field upon contracting States, and accordingly they consider that the first
task of the Human Rights Commission must continue to be the completion of the

drafting of the Covenants. They are, however, well aware from experience of the difficulties of drafting a legal text acceptable even to a small group of States, and they have grave doubts (which it appears from the discussion in the Human Rights Commission are shared by other countries) whether the Covenants, in the terms in which they are at present taking shape, will ever receive the number of ratifications required to make them effective international instruments. They therefore recognize that the question of promoting by other means the observance of human rights throughout the world deserves serious consideration and they are entirely sympathetic to the desire of the United States of America to see some definite progress in this field. However, while they therefore welcome the initiative of the United States and believe that the three proposals referred to should be thoroughly examined and that discussion of them should take place first in the Human Rights Commission, which is the appropriate body, they are not confident that they constitute a suitable means of achieving such progress.

In respect of the proposal in E/CN.4/L.266/Rev.2, on the submission of reports by member Governments, the primary question on the assumption (which may be open to question) that these reports would voluntarily be submitted by all States, Members and non-Members of the United Nations, is what action the Human Rights Commission could properly take on this mass of material. If it covered for all countries the whole field of Human Rights (even excluding matters within the competence of the Specialized Agencies, which Her Majesty's Government consider are best dealt with by those Agencies), it might well be too voluminous for the Commission to handle. It cannot be assumed that statements by each country relating to particular developments, or particular difficulties encountered, in the field of human rights in that country would provide the material for a general view of the state of observance of human rights throughout the world, but even if it did, the assessment of this material would have to be measured against some recognized legal standard. As was pointed out in the course of the preliminary discussion of this proposal in the Human Rights Commission, the Universal Declaration of Human Rights, which is a statement of ideals, does not provide a sufficiently precise standard, and it would obviously be impracticable and undesirable (since it would amount to a form of implementation

in advance) to adopt as a standard the provisions of the draft Covenants, which are still under discussion and have not yet reached their final form. Moreover, any deficiencies or difficulties disclosed by these reports are likely to concern different aspects of human rights, in different degrees, in different countries, and to be related to the circumstances, political, economic, social and cultural, of each country, so that any generalization, let alone any general remedy, over the whole field is unlikely to be practicable. On the other hand the examination of each country's reported progress or difficulties is very liable to take the form of invidious comparison between one country and another. The possibility of the various international tensions reflected in many other United Nations bodies at the present time being reflected and even exacerbated in the discussion of such reports by the Human Rights Commission is in Her Majesty's Government's view one that cannot be disregarded.

As regards the second proposal in E/CN.4/L.267/Rev.1, Her Majesty's Government wish fully to reserve their position until more detailed information is available in the light of further discussion. Her Majesty's Government have the greatest sympathy with the general purpose for which this proposal is put forward, but their preliminary view is that the economic and social advancement for which the existing advisory and technical assistance services have been provided offers the best means by which services of this kind can contribute to the advancement of human rights, and they are not convinced that new advisory services specifically related to the promotion of human rights are likely to be fruitful or needed by governments: there is on the other hand a serious risk, by providing for these new services, of diversion of effort and of resources already inadequate to meet the calls made upon them. They would, however, be in a better position to decide on the advisability of creating any additional machinery were they to have concrete examples before them of the type of service that is likely to be asked for. They would also like to know in greater detail the arrangements envisaged for financing the programme and to be satisfied that the new services proposed would not involve wasteful duplication of activities already undertaken by, or in the sphere of, the Specialized Agencies. Many of the subjects specified in the Resolution as suitable for the establishment of new services appear to Her Majesty's Government to be within the scope not only

of existing services but of the Specialized Agencies; for example, advance in the directions indicated in (c) and (d) of Section E of the Resolution will in Her Majesty's Government's view depend primarily on advance in education.

Her Majesty's Government regret that they are unable to support the proposal in E/CN.4/L.268 on expert studies. The Economic and Social Council and any of its functional commissions can at any time, having due regard to the financial implications involved, request the Secretary-General to make a study of any particular subject which it considers to be of sufficient importance. It would be for the Secretary-General, in the light of the resources at his own disposal, to decide whether a special adviser would be necessary for a particular study and to seek financial authority or not accordingly. In the view of Her Majesty's Government, the responsibility for studies on matters falling within the competence of a Specialized Agency should rest with the Agency concerned; and it is always open to the Economic and Social Council to request a Specialized Agency to undertake a particular study.

Her Majesty's Government do not wish, at this stage, to offer any comments on the amendments to the three proposals tabled in the Commission, but maintain their freedom to comment in due course on these and other issues arising from detailed consideration of the proposals.
