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President : Mr. Hernán SANTA CRUZ (Chile).

Present : Representatives of the following countries:

Australia, Belgium, Brazil, Canada, Chile, China, Denmark, France, India, Iran, Mexico, Pakistan, Peru, United Kingdom of Great Britain and Northern Ireland, United States of America.

Representatives of the following specialized agencies:

International Labour Organisation, Food and Agriculture Organization, United Nations Educational, Scientific and Cultural Organization, World Health Organization.

Invitation to the United States of Indonesia to become a party to the Protocol of 19 November 1948 relating to narcotic drugs (E/1689)

1. The PRESIDENT, having ascertained that no member had any objection to a request made by the representative of Canada that item 29 of the agenda: "Procedure regarding the draft single convention on narcotic drugs", should be discussed after the supplementary item, "Report of the Interim Committee on Programme of Meetings on the session of the Commission on Narcotic Drugs and related meetings", invited comments on the Secretary-General's note (E/1689) inviting the United States of Indonesia to become a party to the Protocol of 19 November 1948 concerning narcotic drugs, and drew attention to the draft resolution contained in that note.

2. Sir Ramaswami MUDALIAR (India), moving the adoption of the draft resolution, said that when, on 8 October 1948, the General Assembly invited all non-member States to sign or accept the Protocol of 19 November 1948, the United States of Indonesia was not a sovereign State. He was glad that it had since become one. He was convinced that the United States of Indonesia, on becoming a party to the Protocol, would apply it firmly, fully and fairly.

3. Mr. WALKER (Australia), seconding the motion, said that the United States of Indonesia had proved its readiness to take part in international work by becoming a member of several specialized agencies, and in other ways. He was confident that it would apply the Protocol in the proper spirit.

4. In the absence of further comment, the PRESIDENT put the draft resolution submitted by the Secretary-General (E/1689) to the vote.

The resolution was adopted unanimously.

Report of the Interim Committee on Programme of Meetings on the Sessions of the Commission on Narcotic Drugs and Related Meetings (E/1715 and E/1715/Add.1)

5. The PRESIDENT invited comments on the report of the Interim Committee on Programme of Meetings on the Sessions of the Commission on Narcotic Drugs and Related Meetings (E/1715), the draft resolution contained therein, and the statement of the financial implications of the recommendations in that report (E/1715/Add.1).

6. Mr. DAVIDSON (Canada) was disturbed by the Interim Committee's recommendation that the fifth session of the Commission on Narcotic Drugs, which had already once been postponed from April till August 1950, should be further postponed until January 1951. He agreed that the session could not be held in August, since that month had been chosen for the meetings of representatives of the principal drug-manufacturing countries, and for the joint meetings of representatives of the principal opium-producing countries and of the principal drug-manufacturing countries which were members of the Commission on Narcotic Drugs and of the other principal drug-manufacturing

countries mentioned in the draft resolution: Belgium, Italy and Switzerland.

7. He asked whether it would not be possible to hold the fifth session of the Commission, which had not met since 1949, in December 1950, since, if it did not take place until January 1951, the six-weeks rule would make it impossible for the Council to consider at its twelfth session the decisions taken at the fifth session of the Commission, which would be most unfortunate. He was aware that the General Assembly would be in session in December 1950, but the Social Commission had met in December 1949 while the Assembly was in session.

At the invitation of the President, Mr. Ledward, Chairman of the Interim Committee on Programme of Meetings, took a seat at the Council table.

8. Mr. LEDWARD (Chairman of the Interim Committee on Programme of Meetings) said that the reasons why the Committee had recommended the postponement of the fifth session of the Commission until January 1951 were clearly stated in its report. The Interim Committee had been aware of the difficulties mentioned by the representative of Canada, but many representatives had urged that the session should be postponed, as had the Secretariat. He did not believe that the Committee would object to a decision by the Council that the session should be held in December 1950 instead of January 1951, but he did not know whether such a decision would fit in with the arrangements already made by the Secretariat.

9. Mr. STEINIG (Secretariat) said that, as far as the Division of Narcotic Drugs was concerned, there were no difficulties in the way of holding the session in December. But, since a decision by the Council to hold the session in December might conflict with the arrangements made for the General Assembly, he hoped that the Council would defer taking a decision on the subject until the Secretariat had had an opportunity to consult Headquarters at Lake Success and to transmit their answer to the Council. There was no objection to deferring a decision on the date of the Commission's session until that information arrived, but the draft resolution submitted by the Interim Committee related not only to that session, but also to the meetings of the representatives of the principal drug-manufacturing countries and to the joint meetings of the representatives of the principal opium-producing countries and the principal drug-manufacturing countries. Since the dates recommended by the Interim Committee for those meetings were not far distant, he hoped that the Council would fix the dates at the current meeting.

10. Mr. DE ALBA (Mexico) said that he was in favour of the fifth session of the Commission being held in January, and not sooner. If it were held while the General Assembly was in session, many members of the Commission would not be able to devote sufficient attention to the important items on the Commission's agenda because they would be concentrating their efforts on the problems before the General Assembly.

11. Mr. DAVIDSON (Canada) proposed that the Council should request the Secretariat to find out whether the fifth session of the Commission on Narcotic Drugs could

be held in December 1950 and that it should defer taking a decision on the substance of paragraphs 3 and 4 of the draft resolution submitted by the Interim Committee until it received the information.

12. Sir Ramaswami MUDALIAR (India) urged that the Council should take a final decision on the remainder of the draft resolution forthwith.

13. In the absence of further comments, the PRESIDENT put the Canadian representative's proposal to the vote.

The proposal was adopted by 14 votes to none, with 1 abstention.

14. The PRESIDENT put to the vote the draft resolution submitted by the Interim Committee (E/1715), omitting paragraphs 3 and 4.

The resolution, omitting paragraphs 3 and 4, was adopted by 14 votes to none, with 1 abstention.

Procedure regarding the draft single convention on narcotic drugs (E/1673)

15. The PRESIDENT asked whether the representative of Canada wished the discussion of item 29: "Procedure regarding the draft single convention on narcotic drugs", to be deferred, in view of the resolution to postpone a decision on the date of the fifth session of the Commission on Narcotic Drugs.

16. Mr. DAVIDSON (Canada) thought it would be useful, whatever date were fixed for the session of the Commission, to take the action indicated in the draft resolution in the note submitted by the Secretary-General on procedure regarding the draft single convention on narcotic drugs (E/1673)—namely, to authorize the Commission to request the Secretary-General to transmit the draft instrument to governments for their comments after the Commission had examined it at its fifth session and had made such amendments as it might see fit.

17. Mr. ENTEZAM (Iran) said that he was convinced by the arguments in the Secretary-General's note; he proposed the adoption of the draft resolution contained in it.

18. Mr. CABADA (Peru) said that he had no objection to the action recommended by the Secretary-General; indeed, the authorization given by the Council to the *Ad Hoc* Committee on Slavery provided a precedent for such action. But it was most important that the work of the Commission on Narcotic Drugs, which was mainly concerned with opium, should be co-ordinated with that of the Commission of Enquiry on the Coca Leaf.

19. He therefore wished to suggest, in addition to the action recommended by the Secretary-General, that the Council should request the Secretary-General to transmit the recommendations of the Commission of Enquiry to governments for comment before the Commission on Narcotic Drugs examined the draft single convention, which provided for control of the coca leaf and Indian hemp as well as opium.

20. Mr. STEINIG (Secretariat) thought that the representative of Peru might be labouring under a misapprehension. The Commission of Enquiry on the Coca Leaf had been set up to carry out a specific task — namely, to enquire into the question of the chewing of the coca leaf in certain Latin-American countries. It was true that the draft single convention contained provisions for the control of raw materials used in the preparation of narcotic drugs, and that one of those raw materials was the coca leaf; but the Commission of Enquiry would report its findings to the Commission on Narcotic Drugs, and the Commission on Narcotic Drugs would be in a position to take them into consideration when examining the draft single convention at its fifth session.

21. Mr. CABADA (Peru) said that he would be satisfied by the procedure outlined by Mr. Steinig, Director of the Division of Narcotic Drugs. He assumed from his explanation that the Commission on Narcotic Drugs would take note of the recommendations of the Commission of Enquiry before it examined the draft single convention at its fifth session. The main object of the suggestion he had made was to ensure that the Commission on Narcotic Drugs should examine those recommendations before it finished work on the draft single convention.

22. Mr. LUBIN (United States of America) asked whether he was correct in assuming that, after it had finished work on it, the Commission on Narcotic Drugs would submit the draft single convention to the Economic and Social Council before it was submitted to the General Assembly.

23. Mr. STEINIG (Secretariat) replied in the affirmative. He expected that the Commission on Narcotic Drugs would request the Secretary-General to transmit the draft instrument for comment to the seventy-one governments which were parties to one or more of the eight existing international agreements on narcotic drugs, and that the Secretariat would submit to the Commission the comments from the governments, perhaps together with a redraft of the single convention revised in the light of those comments, and that then the Commission would, if necessary, amend the draft instrument and submit it to the Council.

24. The PRESIDENT put to the vote the draft resolution contained in the Secretary-General's note (E/1673).

The resolution was adopted unanimously.

Report of the Commission on Human Rights (sixth session) (E/1681, E/1681/Corr.1, E/1681/Add.1, E/1721 and E/1732)

25. The PRESIDENT drew attention to the report of the sixth session of the Commission on Human Rights (E/1681), paragraph 51, which contained a resolution adopted by the Commission on the question of the procedure for dealing with the draft first international covenant on human rights, and invited discussion on that question of procedure.

26. Mr. ENTEZAM (Iran) repeated the statement which he had made at the 376th meeting, in which he had expressed his delegation's hopes that the Council would find it possible, in dealing with the report of the Commission on Human Rights, to consider other procedures than those referred to in the report of the Agenda Committee (E/1739).

27. In his view, solutions (a) and (c) proposed by the Agenda Committee could serve no useful purpose. The former solution—of having the draft considered by the Council article by article and then passed to the Assembly—would lead to time being wasted, since the Commission on Human Rights had already held two sessions lasting together longer than three months. Moreover, the last word did not lie with the Economic and Social Council, since the question had in any event to be resubmitted to the General Assembly.

28. Nothing was to be gained by proposal (c)—namely, to resubmit the draft to the Commission on Human Rights—since that Commission had already twice studied the draft covenant and was in possession of the comments submitted by governments. There was therefore no point in referring the draft covenant to the same Commission, unless the Economic and Social Council wished to give the Commission fresh instructions.

29. There remained proposal (b)—namely, to refer the draft to the General Assembly without detailed discussion in the Economic and Social Council. If the Council approved that proposal, he would be able to support it and would withdraw the proposal he had himself submitted at the previous meeting. In his view it was the most prudent course.

30. Mr. DAVIDSON (Canada) thought that the principal points of the draft first international covenant on human rights should be given adequate consideration by a committee of the Council, although he was not in favour of a lengthy discussion of every detail in the draft at the current session. The representatives of countries which were members of the Council but not members of the Commission on Human Rights should be allowed an opportunity to explain and formulate their views on the draft. The representative of the United States of America had recently expressed a fear that the new draft single convention on narcotic drugs might be transmitted by the Commission on Narcotic Drugs direct to the General Assembly. He shared that fear, because he believed that the Council would fail in its duty if it disposed of draft instruments prepared by its subsidiary bodies without examining their substance.

31. Mr. KAYSER (France) said that the draft covenant drawn up by the Commission on Human Rights, as reproduced in the report of that Commission, was, according to its authors, a provisional text, and it might be questioned whether it corresponded to present-day requirements.

32. It consisted of two main parts: the articles of the covenant itself and those concerned with its implementation.

33. The Commission had expressly requested the Council to examine the draft covenant during its eleventh session.

The wording used in that connexion differed appreciably from that employed by the Commission in transmitting to the Council the text of the Universal Declaration of Human Rights: the Council was not asked to examine that text. The Council was also seized of the summary records of the Commission's two meetings at which the members had expressed their views on the Commission's work.

34. While the Council was free to consider the text of the draft covenant or not as it thought fit, it could not merely refuse to do so, for that, he considered, would be tantamount to a total suppression of the text. The French delegation agreed with the view of the Canadian representative that the Council should not merely act as a post office and refer the draft covenant to the General Assembly without further action. The Chairman of the Commission on Human Rights had formally stated that both the Council and the General Assembly should re-examine and recast the provisions of the draft covenant. Moreover, experience—as for instance in the case of freedom of information—had shown that when the Council dropped a question, or was not seized of it directly, the General Assembly was faced with a host of difficulties and the result was a regrettable stalemate. The first convention on freedom of information examined by the Council had been relatively easily adopted by the Assembly. In the case of the third convention, which the Council had transmitted to the Assembly without previous examination, it had been found impossible even after long debate to adopt it.

35. Thus, the question was before the Council and must remain before it. But the positive solution, which consisted in having the Economic and Social Council consider the draft covenant in the course of the current session, involved the fundamental difficulty that the Council had before it not only the draft covenant, but also the summary records of the 198th and 199th meetings of the Commission. At those meetings the majority of the members of the Commission, when it came to voting, had made express reservations with regard to the work done and had not attempted to hide their dissatisfaction.

36. In the circumstances, the French delegation considered that the Council should proceed to a fresh and methodical examination of the draft's imperfections and try to fill the gaps in the text. But this could not possibly be done without further information. He therefore considered that governments, specialized agencies and appropriate non-governmental organizations should be asked to submit their observations on the two parts of the draft covenant. Consultation had taken place, but only in connexion with the first part of the draft, i.e., on principles, not on the methods of putting the covenant into effect. It would therefore appear logical to provide for consultation on such an important question as implementation.

37. The time available for the Commission's discussion on the twenty-three articles concerned with implementation—which made up more than half the total number of articles in the draft—had been very short. The text included in annex I of the Commission's report showed clearly that the third part of the draft covenant, concerned

with implementation, had received only cursory study. For that reason the French delegation felt that governments and the competent organizations should be requested to reconsider the implementation of the covenant. To consider the draft before the results of such consultation were known would be unbusinesslike and a waste of time.

38. Opinions on the question of implementation were very sharply divided, and no compromise was in sight. It was even doubtful whether the draft covenant could command a sufficient majority, for its adoption in the first place and for its signature and ratification thereafter; the French delegation thought that it could not. The Universal Declaration of Human Rights had been adopted unanimously, and the French delegation felt that it would be disastrous if a covenant for its implementation were to obtain only a very small majority.

39. It had been proposed to refer the draft to the General Assembly without discussion. The French delegation was opposed to such a step, in the first place because the Commission on Human Rights had itself decided against it, and in the second place because it did not consider such a step advisable. Indeed, if the draft covenant were referred to the General Assembly and resulted in a premature decision taken by a small majority of the Assembly, the moral prestige of the Universal Declaration of Human Rights, a declaration which had aroused world-wide enthusiasm, might be seriously impaired. Should the General Assembly adopt the draft covenant by only a small majority, or reject it, or confess its inability to act, the Declaration would be dealt a very severe blow. The first essential therefore was to agree on a text which could be adopted unanimously or at least by a very large majority, and which in consequence would not diminish the value of the Declaration.

40. During its fifth session, at Florence, the United Nations Educational, Scientific and Cultural Organization had decided to make a great effort to promote the circulation of the Universal Declaration of Human Rights. Possible opponents should not be allowed to insinuate that the Declaration had lost its value because the covenant had not been ratified or because it was a weak instrument.

41. For all those reasons, the French delegation felt that the draft covenant submitted to the Council should be reviewed by the appropriate bodies. Such a procedure would not constitute a confession of failure, but would enable the Universal Declaration of Human Rights to be maintained intact and allow room for a completely acceptable covenant on human rights.

42. The French proposal could be carried out in two stages: first, consultation with the governments; and secondly, once the principle of consultation had been agreed, a decision by the Council as to the procedure to be adopted following such consultations, i.e., transmission of the text to the Commission on Human Rights or direct examination by the Council.

43. Mr. DE ALBA (Mexico) said that his Government was far from being a group of pessimists, but it believed that the time was not ripe for the drafting of a covenant

on human rights which would be binding on all parties concerned. There were many difficulties to be surmounted before such a step would be either possible or appropriate. If Members of the United Nations concluded such a binding covenant with undue haste, they would probably spoil the effect of the Universal Declaration of Human Rights, which, although the signatories to it were not bound to apply its provisions, was a most important instrument. The Declaration was a real step in the right direction, and perhaps no other document had been used so frequently at international meetings. It had helped to bring about progress towards solving problems of non-discrimination, migrant labour, social status and other problems during the meetings of the International Labour Organisation; it had been invoked at least a hundred times at the Diplomatic Conference for the Establishment of International Conventions for the Protection of War Victims, held in Geneva in the summer of 1949.

44. It would be a mistake to try to put the covenant into effect at the next session of the General Assembly, for there was no existing machinery for the enforcement of its provisions, while all the Governments which it was hoped would eventually become parties to the covenant had not yet had sufficient time to study and discuss its provisions. It was true that Member Governments had been asked to comment on a preliminary draft of the covenant, but many changes had subsequently been made in the text, and governments were not all familiar with the latest developments. Moreover, social and economic rights were most important, and provision for the observance of such rights should be added to the draft covenant before it was completed, for in its final form it must satisfy the legitimate aspirations and hopes placed in it by all mankind.

45. He was opposed to the draft covenant being submitted direct to the General Assembly without its substance being properly examined by the Council. As in the case of the draft convention on freedom of information, which the Council had submitted to the Assembly without examining its substance, it might be shelved because it had not been adequately considered by the Council and those of its subsidiary organizations which were concerned. The draft convention on the gathering and international transmission of news, which the Council had examined and carefully amended, had on the other hand been adopted by the General Assembly and had become an effective instrument.

46. He wished the draft covenant to be a forceful and impressive instrument, and he therefore agreed on the whole with the views of the representative of France, and would prefer the draft to be transmitted to governments for their comments, and subsequently to be carefully examined by the Commission on Human Rights, the Council and the General Assembly.

47. Mr. DEHOUSSE (Belgium) emphasized the fact that three proposals had been submitted to the Council by the Agenda Committee (E/1739), and a fourth by the representative of Iran.

48. He himself would submit a fifth proposal, similar to the one put forward by the French representative, to

the effect that governments should be consulted before the draft covenant was referred to the competent body. He asked whether the French representative intended the draft to be referred back to the Commission itself or to another organ of the United Nations, which might be the Economic and Social Council.

49. He felt that the proposals on the procedure to be followed with regard to the draft covenant on human rights called for a certain number of comments.

50. In the first place, the discussion showed that views on the draft covenant were not very favourable to it. The disillusionment caused by the draft was general, for it was ill-conceived and showed serious gaps, notably in the case of federated States and the "colonial clause". The covenant said nothing about the allocation of powers between the central Power and federated States and it omitted to state to what extent human rights were or were not applicable to non-self-governing territories and trust territories.

51. Moreover, the draft was inadequate in many respects and, as a Belgian newspaper had pointed out, it was far inferior to the constitutional law of most civilized States. The Commission had not even adhered to the constitutional law of Member countries; it was guilty of a more serious fault in having produced a draft which was well below the average level of the constitutional law of Member States and had serious omissions.

52. Turning to the question of implementation of the covenant, he made even severer criticisms, and observed that that part of the covenant had caused greater disappointment than the first part. He reminded the Council that in December 1947 the Commission on Human Rights had produced, with the active collaboration of many delegations and in particular of the Indian representative, a very full draft which provided, *inter alia*, for a judicial body, which might have been a special chamber of the present International Court of Justice at The Hague, or a new court. The latter proposal had been supported, among others, by Australia and Belgium. The draft had aroused considerable enthusiasm, and a Congress of the European Movement, held at Brussels in February 1948, had adopted most of its provisions. It had then been discussed by the Council of Europe Consultative Assembly at Strasburg, in August and September 1949, and was now under consideration by the Western European Organization.

53. But the text of the draft covenant submitted to the Council retained very little of the 1947 draft, the greatest deficiencies being in the part relating to implementation. The work of the United Nations in that connexion showed that human rights had been proclaimed but not applied. Nevertheless, implementation was essential, and the United Nations had reached a stage when it must solve that problem. The Commission's work in that field was so disappointing that, if the draft had been submitted by a student seeking a diploma, he would not have hesitated, as a professor of international law, to put that student back for a year.

54. He emphasized the point that the real problem would arise when the abstract principles of the Declaration of Human Rights had to be transformed into con-

crete rules incorporated in treaties, which were to constitute authentic international obligations. In that connexion, only one question arose: that of procedure. The Council had before it a draft covenant which, it was unanimously agreed, had not achieved its object and did not fulfil the hopes which had been entertained in regard to it. In order to propose a solution of the problem, he would try to proceed by elimination, carrying Cartesian principles even further than his French colleague.

55. He considered that the first solution to be eliminated, as being the worst, was solution (b), which provided for transmission of the draft to the General Assembly without detailed discussion by the Council. Experience with the Declaration of Human Rights was convincing in that respect. It had taken the Third Committee of the General Assembly at the first part of the third session in 1948 no fewer than eighty-five meetings to discuss the draft declaration of human rights, although that text had been much better prepared than the present draft. Such a procedure would give rise, not only in the General Assembly, but throughout the world, to the feeling that the Council had wished to hold only a perfunctory discussion of the text, and would give the impression that it wished to hear the last of an embarrassing subject. The opponents of human rights might seize on that argument, and say that the covenant as drafted was inadequate, but that nothing further would be done. Consequently, he definitely rejected solution (b).

56. Further, although he considered that the procedure proposed by the representative of Iran was better than solution (b), he did not think it expedient. Indeed, he did not see any need for asking for the views of governments, since they had already stated their opinions, if not on the texts, at least on the subject.

57. Solution (a) was also, he considered, open to very serious objections. In the first place, the Council was not the organ qualified to examine the draft covenant article by article, since the San Francisco Charter had itself established a Commission on Human Rights and given it a constitutional status.

58. Moreover, the Economic and Social Council had over fifty items on its agenda for the current session, and the draft covenant on human rights was only one of them, item 19. It would be impossible for the Council to deal with such a far-reaching problem in a few weeks, and it would be too much of an undertaking to begin the detailed examination of the draft covenant.

59. The Belgian delegation therefore favoured solution (c): reference to the Commission on Human Rights for further study. The fact that in those circumstances the draft could not come before the General Assembly till 1951 was no real objection. Indeed, he thought it better to wait another year so as to have a better prepared draft. Moreover, reference of the draft back to the Commission might have the effect of encouraging its members, who would feel themselves supported by progressive opinion and might perhaps produce better results.

60. He doubted, however, whether that solution would be acceptable to the majority of the Council. If it were

not accepted, he would support the proposal of the French delegation, provided that the latter would clarify it. He thought the appeal to specialized agencies and non-governmental organizations particularly well-advised, since a current of opinion would do more for the success of the draft covenant than the consultation of governments. It was, indeed, doubtful whether the second opinion to be requested from governments on that problem would be any better than the first.

61. The Belgian delegation asked the President to put to the vote the proposal merely to refer the draft covenant back to the Commission on Human Rights, which would be entirely free to revise it in the light of the Council's discussions. If that proposal were rejected, the Belgian delegation would support the French suggestion.

62. Mr. VALENZUELA (Chile) said the work of the Commission was magnificent, not because of the document it produced but because of what it brought to light regarding the reasons for certain opposition views.

63. The sixth session of the Commission had been of special significance, owing to the absence of the Union of Soviet Socialist Republics. As a consequence of that country's absence there was no organized political obstruction, and therefore nothing to excuse the democratic countries from fulfilling their task.

64. The problem was one of substance. The first difficulty related to the number of human beings to whom the Commission wished to grant the enjoyment of such rights in future. Owing to the "colonial clause", certain colonial Powers tried to exclude the peoples of trust territories and non-self-governing territories.

65. The second difficulty related to the kind of right to be recognized. The majority of the Commission were opposed to the inclusion of economic and social rights; that was contrary to the position adopted by Chile, which did not consider that a covenant failing to provide for such rights was of any practical value.

66. To sum up, the peoples of the colonial and trust territories were excluded from the draft covenant, which also failed to include economic and social rights.

67. But, in spite of everything, the draft covenant should be transmitted to the General Assembly, since what had been secured was the maximum that could be granted by certain countries. That was a fact which must be admitted. There were some countries which could not see their way to placing the colonial peoples on the same footing as the free peoples. Chile opposed that view but nevertheless thought it of great positive value that the Assembly should take cognizance of the fact in plenary meeting.

68. In view of those considerations, to return the draft covenant to the Commission would be a waste of time.

69. Mr. BORBERG (Denmark) considered that the Commission on Human Rights had not been able to complete its work on the draft first international covenant on human rights because of lack of time. The drafting of articles 43 and 44 had not been finished, and the report of the Secretary-General on those two articles (E/1721) had been distributed only recently, with the result that governments had not had time to consider it.

70. It was evident from the comments contained in annex II of the report of the Commission on Human Rights that many governments were dissatisfied with the result of the Commission's work. There was therefore a risk that the draft covenant might receive only a few signatures and even fewer ratifications.

71. All governments were not represented on the Economic and Social Council or on the Commission on Human Rights, while the international covenant on human rights should be a document of universal scope. If the result were a covenant of inferior quality in regard to implementation, the moral value of the Universal Declaration of Human Rights might be weakened. The history of the work of the United Nations with regard to freedom of information should discourage action of a similar character.

72. He agreed that the agenda of the eleventh session of the Council was a heavy one, but pointed out that the agenda of the fifth session of the General Assembly would be heavier. He therefore supported the Belgian proposal that the draft international covenant on human rights should be sent back to the Commission on Human Rights for further consideration. If, however, other members of the Council did not support that idea, he would like the French proposal to be submitted in writing and studied by the Council.

73. Mr. YU (China) emphasized the great importance of the international covenant on human rights, and hoped that all members of the Council realized that never before had an attempt been made to draft such a document. If adopted, it would be an example to future generations, as it would lay down standards of human conduct and formulate measures to protect human rights and the dignity of mankind. Pointing out that Rome had not been built in one day, he said that the Council should not lightly undertake the task before it. It was the duty of that body to consider the proposals made by the various governments regarding the draft covenant and not to

refer it to the General Assembly until it had been thoroughly examined. All governments should be asked for their comments, since the various nations of the world had different views and different standards as regards human rights.

74. The Chinese delegation considered that five years was not too long to devote to the drawing-up of an international covenant on human rights. If the draft international covenant were transmitted direct to the fifth session of the General Assembly, that body, which had a very heavy agenda, might have to prolong its session in order to discuss the covenant thoroughly. His delegation therefore supported the proposal of the Iranian representative, that governments should be asked to comment on the draft international covenant on human rights. Governments should be asked to consult the various sections of their peoples and to request them to state their views as to what should be included in the covenant. When that information had been received from governments, the Economic and Social Council should send it to the Commission on Human Rights or to the General Assembly, together with the relevant summary records of the discussions in the Council.

75. The Chinese delegation suggested that the Council should discuss the draft international covenant on human rights as a whole at its current session, setting aside a certain number of meetings for that purpose. Members of the Council could submit written statements if there was not sufficient time for them to make full statements in the meetings.

76. The international covenant on human rights would be unique in history, and the Chinese delegation would rather that no such document were drafted at all than that an imperfect one should be produced which might give rise to political unrest and be criticized by the students and philosophers of future generations.

The meeting rose at 1.5 p.m.