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CONTENTS

Chairman: Mr. Eduard MEZINCESCU (Romania).

AGENDA ITEM 34

Draft International Covenants on Human Rights (E/2573, annexes I-III; A/2907 and Add.1-2, A/2910 and Add.1-6, A/2929, A/4397, A/4428, A/C.3/586, A/C.3/L.865, A/C.3/L.870-871) (continued)

ARTICLE 15 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS (E/2573, ANNEX I B) (continued)

1. Mr. EL-ERIAN (United Arab Republic) announced that, as he had been unable to agree with other delegations on a suitable text for the amendment he had proposed at the previous meeting, he withdrew it.

2. Mr. SAPOZHNIKOV (Union of Soviet Socialist Republics) said that the debate on article 15 had merely confirmed his own view that the Argentine amendments (A/C.3/L.865) were not acceptable. The Argentine representative had maintained that it was not possible to punish an offender against international law unless there was a clear definition of the offence and the appropriate penalty. That would be true of domestic penal law, but the argument lost its force when, instead of individual offences such as murder, it was a matter of mass crimes, such as the preparation and waging of war, offences against the peace and security of mankind and genocide. It would be ludicrous to prescribe a penalty for the murder of one individual and let criminals with the death of millions on their conscience go scot-free, on the ground that there was no legally formulated principle prohibiting mass murder.

3. He failed to understand the reasons advanced by the Uruguayan representative (1012th meeting) in support of the Argentine amendments. To his mind, their adoption definitely would be a step backwards, for they cast doubt on the justice of punishment for international crimes, although the Nürnberg and Tokyo tribunals had condemned war criminals for just such crimes. To deny the justice of the Nürnberg and Tokyo judgements would be to challenge the principles of the United Nations Charter and drag human justice back into a barbarous past.

4. He welcomed the fact that the Japanese amendment (A/C.3/L.869) had been withdrawn, as he had been opposed to it for the same reasons as the Indian representative. He would have supported the Ukrainian amendment (A/C.3/L.868) if it had not been withdrawn, as he felt that it would have clarified the text. He opposed the United Kingdom amendment (A/C.3/L.870) because it was too specific and restrictive. The Committee was concerned with adopting general principles which all States could apply, not with specifying the legislative measures they should take.

5. Lastly, he expressed the hope that, as none of the amendments still before it was an improvement, the Committee would adopt the original text of article 15 (E/2573, annex I B).

6. Mr. BOUQUIN (France) remarked that the Argentine amendments (A/C.3/L.865) had stirred up a great deal of controversy. He was fully convinced of the good intentions of the sponsor, but he could not support the amendments, particularly the deletion of article 15, paragraph 2, of the draft Covenant, which was similar in intention to article 14, paragraph 2, of the Universal Declaration of Human Rights. The delegations of all the countries where war crimes had been committed could not but be strongly opposed to that deletion.

7. He was appreciative of the United Kingdom representative's efforts to make the text of his amendment (A/C.3/L.870) more acceptable, but it was not yet quite satisfactory in its present form. In the view of his delegation and many others, the third sentence of paragraph 1 of the original text needed no amendment, for it was quite clear. It should be read in the light of the two preceding sentences, which laid down the principles of nullum crimen sine lege and the non-retroactive effect of penal legislation. The third sentence specified an exception to those principles favourable to the offender.

8. Sir Samuel HOARE (United Kingdom) welcomed the endorsement by the previous speaker of his own view of the meaning of the third sentence of paragraph 1. Other delegations, however, held a different view. He understood the desire to give the third sentence a wider scope than his delegation felt it would bear, but the adoption of his amendment would not prevent the prescription of a lighter penalty being taken into account, even after the offender had been sentenced by the competent authorities.

9. The crux of the matter was whether the reduction of penalty should be automatic or at the discretion of the competent authorities. Supposing that it was to be automatic and to apply after the offender had been sentenced as well as before, the enforcement of the law would raise some very serious problems. If the offender had been fined, for instance, was the fine to be refunded, and if so, how many years back would the law apply? If the offender had not been fined but imprisoned, what was to be done when he had already been released?

10. The Japanese amendment, since withdrawn, had raised the question of legislation which abolished the offence altogether; such a change might be in consequence of a change in public opinion or of a change merely in circumstances. It was obvious that when the change was due to the fact that certain conduct was no longer regarded as a crime, steps had to be taken to ensure that no one was convicted for it. Some delegations had raised the question whether offenders under emergency regulations should still be prosecuted when those regulations were no longer in force. His answer was in the affirmative, because there the change was merely in the circumstances: the nature of the offence was still the same and persons who committed anti-social crimes should not escape merely because the legislation had been repealed. The difficulty could be met, as it was in the United Kingdom, by including in the measure repealing such regulations a proviso that it should not affect the trail of persons already indicted for the offences concerned. But it was not, in his opinion, possible to devise a text for article 15 which would exclude that kind of case and include the first kind.

11. His difficulties about the original text had been on two points: the question whether it applied sentences already imposed, and the question of the meaning of the expression "lighter penalty". On the second point, he was prepared to accept the explanation of the representative of France, which no one had contested, that the comparison was between the range of penalties available under the new as compared with the old law, and that within the new limits the court's discretion was unfettered. The first point could be met by the amendment to the original text which the French representative had himself suggested. Accordingly he was prepared to withdraw his original amendment (A/C.3/L.870). Instead, he proposed that the words "and before the sentence is passed" should be inserted, after the words "commission of the offence", in the third sentence of paragraph 1.

12. Mr. KASLIWAL (India) said that he found the United Kingdom representative's oral amendment as unacceptable as the one it was meant to replace. He did not see why an offender should not benefit from more lenient legislation, even if it was passed after he had been sentenced.

13. Mr. KARAPANDZA (Yugoslavia) was unable to support the United Kingdom representative's oral amendment, although it was in harmony with Yugoslav penal law, because the offender would not automatically benefit from a lighter penalty. The original text was preferable because it was wider in scope.

14. As other delegations had already pointed out, the Argentine representative's arguments in favour of the deletion of paragraph 2 were not convincing. It was true that international penal law had not yet been properly formulated as a branch of international public law, but that was true of other branches also. The Nürnberg principles, based on the London Agreement of 1945 and confirmed in General Assembly resolution 95 (I), the treaties and other sources of law mentioned in the Preamble to the United Nations Charter and the Convention on the Prevention and Punishment of the Crime of Genocide (General Assembly resolution 260 (III), annex), were all part of the international penal law to which paragraph 2 referred.

15. Even if international penal law were still merely a matter of vague principles, that should not prevent the Committee from adopting paragraph 2, which was concerned with setting standards, not with elaborating specific legal provisions. His country had been among the first to include a chapter in its Criminal Code dealing with offences against humanity and international law. The aim of paragraph 2 was to induce other countries to take similar measures.

16. The question the Committee should ask itself was whether it wished war criminals to be punished. If as he was sure it did, there could be no objection to inserting in the draft Covenants a provision which would ensure that that would be done.

17. The Japanese representative had maintained, at the 1010th meeting, that the Committee's aim was not so much the punishment of war criminals as the protection of the accused, however vicious. It should not be forgotten that article 15 was part of an instrument the purpose of which was to guarantee all civil and political rights, including the right to a fair trial. It was therefore illogical to maintain that it was necessary to delete paragraph 2 in order to protect that right. The Committee should ask itself, as a humanitarian body, whether it was more important to protect the rights of war criminals than those of their innocent victims. Some delegations had felt that it would be pointless to adopt paragraph 2 because it would never be implemented. If they were right, there could be no good reason for adopting the Covenants either. It was true that many war criminals had not been punished, but that was only another argument for the retention of paragraph 2. The fact that the United Nations had not yet the means to implement the Covenants did not mean that it never would have. He appealed to the Argentine representative to withdraw his amendments (A/C.3/L.865) and support the original text; if they were not withdrawn, he would vote against them.

18. Mr. PERERA (Ceylon) was glad that so many amendments had been withdrawn. He had had misgivings about the Philippine amendment (A/C.3/L.867), since provision for a fair trial was made in article 14,[1] and article 15 dealt only with the results of the trial and not the trial itself. However, he had more serious misgivings about the United Kingdom amendment, which did not strengthen the original text, and he would accordingly vote against it.

19. He had already expressed his views on the Argentine amendments (A/C.3/L.865), but there was one further point which he wished to make. The Committee's task, as he saw it, was to give validity to a principle which should apply in future as well as today. The fact that national legislation had not been passed to cover some of the general principles of law recognized by the community of nations could not be allowed to deter the Committee from its task. His delegation strongly supported article 15, paragraph 2, although Ceylon had no legislation on the subject. There were no grounds for believing that the Nürnberg principles were not positive law.

20. Mr. CORONA (Cuba) said that, in a spirit of co-operation, Cuba was prepared to meet the Philippine and Yugoslav appeals to the countries of Latin America to support the text of article 15 as drafted

1/ See Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 34, document A/4299, para. 64.

by the Commission on Human Rights (E/2573, annex I B).

21. The Argentine representative had expressed surprise that Cuba placed justice above legal technicalities, and had maintained that the acceptance of the original text of article 15 constituted a grave danger to individual rights because the general principles of international law as recognized by the community of nations did not really exist or have validity. He had also expressed surprise that Cuba was adopting a position on the question which was different from that which it had taken at the Fourth Meeting of the Inter-American Council of Jurists, held at Santiago, Chile, from 24 August to 9 September 1959. Cuba's attitude was, however, that the Committee was examining a question of human rights, and that the guarantee of those rights depended essentially upon the sincerity of States and a genuine opportunity to exercise the rights rather than on legal texts. There were many States whose constitutions and laws contained the most democratic principles but which in practice violated them. Everyone knew that economic and military aggression and interference in the internal affairs of other nations were violations of international law and treaties, yet Cuba, solely because it wished to be free and maintain peaceful relations with all States, was the victim of such acts of aggression, and no action had as yet been taken by the competent organs to admonish the transgressors. Therefore, it was necessary first to adopt the Covenants and thereafter to have a genuine will to implement them and ensure the exercise of the rights which flowed from them.

22. His Government was an ardent defender of individual rights and justice both in theory and in practice. The principle of the retroactivity of criminal law only when it favoured the delinquent, the precise definition of crimes and the fullest legal safeguards were not only guaranteed by the Cuban Constitution but were also applied in practice in his country. That was perfectly compatible with the acceptance of the general principles of law recognized by the community of nations, which did not permit war criminals anywhere to go unpunished. Article 15, paragraph 2, was not vague, nor could it be the justification of arbitrary action.

23. The stand taken by the Cuban representative at the Fourth Meeting of the Inter-American Council of Jurists had not reflected the real views of the Cuban Government. He could assure the Argentine representative that the tremendous economic and social changes which were occurring in Cuba were being embodied in laws and were in accord with the noblest traditions of Latin America. Their purpose was to make the country genuinely independent.

24. Mr. RUDA (Argentina) recalled that at the 1010th meeting the representative of Ceylon had asserted that the Argentine delegation denied the existence of international law as such. He had already explained that that was not so and the representative of Uruguay had amplified his statement, making it clear that what many of the Latin American countries denied was the existence of a codified international criminal law. He could not withdraw his amendments because he could not compromise when it was a question of defending individual freedom.

25. He had been deeply moved by the Romanian representative's statement, but not impressed by the legal arguments which he had advanced. A clearly defined criminal law was the best protection against injustice. Latin America would always be in the vanguard of the defence of human rights and fundamental freedoms.

26. Mr. TEJERA (Uruguay) observed that the Bulgarian representative had asserted that the Argentine proposals eliminated the elements which guaranteed human dignity. He believed that to be absolutely untrue. Their aim was to include an essential safeguard for the preservation of human dignity, in order to take a secure step forward, rather than to leap into a void. To the argument that they were challenging the legality of the Nürnberg trials, he could only reply that the trials were a historical fact which could not be changed.

27. He would vote against the United Kingdom oral proposal, which in his view, was even less satisfactory than the earlier amendment (A/C.3/L.870).

28. Mrs. THOMSEN (Denmark), explaining her delegation's vote in advance, said that Denmark had found for practical reasons that it was necessary to limit the rule that the lighter penalty should apply to cases in which a sentence had not already been passed. Otherwise, it would be necessary for the competent courts to take up again every single case where a sentence had not been fully served to ascertain whether the new law would have resulted in a lighter penalty. Her delegation held that the last sentence of paragraph 1 applied only to cases in which the offender had not yet been sentenced, but since doubts had been expressed on that point it would support the United Kingdom oral amendment. If the latter was not accepted by the Committee, her delegation would be unable to vote for that sentence as worded by the Commission on Human Rights. In practice, Denmark had for many years applied principles which in all essentials corresponded to those contained in article 15.

29. With regard to offences against regulations of a temporary nature and other regulations the subsequent repeal of which was due to circumstances irrelevant to the offender's guilt, it would be unreasonable not to punish an offender whose offence was committed before the regulations were repealed. In her view the wording of the last sentence of paragraph 1, as orally amended by the United Kingdom, did not preclude the punishment of cases of that kind.

30. Mr. ARVESEN (Norway) associated himself with those views. He would vote for the last sentence of paragraph 1 as orally amended by the United Kingdom, but could not accept it as it stood.

31. Mr. SHAMMAH (Lebanon) said that he would vote for the two Argentine amendments (A/C.3/L.865), since he considered them more practical and therefore more readily applicable than the original text, although he had considerable sympathy with those representatives who were in favour of adopting article 15 as it stood.

32. Mr. CHANG (China) did not consider that the first Argentine amendment (A/C.3/L.865) improved the original text in any way, and therefore could not support it. He would, however, vote for the United

Kingdom oral amendment. As regards the second Argentine amendment (A/C.3/L.865), he supported the deletion of paragraph 2 not because he believed that there was no concrete body of international law on the question but because he felt that the paragraph was not positive enough. It was a post-mortem justification of something which needed no justification. Moreover, positive conventions, such as the Convention on Genocide, already existed. Paragraph 2 would not give protection to anyone since there were no means for implementing it.

33. Mr. REY (Venezuela) said that he would vote for the Argentine amendments (A/C.3/L.865) because he was unable to depart from the principles of criminal legislation applied in his country, which were based on the concept nullum crimen sine lege. Any guarantees of human rights embodied in an international instrument had to be precisely defined. If the door was left open to arbitrary interpretation it would certainly be the weak, whether countries or individuals, that would suffer. It had been implied that the draft Covenant was not basically meant to apply to individuals, but its preamble testified to the opposite, and it should not be forgotten that nations were made up of individuals. It had been further implied that those delegations that voted in favour of the Argentine amendments would be casting a vote for the war criminals of the Second World War. His delegation strongly protested against such attempts to induce delegations to vote otherwise than in accordance with their own conscience and what they thought was best for the United Nations and mankind.

34. Mr. COX (Peru) held that a legal instrument which sought to serve as a common denominator for all systems of law had to be very precise and leave no room for misinterpretation or abuse. In his view, complex legal questions should be left to the International Law Commission and the Sixth Committee. Furthermore, the draft Covenant should not justify past events but should seek the future protection of human rights; the punishment of war criminals had already been acted upon by the United Nations, in General Assembly resolution 3 (I).

35. His delegation could not support the United Kingdom oral amendment, considering the original text to be superior and a better reflection of the principles applied in Peru.

36. Mr. TCHEDRE (Togo) said that his delegation, anxious to preserve the article's original form and structure, would not abstain in the vote on the amendments as it had announced at the previous meeting, but would vote against them.

37. Mr. CAPOTORTI (Italy) supported the United Kingdom oral amendment. In his country the principle of respect for the res judicata took precedence over the principle of the application of the most favourable provision of the law. The closer the draft Covenant was brought to the principles already accepted in various legal systems, the easier it would be for States to ratify it. In voting on the article, his delegation would proceed on the assumption that paragraph 1 also applied to offences which had ceased to be regarded as such under the law.

38. Turning to the Argentine amendments (A/C.3/L.865), he wished to make it clear that his endorsement of those amendments in no way signified that his delegation defended war criminals; it held, however, that the punishment of war criminals should be based on law and not on vague principles which might be drawn from domestic law, international law and other sources. Furthermore, since paragraph 1 embodied the principle nullum crimen sine lege, a second paragraph giving wide discretionary power in the matter to the individual judge would be, aside from everything else, technically unsound.

39. Mr. CARRERA ANDRADE (Ecuador) said the discussion of the article reflected two different approaches, the legal and the humanitarian, each of which had its merits. While it was true that there was no international body competent to judge crimes against the peace and security of mankind, it was equally true that the United Nations, as a supranational organization, should promote the progressive development of international law by setting new standards. With respect to the first Argentine amendment (A/C.3/L.865), his delegation believed that it might become generally acceptable if the last words were altered to read: "under the applicable national or international law".

40. Mr. DUQUE GOMEZ (Colombia) remarked that paragraph 1 was in keeping with an international agreement which his country had concluded and his delegation would therefore support it in principle. Having been convinced, furthermore, that the Argentine amendments (A/C.3/L.865) would clarify and strengthen the article, his delegation would vote for them.

41. Mr. PEAL (Liberia) did not believe that the United Kingdom's reference to the levying of fines was in any way applicable to article 15. In his understanding the article was intended to help offenders who were still undergoing a penalty. If that were not the case, amends would have to be made ad infinitum.

42. Mr. KANO (Nigeria) said that his delegation would vote against the United Kingdom oral amendment and against the Argentine amendments (A/C.3/L.865); as a new Member, Nigeria found it difficult to understand why countries which had been victims of war crimes should wish to give latitude to war criminals.

43. Mr. REGO MONTEIRO (Brazil) asked for separate votes on the first Argentine amendment (A/C.3/L.865); the United Kingdom oral amendment; article 15, paragraph 1; the second Argentine amendment (A/C.3/L.865); article 15, paragraph 2; and article 15 as a whole.

44. The CHAIRMAN invited the Committee to vote on the first Argentine amendment (A/C.3/L.865).

At the request of the representative of Brazil, a vote was taken by roll-call.

Morocco, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Paraguay, Peru, Portugal, Saudi Arabia, Spain, United States of America, Uruguay, Venezuela, Argentina, Bolivia, Brazil, Cambodia, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Italy, Japan, Lebanon.

Against: Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of

Great Britain and Northern Ireland, Yugoslavia, Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Czechoslovakia, Denmark, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Liberia, Libya.

Abstaining: Thailand, Tunisia, Turkey, Union of South Africa, Yemen, Afghanistan, China, Cyprus, Ecuador, Mexico.

The first Argentine amendment was rejected by 47 votes to 23, with 10 abstentions.

45. The CHAIRMAN invited the Committee to vote on the United Kingdom oral amendment to insert the words "and before the sentence is passed" after the words "commission of the offence" in the last sentence of paragraph 1.

At the request of the representative of Brazil, a vote was taken by roll-call.

Haiti, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Haiti, Israel, Italy, Japan, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Portugal, Saudi Arabia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Chile, China, Cyprus, Denmark, Federation of Malaya, Finland, France, Ghana.

Against: Hungary, India, Iraq, Ireland, Jordan, Liberia, Libya, Nigeria, Peru, Philippines, Poland, Romania, Somalia, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chad, Costa Rica, Cuba, Czechoslovakia, El Salvador, Greece, Guatemala.

Abstaining: Indonesia, Iran, Mexico, Morocco, Nepal, Paraguay, Sudan, Thailand, Tunisia, Union of South Africa, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Colombia, Dominican Republic, Ecuador, Ethiopia.

The United Kingdom oral amendment was rejected by 34 votes to 28, with 18 abstentions.

46. The CHAIRMAN invited the Committee to vote on paragraph 1 of article 15 as drafted by the Commission on Human Rights (E/2573, annex I B).

At the request of the representative of Brazil, a vote was taken by roll-call.

Saudi Arabia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Somalia, Sudan, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia, Afghanistan, Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Ecuador, Ethiopia, Federation of Malaya, France, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Pakistan, Philippines, Poland, Portugal, Romania.

Against: None.

Abstaining: Saudi Arabia, Spain, Sweden, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Argentina, Bolivia, Brazil, Cambodia, Canada, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, Guatemala, Italy, Lebanon, Norway, Paraguay, Peru.

Paragraph 1 was adopted by 56 votes to none, with 24 abstentions.

47. The CHAIRMAN invited the Committee to vote on the second Argentine amendment (A/C.3/L.865).

At the request of the representative of Brazil, a vote was taken by roll-call.

Morocco, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Paraguay, Peru, Portugal, Saudi Arabia, Spain, Uruguay, Venezuela, Argentina, Brazil, Chile, China, Colombia, Costa Rica, El Salvador, Guatemala, Haiti, Italy, Japan, Lebanon.

Against: Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia, Afghanistan, Albania, Australia, Austria, Belgium, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Liberia, Libya.

Abstaining: Pakistan, Thailand, Turkey, Union of South Africa, Cambodia, Canada, Dominican Republic, Ecuador, Ireland, Mexico.

The second Argentine amendment was rejected by 51 votes to 19, with 10 abstentions.

48. Mr. KASLIWAL (India) felt that it was not necessary to take a vote on paragraph 2, for the rejection of the second Argentine amendment, calling for its deletion, meant that the Committee wished to adopt the original text.

49. Mr. RUDA (Argentina) and Mr. JEAN-LOUIS (Haiti) disagreed with the previous speaker.

50. After some discussion, the CHAIRMAN ruled that a vote should be taken on paragraph 2 of the original text of article 15 of the draft Covenant (E/2573, annex I B).

At the request of the representative of Argentina, a vote was taken by roll-call.

Greece, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Greece, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia, Afghanistan, Albania,

Australia, Austria, Belgium, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana.

Against: Japan, Lebanon, Argentina, Brazil.

Abstaining: Guatemala, Haiti, Ireland, Italy, Pakistan, Paraguay, Peru, Portugal, Saudi Arabia, Spain, Thailand, Union of South Africa, Uruguay, Venezuela, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Dominican Republic, El Salvador.

Paragraph 2 was adopted by 53 votes to 4, with 22 abstentions.

51. The CHAIRMAN invited the Committee to vote on article 15 as a whole.

At the request of the representative of Brazil, a vote was taken by roll-call.

Paraguay, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Philippines, Poland, Romania, Somalia, Sudan, Sweden, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia, Afghanistan, Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Chile, China, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan.

Against: None.

Abstaining: Paraguay, Peru, Portugal, Saudi Arabia, Spain, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Argentina, Bolivia, Brazil, Cambodia, Canada, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Italy, Japan, Lebanon.

Article 15 as a whole was adopted by 56 votes to none, with 23 abstentions.

The meeting rose at 7.20 p.m.

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