United Nations

ECONOMIC
AND
SOCIAL COUNCIL

Nations Unies

CONSEIL
ECONOMIQUE
ET SOCIAL

UNRESTRICTED

E/HR/8
3 May 1946

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS OF THE ECONOMIC AND SOCIAL COUNCIL

SUMMARY RECORD OF MEETINGS

Second meeting held on Tuesday, 30 April 1946, at 10:30 A.M.

Chairman: Mrs. Franklin D. Roosevelt

At its first meeting, the Commission on Human Rights considered items 1 - 6 of the Provisional Agenda (Document E/HR/5), which were adopted in toto.

Mrs. Roosevelt opened the second meeting by pointing out that the work of the nuclear Commission could be divided into two parts:

1. The task that must be accomplished before the second session of the Economic and Social Council;
2. Reports and Recommendations which the Commission may wish to to make.

Item 7 of the Agenda (Document E/HR/5)

Review of Terms of Reference of the Commission (Document E/27)

The Chairman read the terms of reference and suggested that Section A, Paragraph 2 (a), (b), (c), (d), did not establish a priority for the study and recommendations of the Commission, but could be taken up in any order in which the Commission might wish to consider them. She also pointed out that in Section A, Paragraph 4, the Economic and Social Council left it open to the members of the Commission to change the terms of reference if they so wished.

Concerning Section A, Paragraph 5 (Document E/27), the Chairman stressed that the nuclear Commission has no authority to establish sub-commissions, but could recommend to the full Commission

that such sub-commissions should be established by the full Commission.

With regard to Section A, Paragraph 6, the Chairman suggested that the most immediate task for the Commission should be to work out recommendations on the definitive composition of the Commission for submission to the second session of the Economic and Social Council.

Dr. Hsia asked the Chairman to elucidate the terms of reference of the Commission, as described in Section A, Paragraph 2 (E/27), as he did not understand whether the nuclear Commission has the right to submit a draft of an international bill of rights, or whether it should prepare proposals which might be incorporated into a bill of rights, or simply submit a report stating that such an international bill of rights is feasible.

The Chairman explained that the Commission could decide to recommend to the full Commission the establishment of sub-commissions for the study of problems involved in the drafting of a bill of rights. These sub-commissions would report to the full Commission, which would then present its proposals to the Economic and Social Council. Such a bill of rights would have to cover all points mentioned under Section A, Paragraph 2 (a), (b), (c), (d).

Mr. Neogi referred to the statement made by Sir Ramaswami Mudaliar at the fourth meeting of the Committee on the Organization of the Council (E/ORG/6, Page 4), in which he says that the nuclear commissions would "take up any urgent problems of a substantive nature, and would also be invited to make proposals to the Council regarding the personnel of experts required to complete the composition of their Commissions". Mr. Neogi wished for a clarification of the terms "report", "recommendations", and "proposals". He suggested that not all the members of the Commission have probably had a chance to acquaint themselves with the contents of the literature concerning human rights, and he mentioned in particular:

1. A document prepared by a committee of the London Daily Herald under the Chairmanship of Lord Sankey.

2. The issue on essential human rights of the Annals of the American Academy of Political and Social Science (January, 1946).

It is his opinion that thorough study of these and other documents should be made before any international bill of rights could be drafted, or even recommendations for such a bill could be worked out.

M. Laugier stated that the nuclear Commission has no authority to draft an international bill of rights of man, but that the full Commission is expected to draft such a bill.

The Chairman then defined "report" as a statement of facts without recommendations, made after certain ideas or problems have been studied. She defined "recommendation" as a statement submitted for consideration, but not necessarily for action, and "proposal" as a statement submitted after due study, with a request for action.

The Commission passed the following resolution proposed by Mr. Neogi:

> Resolved that
>
> The Secretariat is requested to make a collection - as full as possible - of the literature bearing upon the questions referred to in the terms of reference for the Commission on Human Rights, to circulate full texts where possible, or otherwise summaries of such literature, among members of the nuclear and of the full Commission, once it is constituted.

In answer to Mr. Neogi's question, the Chairman stated that acceptance of the terms of reference would not mean that the Commission could not suggest changes later on.

Item 8 of the Agenda (Document E/HR/5)

Examination of Documents Submitted by Members of the United Nations

In answer to a suggestion by Mr. Kriukov that the members of Commissions should be given more time to study the documents submitted to it (Documents E/HR/1, E/HR/2, E/HR/3), and that, therefore, further meetings should be postponed, the Chairman pointed out that at this moment it would be advisable only to review the documents which have been submitted, but to postpone full discussion until later. She explained that even then it would not be a question of accepting the documents, but simply of considering them and perhaps, of making recommendations.

The Chairman asked that the members of the Commission acquaint themselves with the text of E/HR/4 (Draft Resolution Concerning the Calling of an International Press Conference Submitted by the Delegation of the Philippine Commonwealth to the First Part of the First Session of the General Assembly - and the Decision Reached on 11 February 1946), which, however, is not a document officially submitted to the Commission.

Item 9 of the Agenda

Definitive Composition of the Commission

The Chairman suggested that the members of the Commission should study the Report of the Preparatory Commission, Chapter III, Section 4, and the Summary Records of the Committee of Organization, and that at its next meeting, the Commission should discuss each point concerning the composition of the Commission (membership, term of office, re-eligibility, etc.), postponing decision on any point until all have been discussed.

M. Laugier reported that all Commissions of the Economic and Social Council are faced with the problem of deciding the final composition of the Commissions and that, therefore, it has been

recommended to form a special committee consisting of one representative of each of these Commissions to co-ordinate the recommendations about the composition of full commissions, each member to report back to his own Commission.

After a statement by the Chairman that this special committee would have no authority to impose its recommendations on any of the Commissions, it was decided that the Commission on Human Rights agrees to the setting up of that special committee.

The meeting was adjourned at 12 noon.
