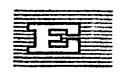
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Ninth Session

SUMMARY RECORD OF THE THREE HUNDRED AND SIXTY-THIRD MEETING

held at the Palais des Nations, Geneva, on Monday, 27 April 1953, at 3 p.m.

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Present:

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Chairman:

Rapporteur:

Mr. KAECKENBEECK (Belgium)

Members:

Mr. WHITLAM

Australia

Mr. DIAZ-CASANUEVA

Chile

Mr. CHENG PAONAN

China

Mr. ABDEL-GHANI

Egypt

Mr. CASSIN

France

Mrs. CHATTOPADHYAY

India

Lebanon

Mr. HARFOUCHE

Mr. INGLÉS

Philippines

Mr. DRUTO

Poland

Mrs. RÖSSEL

Sweden

Mr. KRIVEN

Mr. MOROSOV

Ukrainian Soviet Socialist Republic Union of Soviet Socialist Republics

Mr. HOARE

United kingdom of Great Britain

and Northern Ireland

Mrs. LORD

United States of America

Mr. PEROTTI

Uruguay

Mr. JEVREMOVIĆ

Yugoslavia

Representatives of specialized agencies:

United Nations Educational.

Scientific and Cultural Organization Mr. BAMMATE

Representatives of non-governmental organizations:

Category B and Register:

Catholic International Union for

Mr. de GORSKI

Social Service

Miss de ROMER

International Federation of Friends

of Young Women

Mrs. FIECHTER

International Federation of University

Women

Mrs. FIECHTER

International League for the Rights

of Man Mr. COLKET

Women's International League for

Peace and Freedom Mrs. BAER

World Union for Progressive Judaism Mr. RONALDS

World Union of Catholic Women's

Organizations Miss de ROMER

Secretariat:

Mr. Humphrey Representative of the Secretary-General

Mr. Das)
Mrs. Bruce)

Secretaries to the Commission

1. DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION (item 3 of the agenda) (continued):

Proposals for additional articles relating to the draft covenant on civil and political rights (E/CN.4/674) (continued):

Soviet Union and joint Yugoslav/French proposals for a new article on the right to vote, the right to be elected to public office and the right of access to public service (E/CN.4/L.221, E/CN.4/L.224/Rev.1)

The CHAIRMAN said that of the two proposals before the Commission that presented by the Soviet Union had been submitted first. In accordance with rule 61 of the rules of procedure he accordingly invited the Soviet Union representative to introduce his proposal.

Mr. MOROSOV (Union of Soviet Socialist Republics), introducing his delegation's proposal (E/CN.4/L.221), said that at various stages in the preparation of the draft covenant and also of the Universal Declaration of Human Rights his delegation had made it clear that it attached great importance to the right of each individual to take part in the government of the State. That right had been laid down in article 21 of the Universal Declaration of Human Rights. It should also be laid down in the covenant, so that governments would be under an obligation to grant it to all individuals in the State.

Every citizen should enjoy that right, irrespective of race, colour, national origin, social position, property status, social origin, language, religion or sex, a point on which special emphasis should be laid since unfair discrimination, particularly racial discrimination, prevented large sections of the population in many territories from enjoying their inalienable right to participate in the While he could cite masses of data to substantiate that statement. he thought it unnecessary to do so, but would merely mention a book entitled "Report on Southern Africa", written by Basil Davidson and published in London in 1952. It described the racial discrimination in that part of the world and showed how the Parliament of the Union of South Africa was composed exclusively of persons of European origin, who composed only 25 per cent of the population, and how the indigenous Africans were prevented from participating in the government of their There were many countries whose constitution conferred on citizens the right to vote in public elections but in which thousands of people were in practice deprived of that right because they were not of the same national origin as the majority of the population.

Aware of such facts, the General Assembly had passed several resolutions on the subject, in particular resolution 637 (VII) on "The right of peoples and nations to self-determination". In section A of that resolution States Members of the United Nations responsible for the administration of non-self-governing and Trust Territories were recommended to take "practical steps, pending the realization of the right of self-determination and in preparation thereof, to ensure the direct participation of the indigenous populations in the legislative and executive organs of government of those Territories, and to prepare them for complete self-government or independence": in section B it was recommended that those States should "include in the information transmitted by them under Article 73e of the Charter details regarding the extent to which the right of peoples and nations to self-determination is exercised by the peoples of those Territories, and in particular regarding their political progress and the measures taken to develop their capacity for self-Again in resolution 644 (VII), the General Assembly recommended administration ...". that the Administering Members should examine all laws, statutes and ordinances in force in the Non-Self-Governing Territories under their administration with a view to the abolition of discriminatory laws and practices contrary to the principles of the Charter and of the Universal Declaration of Human Rights.

It might be argued that the specific reference in the Soviet Union proposal to the need for preventing any discrimination should be deleted because article 2 of the draft covenant already contained a general clause on discrimination; but the need for precluding all discrimination required, he felt, specific mention in the articles dealing with individual rights, such as the right of self-determination and the important rights at present under discussion. The abolition of discrimin-In many countries more ation should be one of the corner-stones of the covenant. than half the population was deprived of the right to vote in public elections; there were 15 countries in which either all women were deprived of that political right or it was enjoyed only by women fulfilling certain conditions which did not The problems caused by such discrimination against women could be apply to men. solved only if the governments of the countries in which it was practised were to decree its abolition.

Every citizen should enjoy not only the right to vote in public elections but also the right to be elected to all organs of authority, on the basis of universal, equal and direct suffrage. There were still many countries in which the results of public elections were completely distorted. One way in which that was done was by the use of the so-called majority system, under which it was possible for parties which had obtained less than half the total number of votes cast to enjoy an absolute majority in parliament. Another was by making the electoral divisions disproportionate - in some countries there were three times as many electors in one constituency as in another. The results were also distorted when the <u>curia</u> system of election was used. All that was inconsistent with democratic principles, which required that the system of election should be direct as well as universal and equal,

To enable all citizens to enjoy equally the right of voting in public elections it was necessary to do away with any voting qualifications relating to residence, education or property. The application of such qualifications had the effect of placing the well-to-do in a privileged position. It was mainly the poorer people who were deprived of the right to vote because they had not been resident in a particular area for the specified period, since there was still unemployment in many capitalist countries and people who became unemployed had to change their place of residence in order to obtain work. The imposition of educational qualifications was often a pretext for an unfair limitation of the electoral lists, while yet another means of preventing people who were politically mature from voting in public elections was to make the possession of property a qualification for eligibility to vote.

It was most important that all public elections should be by secret ballot; for if they were not, it was unlikely that there would be complete freedom of voting and there would be opportunities for unscrupulous parties to blackmail electors.

One of the most vital clauses that should be included in the covenant was a clause stating that all citizens should enjoy an equal right to occupy any State or public office. There were even more people deprived of that right as a result of unfair discrimination, in particular sexual and racial discrimination, than there were people deprived of the right of suffrage.

Mr. JEVREMOVIĆ (Yugoslavia) said that a few years previously he had submitted to the Commission a proposal for insertion in the draft covenant of an article on the right of citizens to take part in the government of the State. That proposal had not so far been discussed. After the statement made on behalf of the French delegation at the 362nd meeting he had, however, come to an agreement with that delegation on the submission of a joint proposal (E/CN.4/L.224.Rev.1) in place of his own. It contained all the points included in the Yugoslav delegation's original proposal and had the further advantage of reproducing the terms of Article 21 of the Universal Declaration of Human Rights.

The joint proposal concerned one of the most essential of human rights - one for which blood had been shed for centuries in all countries of the world. He would not repeat the historical grounds for inclusion of that right in the covenant, but would simply point out that the maintenance of world peace was largely dependent on its exercise. Moreover, the attitude of States to that right was one of the best tests of their sincerity in fulfilling their obligations under the Charter. For when citizens could really express their views on the conduct of the State's affairs, the danger of its recourse to aggression was practically non-existent. Hence the best way of maintaining peace was to give the citizens an opportunity to choose between peace and war. That was worth more than any international agreement, whether bilateral or multilateral.

In his opinion, the United Nations had a definite duty to ensure the exercise of that right, since the signatories of the Atlantic Charter, Members of the United Nations, had undertaken to allow all peoples to choose their own governments. Now that right could only be put into effect through democratic elections. Up to the present, however, certain peoples of Africa, Asia and elsewhere, and even certain peoples of Europe, had not really enjoyed the right. Its inclusion in the covenant would show that States Members of the United Nations were willing to fulfil the obligations they had accepted with the Charter.

States whose citizens already enjoyed the right also had an interest in its full implementation, since the Second World War had shown that the subjugation of certain peoples was a danger to the freedom of others.

¹ E/2256, Annex II, Section A.I.

There was yet another reason for including the right in the covenant. Nearly all the rights granted to citizens by the covenant could be limited or, in certain cases, even withdrawn by governments by legislation or for reasons of public peace. Inclusion in the covenant of the right of citizens to take part in the conduct of public affairs would, to some extent, remove the danger that its provisions might remain a dead letter, since citizens would thus be able to exert a direct influence on legislation.

Turning to the text of the joint Yugoslav/French proposal, he observed that after establishing the right of every citizen, without any discrimination whatsoever, to take part in the conduct of public affairs, the proposal laid down that that right should be exercised through democratic elections, so organized as to reflect the true will of the electorate. The proposal did not imply that such elections must be direct, because no State in the world would elect all its organs by direct election. Usually it was only members of parliament who were directly elected. Many other supreme authorities, for example the President of the Republic, were frequently elected by the indirect procedure. It could not be affirmed that that procedure was not democratic.

Finally the proposal gave every citizen the right of equal access, without any discrimination whatsoever, to public service in his country.

Mr. CASSIN (France) said that he would add no comments to the Yugoslav representative's statement on the joint proposal, but would supplement it, if necessary, during the discussion.

Mr. PEROTTI (Uruguay) said that his delegation's views on the subject were well known. He could speak frankly about it, especially since everything for which the Soviet Union and the joint Yugoslav/French proposals provided had already been achieved in Uruguay. Both drafts suffered from obvious shortcomings, which, if they were not rectified, would prevent either from achieving the purpose for which he believed that they had been submitted, namely that of guaranteeing to all citizens of the State, without discrimination, the right to participate in elections and to enjoy equal access to public office. He sympathized with that purpose, but had grave doubts, in particular, concerning the omission from the Soviet Union proposal of any reference to political discrimination. If political discrimination was allowed, the ruling party in every totalitarian State would continue to enjoy a monopoly of government. He agreed that the enjoyment of the

rights under discussion should be extended to Trust and other non-self-governing territories.

The provisions of the Uruguayan Constitution regarding those rights were much more detailed and complete than either of the two proposed texts. in Article 76 of the Constitution which provided that every citizen should enjoy the right to occupy public office, there was a proviso to the effect that naturalized citizens should begin to enjoy that right three years after the date of naturalization. Again, Article 77, on the right of suffrage, which was universal in Uruguay, contained a proviso stating that no civil servant might take any part in public elections other than to vote; and subsequent articles laid down the rule that men and women should equally enjoy the rights under discussion. Uruguayan parliament all parties were represented, and there were both men and women It followed that no discrimination was tolerated in Uruguay as regards the enjoyment of those rights. And not only was there no discrimination of any of the kinds mentioned in the Soviet Union draft; but there was no political discrimination Article 73 of the Uruguayan Constitution conferred on foreigners, both male and female, who had been resident in Uruguay for more than 15 years, the right to vote in public elections, and to exercise that right they did not need to have resided in the same place in Uruguay for 15 years, He agreed therefore with the Soviet Union representative that people should not lose their right to vote in public elections simply because of a move from one part of the country to another. While he was entirely in favour of making provision in the covenant for the enjoyment of the right of universal suffrage and of the right to participate in the government of the State, he accordingly felt some dismay at the gaps in the texts submitted.

The CHAIRMAN asked the Uruguayan representative whether he wished to propose a concrete amendment to those texts.

Mr. PEROTTI (Uruguay) said that he would do so in the hope of trying to fill the gaps, but he was most anxious not to make a proposal which would be unacceptable to the representatives of States which applied a different system of public elections from that in use in Uruguay.

Mr. HARFOUCHE (Lebanon) wendered whether there was any difference in the minds of the authors of the joint proposal between the expression "without any discrimination whatsoever" in the first sentence and "equal access without any discrimination whatsoever" in the second sentence.

Mr. JEVREMOVIĆ (Yugoslavia) explained that there was no difference, but that it had been thought necessary to refer in a second sentence to the right of "equal access", since not all citizens were eligible for public office, owing to the cualifications required of candidates.

Mr. HARFOUCHE (Lebanon) pointed out that according to the wording used in the draft, a citizen could not be prevented from taking part in the conduct of public affairs, even if he had been deprived of his political rights. The point required elucidation.

Mr. CASSIN (France) said that the question raised by the Lebanese representative had arisen when the Universal Declaration of Human Rights was adopted in 1948. In France, persons who had been sentenced had claimed that the Declaration entitled them to have their political rights restored. A petition to that effect had actually been sent to the United Nations.

The Commission could lay down general principles but could not prevent a State from depriving of his political rights a person convicted of infamous misconduct. The expression "without any discrimination whatsoever" was a guarantee that no citizen would be the victim of a fundamental inequality.

The joint text made it clear that the right of any citizen to take part in the conduct of public affairs could be exercised indirectly through representatives since, as the Yugoslav representative had pointed out, in many countries certain elections were held in one or more stages. But it was desirable to keep the statement that the right could be exercised directly, so as to cover the situation existing in certain small States.

Mr. WHITLAM (Australia) observed that in the Soviet Union text the list of the different kinds of discrimination which the Soviet Union representative wished to prevent seemed to be in accordance with article 2 of the draft covenant, except that it included no reference to discrimination on account of "political or other opinion". That omission, which the Uruguayan representative had already pointed out, was very serious. Was it intended that the new text should cancel article 2? Or that article 2 should not be applicable to the rights mentioned in the new text? The joint Yugoslav-French text contained the words "without any discrimination whatsoever" and did not mention the different kinds of discrimination.

He would like to know whether those words had been included simply as a reminder of what was stated in article 2, or whether they were intended to have a different effect from that which article 2 would have on the rights under discussion. Thus, both texts had the disadvantage of being difficult to interpret. They should at least be amended in such a way as to make their meaning clear,

Australia followed the system of equal and direct suffrage. Men and women equally enjoyed the right to vote in public elections and to be elected to parliament. There were several women members of parliament in Australia. There were, however, certain disabilities on election to public office in Australia, e.g. unsoundness of mind, conviction for high treason and other serious offences. In addition, undischarged bankrupts and people with a personal financial interest in government affairs were debarred from holding public office. He believed that there were clauses to the same effect in several modern constitutions. Would such clauses be consistent with either of the two proposed texts?

The CHAIRMAN said that as the objections suggested by the Australian representative to the two texts were partly due to the existence of the clause contained in article 2, he would point out that that clause had been discussed at length at an earlier session. He would beg representatives not to repeat what they had said during that discussion. With regard to the proposed new article, the Commission should follow the precedent that had been established of simply voting on whether or not the need to prevent discrimination should be mentioned.

Mr. DRUTO (Poland) unreservedly supported the Soviet Union proposal for a new article the insertion of which in the covenant would constitute one of the main bulwarks of the implementation measures. Obviously, a citizen who had no direct say in the election of the parliament and government of his country could have no grantee that his rights would be safeguarded. Another reason why an article of that sort was essential was that there were countries in which certain sectors of the population were deprived of the vote on grounds of race or sex. In others, social origin, religion, or other factors of various kinds prevented certain citizens from occupying public office or enjoying the rights granted to them. Thus, in some countries voting rights were conditional upon residence for a given period in the same town or village, with the result that millions of seasonal workers were unable to vote. In other countries, discriminatory measures prevented large, educationally backward sectors of the population from taking part in the conduct of the State.

Apart from discrimination against the individual, a whole nation could be deprived of its rights by unfair, artificial electoral systems which could distort the popular will; in fact, the joint Yugoslav-French proposal would make it possible by means of an arbitrary interpretation of so-called democratic methods to introduce anti-democratic electoral laws. In his own country, human rights were protected by the citizens themselves, who participated in the government of the State in accordance with the principle laid down in the Constitution. If there were no similar fundamental principle in the covenant on human rights, it would have as little real effect as a soothing syrup.

Mr. INGLÉS (Philippines) said that in principle he supported the proposals before the Commission insofar as they were consistent with the purposes of article 21 of the Universal Declaration of Human Rights, and he shared the view that one of the fundamental defects of the draft covenant on civil and political rights was the omission of the right enunciated in that article. However, he found it difficult to accept the Soviet Union proposal as it stood at present, because it differed in certain very important respects from the language and spirit of the Universal Declaration. As the Uruguayan representative had already indicated, it failed to mention political opinion and also limited the right of suffrage to direct suffrage.

While agreeing that the property qualification should be abelished, he considered the words "educational or other qualifications" in the Soviet text to be too wide in scope, and was unable to guess what was covered by the word "other". If, as had been suggested, it might include residential qualifications, such a provision was open to serious objection. Residential qualifications were clearly necessary to avoid any possibility of plural voting and to ensure that voters were acquainted with the needs of the locality and the character and merits of the candidates.

The Australian representative had already indicated the danger of trying to improve upon the language of earlier articles in the draft covenant and of the Universal Declaration. If the phrase "without any discrimination whatsoever" were to be retained in the joint French-Yugoslav text, it should be accompanied by the detailed list of types of discrimination already included in articles 2 and 19 of the draft covenant on civil and political rights. If, on the other hand, that phrase were deleted, the provisions of articles 2 and 19 would at any rate apply in their totality to the proposed new article. The joint text as it stood might

result in the elimination of certain time-honoured voting qualifications, such as age and mental capacity, and the repetition of the phrase "without any discrimination whatsoever" at the end might also be subject to misinterpretation as meaning that certain recognized qualifications for public office were now being dropped.

Another defect in the joint text was its failure to refer to the <u>regular</u> holding of elections, which was recognized as essential to the good functioning of democratic government. If that omission was due to an oversight the authors of the proposal might consider the insertion of the word "periodic" before the words "free democratic elections". He wondered, however, whether it might not be advisable to return to the text of article 21 of the Universal Declaration of Human Rights.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that the authors of the joint proposal had omitted from their text a principle of crucial importance, namely the right to equality of suffrage, a right embodied in article 21, paragraph 3, of the Universal Declaration. No amount of casuistry would succeed in disguising the fact that under their proposal that vital right would be denied. When certain members of the Commission suddenly assumed the mantle of champions of State sovereignty, he always sought to penetrate their real motives. Even those who were anxious to omit any reference to the right to equal suffrage were not prepared to attack openly a principle which had long been recognized, even before the creation of the Soviet State, by which it was given fullest practical effect through the operation of a special clause in the Constitution. The French representative was digging the grave of one of the principles of the bourgeois democracies.

Before criticizing the Soviet Union text for departing from the language of article 21 in the Universal Declaration, members should reflect upon the true purpose of the joint text, which was to consecrate the practices of certain colonial Powers. They should approach the important issue of equal suffrage with an open mind and free of prejudice, since its fate would determine the whole character of the article on suffrage rights.

It was not the first time that for lack of true substantive objections an attempt was being made to secure the rejection of a Soviet proposal on totally

false grounds based on a complete misinterpretation of its meaning. As he had already indicated, equal suffrage was a corner-stone of the Soviet Union's concept of the right to participate in the conduct of public affairs. All the Uruguayan representative's fears that the Soviet proposal implied some limitation on that right should therefore be dispelled. It was self-evident that if all citizens possessed equal voting rights none was penalized on grounds of political opinion. Since such rights were extended without any discrimination in the Soviet Union, it would be paradoxical indeed if he, as its representative, were to put forward a proposal contrary to the practice of his country. If any doubts still persisted in the minds of representatives, they could surely give expression to their views by submitting appropriate amendments. If the Uruguayan representative was in favour of the right to equal suffrage, he should not support a text which made no provision for it. The Soviet Union text took full account of the rights embodied in article 21 of the Universal Declaration and any argument to the contrary must be due to a misunderstanding or the desire to attribute to it a meaning which it had never possessed.

The Soviet Union text was also superior to the joint proposal inasmuch as it referred clearly not only to the right to elect, but also to the right to be elected. In that respect it was also an improvement upon the wording of article 21, which was insufficiently precise.

The Philippines representative's apprehensions were quite misplaced as the Soviet Union delegation had never contemplated according voting rights to persons suffering from mental illness or similar incapacity. Moreover, Mr. Inglés was perfectly free to submit an amendment; if, however, he was against the abolition of voting qualifications, he should admit it frankly.

In conclusion, the Soviet Union delegation stood by the unequivocal provisions of article 21 in the Universal Declaration, and urged the Commission to deal conscientiously with the substantive issues involved and not to plunge into a fruitless argument about totally imaginary implications of the Soviet Union proposal.

Mr. PEROTTI (Uruguay) said that the Soviet Union representative was mistaken in suspecting evidence of bad faith. He (Mr. Perotti), as an old parliamentarian, was accustomed to approaching problems on their merits and with

an open mind, and had accordingly examined the Soviet Union proposal without prejudice and in a spirit of co-operation, commenting upon it frankly and without dissimulation.

He agreed with the Philippines representative that there must be certain limitations on suffrage rights (incapacity, mental deficiency, etc.) and that some reference should be made to the regular holding of elections, a principle fully provided for under the Uruguayan Constitution.

Mr. HARFOUCHE (Lebanon) gathered from the French representative's explanations that the joint proposal was intended to establish the equality of citizens in electoral matters in a very general sense, it being understood that while the provisions of the law could not restrict the freedom of elections, they could regulate electoral procedure.

In order to take account of the comments made during the discussion, particularly with regard to such matters as conditions of domicile, naturalization and the frequency of elections, he proposed that the words "Subject to the provisions of the law" be added at the beginning of the joint proposal.

He asked whether that amendment would change the sense of the joint proposal.

Mr. CASSIN (France) said that he could not reply immediately to the Lebanese representative's question or to the other criticisms made during the discussion. He thought, for instance, that the words "without any discrimination whatsoever" did not cover exactly the same ground as what had previously been designated the permissible limitations. So far, no satisfactory formula had been found. With regard to that proposed by the Lebanese representative, he would point out that the law might be arbitrary, a possibility which should perhaps be borne in mind.

Mr. HARFOUCHE (Lebanon) drew attention to the difficulty which certain countries, including his own, would have in accepting a rigid formula like "every citizen". In Lebanon a naturalized person was a citizen, but was not entitled to vote until after a certain lapse of time. Hence, according to the text of the joint proposal, there would be discrimination against such a person.

Mr. JEVREMOVIĆ (Yugoslavia), replying to observations offered during the discussion, pointed out first of all that, in refraining from listing the various types of discrimination, the joint proposal conformed to the method adopted by the Commission at its eighth session, when a similar provision ("without distinction of any kind") had been inserted in article 7 of the covenant on economic, social and cultural rights. Moreover, a precise definition of discrimination was to be found in article 2 of the Universal Declaration, in the two draft covenants (Article 2, paragraph 2) and in article 19 of the covenant on civil and political rights; there was no point in repeating it in the proposed new article.

Replying to the Lebanese representative, he said that voting rights could not be made conditional, but must be granted to all citizens. A State could, however, withdraw voting rights from a citizen for reasons of a non-discriminatory character, e.g. mental deficiency. If a more precise formula could be found, he was prepared to support it.

To allay any misgivings, the Yugoslav delegation would be willing for any point in article 21 of the Universal Declaration to be added to the joint proposal.

Mr. HARFOUCHE (Lebanon) suggested that it might be advisable to specify in the joint proposal that voting rights might be organized. There might, for instance, be a phrase permitting the adoption of practical voting regulations.

The CHAIRMAN suggested that the Yugoslav representative might reconsider the joint text in the light of the comments made at the present meeting.

Mr. PEROTTI (Uruguay) said that in accordance with the intention he had expressed earlier in the meeting he had submitted formal amendment to certain parts of the Soviet Union text, the remainder of which would then be acceptable to him.

2. PROGRAMME OF WORK

Mr. MOROSOV (Union of Soviet Socialist Republics), seconded by Mr. PEROTTI (Uruguay), having proposed that as in 1952 the Commission should not work on Labour Day, the CHAIRMAN suggested that the Commission should hold no meetings on 1 May but should meet in the afternoon of Wednesday, 29 April.

It was so agreed.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that in view of the programme agreed by the Commission for dealing with measures of implementation, it should perhaps consider setting a time-limit for the submission of new proposals.

The CHAIRMAN said that that point might be taken up the following day.

The meeting rose at 6 p.m.

¹ Subsequently reproduced as document E/CN.4/L.255.