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**Chairman: Mr. Nemi Chandra KASLIWAL  
(India).**

**AGENDA ITEM 43**

**Draft International Covenants on Human Rights (A/2907 and  
Add.1-2, A/2910 and Add.1-6, A/2929, A/5144, E/2573,  
annexes I-III, A/C.3/L.978, A/C.3/L.1017, A/C.3/  
L.1024-1026) (continued)**

**GENERAL PROVISIONS: ARTICLES 2 TO 5 (con-  
tinued)**

1. The CHAIRMAN expressed the Third Committee's sympathy with the family of Mr. Thurman, one of its interpreters, who had died suddenly on the preceding day.
2. Mrs. TREE (United States of America) said that she wished to indicate her delegation's position on the four articles which formed part II of each of the two draft Covenants.
3. Article 2 of the draft Covenant on Economic, Social and Cultural Rights was satisfactory as it stood, but it might be made slightly more flexible by substituting the words "by legislative or other means" for the words "by legislative as well as by other means" at the end of paragraph 1, and the word "ensure" for "guarantee" at the beginning of paragraph 2. Her delegation felt that the word "progressively", in paragraph 1, must be construed in a reasonable manner and not given an extreme interpretation, and that the list of anti-discrimination factors should be retained in paragraph 2 in the form in which it appeared in the Universal Declaration of Human Rights (General Assembly resolution 217 (III)), although it might be desirable to give a reasonable interpretation to each of those factors so as to prevent the text of the article from becoming too rigid or absolute.
4. With respect to article 2 of the draft Covenant on Civil and Political Rights, her delegation was prepared to support it as it stood. It interpreted paragraph 2 in the manner set forth by the representative of France (1181st meeting), and not in that advanced by the United Kingdom representative. It therefore supported the French suggestion that the rights enunciated in the Covenant should be given effect within a reasonable period of time after ratification

of the Covenant; in that way, it would be quite clear that the Covenant was not self-executing.

5. Her delegation supported the suggestion, put forward by the representatives of Austria and Ghana, that article 3 should be deleted from both draft Covenants. Article 3 duplicated the anti-discrimination clause in article 2 of both texts, and it might also cause confusion, since the other factors listed in the anti-discrimination clause were not the subject of separate articles.

6. She could support article 4 of both draft Covenants, provided that no substantial changes were made, and she would vote for article 5 in both cases, as she found the existing text fully satisfactory.

7. Mrs. RADIC (Yugoslavia), speaking with regard to articles 2 and 3 of both draft Covenants, said that, as her delegation understood it, article 2 of the draft Covenant on Civil and Political Rights imposed an obligation on States to ensure the immediate or almost immediate observance of the rights set forth in the Covenant; that amounted to a demand that signatory States should take immediate measures. There was, however, some discrepancy between the first two paragraphs of the article; while paragraph 1 could be interpreted as meaning that States undertook to respect the obligations by the mere fact of signing or ratifying the Covenant, paragraph 2 required States to take the necessary steps to give effect to the rights recognized in the Covenant. Accordingly, as a number of delegations had suggested, it would be appropriate to give a more precise definition of the period which could reasonably be required for taking steps to adopt the necessary measures.

8. Regarding article 2 of the draft Covenant on Economic, Social and Cultural Rights, the Yugoslav delegation agreed with the principle of progressivity, which made allowance for the circumstances of individual States, and especially of the developing countries; it believed that such countries, in view of the results they had already achieved, would be able speedily to establish a basis for ensuring the broad realization of the rights set forth in the Covenant. Paragraph 1 rightly mentioned international co-operation, the importance of which should be emphasized in that connexion. The text of the article could certainly be improved, inasmuch as a number of the rights set forth in the Covenant could be put into effect without the need for gradual steps. However, the present text was sufficiently flexible to satisfy all States, and her delegation was prepared to vote for it, on the understanding that it did not preclude the rapid realization of the rights enunciated when and where the necessary conditions existed.

9. The text of article 3 was almost identical in both draft Covenants, and the article was necessary because it dealt with one of the basic principles which should be the subject of a separate article in any

international instrument on human rights. It placed an express obligation on signatory States to ensure the equal rights of men and women, and the Yugoslav delegation would therefore vote in favour of article 3 of both draft Covenants.

10. Miss KRACHT (Chile) considered it essential that the draft Covenants should contain an article dealing with the equality of men and women, since at present women continued to be the victims of prejudice. It was true that the United Nations had always engaged in numerous activities on behalf of women, both under its technical assistance programmes and in connexion with the programme of advisory services in the field of human rights; and the Commission on the Status of Women had also adopted a large number of constructive resolutions. However, much remained to be done, and States should spare no effort to improve the status of women and to enforce the concept of the equality of women before the law.

11. Some representatives felt that article 3 of the draft Covenant on Economic, Social and Cultural Rights was superfluous because article 2 prohibited any distinction, including that based on sex, in the exercise of the rights enunciated. In her view, however, the elimination of discrimination against women and the ensuring of equality between men and women in the exercise of rights were two completely different things. For instance, a State might hold a competitive examination to fill a public position and might not exclude women from it; but if the women of that country had not had the opportunity to acquire the necessary training, they would be unable to take the examination with any prospect of success. Consequently, States must not only eliminate discrimination; they must also pursue an active policy of giving women equal opportunities with men.

12. That was the basic principle set forth in article 3 of the draft Covenant on Economic, Social and Cultural Rights, and it was for that reason that the Chilean delegation would oppose its deletion.

13. Mr. BAHNEV (Bulgaria) said that he would confine his statement to article 2 of the draft Covenant on Economic, Social and Cultural Rights. In his view, the wording of paragraph 1 was very flexible, and covered any difficulties which States might encounter in giving effect to the rights enunciated; it should therefore on no account be weakened. The word "progressively" must be interpreted in terms of years rather than centuries—as was well brought out, for instance, in the draft Covenant's article 15, dealing with free and compulsory primary education. In any event, the Bulgarian delegation could not accept the proposal made by New Zealand concerning the closing words of paragraph 1. It was impossible to say that legislative means did not help in achieving the full realization of rights; there were a number of instances in recent history where the State had participated in economic and social development, and legislative means were necessary in that connexion, even in the common-law countries. His delegation therefore believed that paragraph 1 should be retained in its present form.

14. Where paragraph 2 was concerned, he was glad that the Committee was not repeating the debate it had held on the subject during the tenth session (655th to 659th meetings). The world had changed since then, as could be seen from the presence in the Committee of a large number of African representatives, who had had bitter experience of discrimination. More-

over, at the sixteenth session the Committee had adopted article 24 of the draft Covenant on Civil and Political Rights (1102nd meeting), which implied its acceptance of the principle that the prohibition, by law, of any discrimination should be put into effect almost immediately; there was therefore no reason for it to oppose paragraph 2 which called for legislative measures. Moreover the important part played by such measures in the prevention of discrimination had always been recognized, particularly in resolution 303 F (XI) adopted by the Economic and Social Council shortly after the establishment of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

15. Some representatives had claimed that the State could not interfere in the affairs of private enterprises with a view to preventing discrimination. Actually, in the case of a lawsuit concerning a private labour contract, for instance, the State—as Sir Hersch Lauterpacht had said—could not recognize the legal validity of a contract containing discriminatory clauses without ipso facto contravening the provisions of the Charter of the United Nations and the obligations envisaged in the draft Covenants on Human Rights. The same eminent jurist had also said that the State should endeavour, with a view to preventing discrimination, to bring its full influence to bear on certain bodies, and especially on subsidized private bodies; he had further said that the State should enact laws to eliminate discrimination, particularly in all private concerns which, like restaurants and hotels, served the public and which, even under common-law principles, fell to some extent within the jurisdiction of the State. The Bulgarian delegation therefore believed that it was possible for all States at the present time to use legislative as well as other means to ensure the exercise of the rights set forth in the draft Covenant; and it supported article 2, paragraph 2, as it stood.

16. Mr. SAHAI (India) subscribed to the view of several other speakers that article 2 of the draft Covenant on Economic, Social and Cultural Rights should not in any way be weakened in substance. He believed, however, that it should be made clear whether the obligations which that article imposed on States referred to aliens as well as to nationals; it was evident that not every right recognized in the draft Covenant could be applied in the same way to citizens of a country and to aliens.

17. Regarding article 2, paragraph 2, his delegation endorsed the non-discrimination provisions set forth, which were in full agreement with the Indian constitution. The progressive element provided for in paragraph 1 should not apply to paragraph 2; each of the progressive measures should, upon implementation, cover everyone without distinction. Nevertheless, the actual implementation of the provisions of article 2 raised certain problems in the case of the particularly backward groups still to be found in many under-developed countries. In his own country, the constitution and the laws provided for special measures for the social and cultural betterment of such groups; measures of that kind were essential for the achievement of true social equality in highly heterogeneous societies. He felt certain that the authors of the draft Covenant had not intended to prohibit such measures, which were in fact protective measures; but a strictly theoretical interpretation of article 2, paragraph 2 might leave room for doubt

on that point. He therefore thought it essential to make it clear that such protective measures would not be construed as discriminatory within the meaning of the paragraph. The Committee might accordingly wish to add to the article an explanatory paragraph reading: "Special measures for the advancement of any socially and educationally backward sections of society shall not be construed as 'distinction' under this article." Alternatively, the Committee might wish to insert in its report a statement which would make that interpretation clear. His delegation had no particular preference for the one course or the other, and would be guided by the views of the Committee on the question.

18. Sir Douglas GLOVER (United Kingdom) recalled that his delegation did not approach the two draft Covenants in the same manner and that, while article 2 of the draft Covenant on Civil and Political Rights should be definitive in character, article 2 of the draft Covenant on Economic, Social and Cultural Rights should provide for progressive implementation. The rights stated in the latter draft Covenant were capable of almost indefinite development, and consequently the master article of that instrument should impose on States parties an obligation to strive to achieve progressively the maximum realization of those rights.

19. He had two criticisms to make of article 2 of the draft Covenant on Economic, Social and Cultural Rights. As it stood, paragraph 1 seemed to impose a double obligation on States, namely, to adopt legislation and to use other means. In the opinion of his Government, legislation was not always the answer. A number of the rights enumerated in the draft Covenant could best be guaranteed by education, economic progress, administrative organization, and so forth. His delegation therefore proposed an amendment whereby the words "as well as by" should be replaced by the word "or" (A/C.3/L.1026).

20. Paragraph 2 of that article might offer difficulties for States desiring to become parties to the Covenant. While the principle that the rights enunciated in the Covenant should be exercised without distinction of any kind was unchallengeable, it might be dangerous for a State to undertake to guarantee that those rights would be so exercised. The draft Covenant stated many rights which, by their very nature, could not be guaranteed to all without distinction; in the field of labour relations, for instance, his Government could not guarantee complete equality, not because it did not favour equal treatment for all, but because it had always found it most desirable for all concerned that such matters should be regulated by free negotiation between employers and associations of workers. Moreover, since the paragraph guaranteed that rights would be exercised without distinction as to, *inter alia*, national origin or other status, it might be interpreted as forbidding States to place any restriction on the rights of aliens—such as, for example, their freedom to take up employment in the country since one of the articles in the draft Covenant stated the right of everyone to gain his living by work which he freely accepted. For those reasons, his delegation would prefer either the earlier drafting of the article, in which the equal rights of all were recognized, or a formula such as the following: "The States parties to the present Covenant undertake to take all practicable steps for the rights enumerated therein to be exercised without distinction of any kind."

21. Turning to article 2 of the draft Covenant on Civil and Political Rights, he summarized the observations he had made at the 1181st meeting. His delegation had no reservations concerning article 4, and was prepared to support it. It considered, however, that article 3 was unnecessary since it repeated what was already stated in article 2; accordingly, he proposed its deletion.

22. Mr. QUIAMBAO (Philippines) said that he had no difficulty in supporting article 2 of the draft Covenant on Economic, Social and Cultural Rights. The ideas of progressive application should figure in an instrument dealing with rights which could not be implemented immediately. That idea was, moreover, implicit in most of the rights recognized in the draft Covenant, since States could not be constrained to meet requirements the fulfilment of which was beyond their control. It would be unreasonable to expect under-developed countries to do very quickly what they might in fact need years to accomplish. He drew attention in that regard to the Annotations on the texts of the draft International Covenants on Human Rights (A/2929, chap. V, para. 24). What was important was to encourage the under-developed countries to improve their economic and social position by requiring them to achieve gradually the full realization of the rights stated in the draft Covenant.

23. The expression "to the maximum of its available resources" was of great importance, because available records indicated that, despite considerable progress in health and other fields, many countries still had very limited resources wherewith to achieve the standard health envisaged in article 13 and a continuous improvement of living conditions. His delegation was aware that the provisions of a binding instrument should be drafted with precision, but it felt that sight should not be lost of realities or of the obstacles to the immediate achievement of, for instance, an ideal standard of living. It did not share the view that the words "available resources" had been inserted in article 2 simply to weaken the undertaking assumed by States Parties to the Covenants. Those words referred not only to the national resources of a country but also to the resources which it might receive from abroad. His delegation shared the view of the Indian representative that particular attention should be given to some minority or backward groups. It would study with interest any initiative which the Indian delegation might take in that matter. On the other hand, the United Kingdom proposal would weaken the text, and he could not vote in favour of it.

24. With respect to paragraph 2, his delegation saw no difficulty in replacing the word "guarantee" by "ensure". Certain representatives had expressed doubts regarding the prohibition of all discrimination based on sex, and had argued that some States might be unable to ensure immediately equal pay for men and women. That problem had, however, already been dealt with by the Committee when it had adopted article 7, which stated the principle of equal remuneration for work of equal value.

25. Mr. REDONDO (Costa Rica) said it was his understanding that the African States wished article 2, paragraph 1 to specify a time-limit for the application of the rights enunciated in the Covenant. That was a legitimate desire, and should be taken into consideration. It was indeed important that certain reactionary groups should be prevented from

delaying the implementation of the Covenant on the basis of a biased interpretation. It had, however, to be recognized that the application of the rights enunciated depended on diverse factors which could not be altered overnight. His country knew from experience how difficult it was to ensure respect for the principles enshrined in the Covenant, for it had been striving to do so for a century. Various measures had been adopted in Costa Rica in an effort to improve social conditions, such as the introduction of free and compulsory primary education, recognition of the right to work and to security of employment, the fixing of minimum wages, limitation of the number of working hours, the granting of paid holidays and maternity leave, special child welfare arrangements, made particularly with a view to reducing infant mortality—which was extremely low in Costa Rica—and to ensuring the development of the child in a healthy environment, a campaign against discrimination as between legitimate and illegitimate children and against all other forms of discrimination, recognition of equal civil rights for men and women, and improvement of nutrition, housing, and working conditions.

26. Despite the results achieved, much remained to be done for the protection of human rights. His Government had made extraordinary sacrifices in order to improve the lot of the population: in particular, it was relying on international agreements for the defence of its sovereignty, in order to be able to devote all its resources to social action. For a long time it had been allocating seventy per cent of the national budget to education. In its determined struggle, it had enjoyed the disinterested and loyal collaboration of friendly countries such as Chile, which had communicated to Costa Rica the best elements of its culture and institutions, as well as its profound attachment to human rights.

27. Thus the living conditions of the Costa Rican population were being progressively transformed, without a revolution, at a variable rate. It was accordingly on the basis of its own experience that his country believed that no precise time-limit should be set on article 2. In order to satisfy the natural concern of the African delegations, however, he would propose an amendment providing for the insertion of the words "and at an accelerated rate" after the word "progressively" (A/C.3/L.1025).

28. Mrs. DERANIYAGALA (Ceylon) said that, as there were socially and educationally backward groups in her country, her delegation would support the Indian representative's suggestion aimed at preventing any special measures that might be adopted for the advancement of such groups from being regarded as discriminatory in the sense of article 2, paragraph 2. As regards the manner of expressing the idea, which was of particular significance in the case of the draft Covenant on Economic, Social and Cultural Rights, her delegation would be guided by the judgement of the Committee.

29. Mrs. MANTZOULINOS (Greece) wished to amplify her previous explanation of the reasons why she was in favour of retaining article 3. Article 2 guaranteed full exercise of the rights enunciated in the Covenant but, in order that such rights could be exercised, they had first to be recognized and prescribed by law. Generally speaking, laws referred to "nationals" or "persons". But in some countries there were laws that applied to men only, or to men and single women

only, excluding married women; and there were laws prohibiting married women from making property transactions.

30. The principle of equal pay for equal work raised no problem in many countries; in others, it was of serious concern to working women. In a third category of countries, the problem existed only in certain sectors of the economic life. In Greece, for example, there was full equality in the remuneration of men and women workers in all public services and in large financial organizations, but in the private sector, where wage rates were fixed through collective agreements, a differentiation was made between men and women. Although it had steadily decreased in recent years, that differentiation was clearly evident in the collective agreements, notwithstanding the equality of men and women in civil and political rights and educational opportunities. She was well aware that in some countries full equality had been recognized by law; but in practice, everywhere in the world women had to fight against obstinate prejudice. An illustration was the fact that among the several hundred members of delegations to the United Nations—representatives, alternates and advisers—there were only fifty-three women. Those women did not by any means all represent countries in which the principle of equality in men's and women's rights was most fully recognized. On the contrary, the Governments of many highly developed countries were reluctant to appoint more than one or two women to their delegations. That situation could be explained in one or two ways: either because women, despite equal educational opportunities and equal professional rights, were not sufficiently qualified to represent their countries in the General Assembly of the United Nations—an explanation her delegation could not accept—or because women were kept apart owing to prejudice, even in highly developed countries—which appeared to be the more probable explanation.

31. However that might be, States Parties to the Covenant must undertake to ensure through legislation the equal right of men and women to all the economic, social and cultural rights enunciated in the Covenant. Legislation should not only accord economic, social and cultural rights to all persons on a basis of equality, but should eliminate the existing discrimination against women and stipulate that the provisions of law must apply to women as well as to men. After that principle of universality had been clearly proclaimed, then, as a corollary to the principle of fundamental equality of the sexes, the principle of non-discrimination between men and women for reasons of origin and race should be affirmed. Those were the grounds on which the General Assembly, conscious of the importance of the principle of equality of men and women, had in resolution 421 (V) decided to include in the draft Covenants an explicit recognition of the equality of men and women, and it was for those reasons that her delegation was in favour of retaining article 3.

32. Mr. TROCLET (Belgium) said that he had no difficulty in supporting the various articles of part II of the draft Covenant, but wished to clarify certain points. He was in favour of including a progressive implementation clause in article 2, not because of the situation in his country, where full equality was not only a legal principle but a practical reality, but because the mere decision to create equality where it did not yet exist was not sufficient. In certain countries, all categories of the population were not

ensured access in conditions of equality to public office or even to certain types of employment in the private sector. Those countries could hardly be asked to alter such a state of affairs overnight. Experience showed, for instance, that it was not easy to give immediate effect to the principle of equal pay for equal work. Belgium had ratified the Convention concerning equal remuneration for men and women workers for work of equal value, adopted by the International Labour Conference at its 34th session, in June 1951, but had recently experienced the difficulties which that principle raised: as a member of the Common Market, it was bound by a treaty providing that equal remuneration would be paid for work of equal value. Some of the six countries concerned, however, had been unable to give full effect to that clause; it had accordingly been decided in December 1961 to establish a schedule for progressive application, according to which the percentage of difference between remunerations paid to men and those paid to women would be decreased every year. In those circumstances, his delegation would support the Costa Rican amendment with the suggestion that the word "and" should be replaced by the word "but".

33. He also stressed, after recalling that his country's legislation provided for full civil equality of men and women and even made no distinction in regard to aliens, that the principle of absolute equality was fraught with some danger. For example, the law might prescribe more favourable conditions of employment for certain categories of persons regarded as being in need of special protection. Thus in his country, a law dating from more than fifty years provided that in every department store there should be as many chairs as there were saleswomen; that was a discriminatory measure in favour of women. Belgian law also permitted women to retire five years earlier than men. Article 2, interpreted strictly, would prohibit any such discrimination, so that, if the text were maintained as it stood, Belgium would be obliged, on becoming a Party to the Covenant, either to lower the retirement age for men or to raise it for women, both of which measures were most undesirable. He wished to reiterate that he supported article 2 in principle, but hoped that a prudent wording would be adopted in order to obviate any unfavourable repercussions.

34. Mr. BOUQUIN (France) said he proposed to make a few detailed comments on the general provisions of the two draft Covenants.

35. With regard to article 2 of the draft Covenant on Civil and Political Rights, he recalled that the French delegation, although favouring almost immediate application, considered that States needed time in which to bring their legislation into line with the provisions of the Covenant. In that respect, the United Kingdom's suggestion to delete paragraph 2 was unacceptable for countries, such as France, whose legislation was highly complex. However, paragraph 2, while necessary, had the defect of being incomplete, since it set no time-limit within which States had to carry out the necessary constitutional procedures. The insertion of a reasonable time-limit would have the effect of strengthening the text, not of weakening it, as some seemed to fear.

36. The French delegation had some difficulty in accepting paragraph 1 of the article in its present form. It would like to see the phrase "within its territory" deleted. In its present wording the para-

graph implied that the nationals of a country living abroad would be unable to claim the rights set forth in the Covenant, and that was a flagrant injustice. For example, a person living abroad should be able to benefit from the right of association; in the case of a sentence *in absentia*, he must be able to invoke the article on the non-retroactivity of criminal laws; finally, he must obviously be able to exercise his right to return to his own country.

37. With regard to article 2 of the draft Covenant on Economic, Social and Cultural Rights, he found paragraph 1 satisfactory on the whole, but reserved the right to speak later on the amendments presented by the United Kingdom and Costa Rica. The United States proposal to replace the word "guarantee" by the word "ensure" in paragraph 2 was acceptable to the French delegation, which however considered that the paragraph, in its present wording, was in contradiction with paragraph 1, in that the idea of progressive implementation was missing. It was obvious that some States would have difficulty in giving immediate practical effect to an equality, which they none the less accepted without reservation in principle.

38. Turning to article 3 of the two draft Covenants, he recalled that the Commission on Human Rights had adopted article 3 of the draft Covenant on Civil and Political Rights for psychological rather than legal reasons. His delegation would vote for that article unless a majority of the Committee was in favour of its deletion. On the other hand, it had some doubts regarding the necessity for retaining article 3 of the draft Covenant on Economic, Social and Cultural Rights which, like paragraph 2 of article 2, had the defect of omitting the idea of progressive implementation. His delegation had abstained in the vote on that article in the Commission on Human Rights.

39. The French delegation would vote for article 4 of the draft Covenant on Civil and Political Rights, which had the merit of striking a balance between the trend to exclude any derogation from the provisions of the Covenant and the trend to permit States to evade their obligations in an uncontrolled manner on the pretext, for example, of public danger. It would also vote for article 4 of the draft Covenant on Economic, Social and Cultural Rights, for if certain rights could be subjected to special limitations by virtue of their nature, other rights were better suited to a general limitation.

40. Lastly, the French delegation approved of the present wording of article 5 of the two draft Covenants, the purpose of which was to safeguard existing standards in respect to human rights. It would indeed be paradoxical, and contrary to the very aim of the Covenants, if the latter were to be used to destroy freedoms already recognized or to deny rights already established.

41. Mr. BAROODY (Saudi Arabia) considered that article 3 of the draft Covenant on Economic, Social and Cultural Rights was not merely tautological, as the United Kingdom representative had emphasized, but dangerous. The Commission on Human Rights had adopted it in order to please women, who for some fifty years had been protesting against the inequality from which they had suffered for so long. However, it was obvious that women's equality in the economic field could not always be realized in practice without unfortunate effects for States. It was not possible to speak of women's equality with men as regards work, for instance, since there was no guarantee that a

woman would stay in her job. She might have to leave work, temporarily or permanently, because of maternity leave or to look after her family. There could thus be no question of forcing a State to give equal economic rights to women at the expense of the national economy. That also applied to firms in the private sector.

42. While it was true that women, for biological reasons, could not perform some kinds of work, he would point out to the Greek representative that the principle of equality of the sexes had been broadly applied during recent years, particularly within the United Nations. Proof of that was the fact that until 1947 there had been only two women representatives, one of them Mrs. Eleanor Roosevelt; today, women were much more numerous. In any case, rights had to be considered from a qualitative, not a quantitative viewpoint, since it was evident that no single right would be the same for the two sexes. In such circumstances a State could not be compelled to give women exactly the same opportunities as men in the economic field.

43. Mr. DIAZ CASANUEVA (Chile) disagreed completely with the Saudi Arabian representative's concept of equality. No one dreamed of imposing the concept of biological, morphological or even psychological equality of men and women. Women themselves no longer tried to resemble men in every respect, as the suffragettes had once done. Today, they took pride in their femininity and the equality they

were demanding was equality before the law. The concept of equality thus had to be considered from a strictly functional and legal point of view.

44. With regard to woman's productive value, he would be interested in having the opinion of the ILO and UNESCO representatives on the subject; but he was convinced that in that respect women were every bit as good as men. In Chile, for example, there were today not only women lawyers and diplomats, but also women architects and engineers; they were thus working in spheres which would earlier have been regarded as reserved for the male sex. In literature, women had contributed as much as men; in that connexion he recalled that the only Latin American author ever to be awarded a Nobel prize had been a Chilean woman, Gabriela Mistral.

45. In his view it was absolutely essential to uproot once and for all the ancient prejudices and traditions which were holding up the progress of women. The irreversible movement towards the equality of women had to be enshrined in the draft International Covenants, which must include a special article on the subject. For that reason the Chilean delegation was firmly opposed to the deletion of article 3 of the draft Covenant on Economic, Social and Cultural Rights. Today it was more than ever necessary for States to enforce the principle set forth in the article.

The meeting rose at 1.5 p.m.