

Dual Distribution

## DRAFT INTERNATIONAL DECLARATION OF HUMAN RIGHTS

## Report of the Economic and Social Council

1. Article 68 of the Charter provides that the Council should "set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions."
2. The Economic and Social Council, at its first session, established a Commission on Human Rights (resolution 5(I)). It decided that the work of the Commission should be directed towards submitting proposals, recommendations and reports to the Council regarding, inter alia, "(a) an international bill of rights....."
3. At its second session, the Council in its resolution 9(II), 7 adopted on 21 June 1946, expressed the view "that the purpose of the United Nations with regard to the promotion....of human rights, as defined in the Charter of the United Nations, can only be fulfilled if provisions are made for the implementation of human rights and of an international bill of rights." The Council requested the Commission on Human Rights "to submit at an early date suggestions regarding the ways and means for the effective implementation of human rights and fundamental freedoms, with a view to assisting the Economic and Social Council in working out arrangements for such implementation with other appropriate organs of the United Nations".
4. The Commission on Human Rights, at its first session, requested its Chairman, Vice-Chairman and Rapporteur to undertake, with the assistance of the Secretariat, the task of formulating a preliminary draft international bill of human rights to be submitted to the second session of the Commission (document E/259, paragraph 10).
5. At the fourth session of the Economic and Social Council, the President was informed, by a letter of the Chairman of the Commission dated 24 March 1947 (see resolution 46(IV)) that she intended to appoint a drafting committee of the Commission which would be convened prior to the second session of the Commission and which would prepare, on the basis of documentation supplied by the Secretariat, a preliminary draft of an international bill of human rights.

6. The Council, in its resolution 46(IV) adopted on 28 March 1947, approved this action and requested the Secretariat to prepare a documented outline concerning an international bill of human rights. It decided that the draft prepared by the above-mentioned drafting committee would be submitted to the second session of the Commission on Human Rights; that the draft as developed by the Commission on Human Rights would be submitted to all States Members of the United Nations for their observations, suggestions and proposals; that these observations, suggestions and proposals would then be considered as a basis of a redraft, if necessary, by the drafting committee; that the resulting draft would then be submitted to the Commission on Human Rights for final consideration; and that the Council would consider the proposed international bill of human rights as submitted by the Commission, with a view to recommending an international bill of human rights to the General Assembly in 1948.
7. On the basis of the Secretary-General's documented outline (E/CN.4/AC.1/3/Add.1) and various proposals submitted by its members, the Drafting Committee prepared two documents (E/CN.4/21), one a draft declaration or manifesto of human rights, the second a draft convention on human rights. It also discussed the question of the implementation of human rights (see E/CN.4/AC.1/SR.1 - 19).
8. On the basis of the report of the Drafting Committee (E/CN.4/21), the Commission on Human Rights, at its second session, prepared a draft International Bill of Human Rights consisting of (a) a draft International Declaration of Human Rights, (b) a draft International Covenant on Human Rights, and (c) suggestions for implementation (E/600, Annexes A, B and C).
9. The Commission was assisted in this work, at both its second and third sessions, by one or more officers of the Commission on the Status of Women, who, in accordance with resolution 46(IV) of the Council, participated without vote in its deliberations when sections of the Bill concerning the particular rights of women were being considered.
10. The drafts prepared by the Commission at its second session were sent to all States Members of the United Nations on 9 January 1948. Comments, suggestions and proposals were received from the Governments of Australia, Brazil, Canada, Egypt, France, India, Mexico, Netherlands, New Zealand, Norway, Pakistan, Sweden, Union of South Africa, United Kingdom and United States of America.
11. At the request of the Council, contained in resolution 118(VI), the United Nations Conference on Freedom of Information considered and reported (E/CONF.6/79, Annex B) on articles 17 and 18 of the draft International Declaration of Human Rights and article 17 of the draft International

Covenant on Human Rights. Its suggestions for amendments to these articles were taken into consideration by the Commission on Human Rights at its third session.

12. At its sixth session, the Economic and Social Council (resolution 116(VI)F) directed the Commission, through its Drafting Committee and at its next session, to give particular attention to the implementation aspect of the Bill of Human Rights in order to ensure that draft articles on implementation might be submitted to Member Governments at the earliest possible date.

13. On the basis of the comments, suggestions and proposals received from Governments (E/CN.4/82 and E/CN.4/82/Add. 1 - 12) the Drafting Committee at its second session prepared a redraft of the International Declaration of Human Rights and the International Covenant on Human Rights (E/CN.4/95, Annexes A and B), but did not have time to discuss the question of implementation.

14. The Commission on Human Rights considered the draft International Declaration of Human Rights at its third session, and forwarded it to the Economic and Social Council (E/800, Annex A). It had not time to redraft the draft International Covenant on Human Rights, but forwarded it to the Council in the form in which it appeared in the report of the second session of the Drafting Committee (E/800, Annex B). The Commission was also unable to consider in detail the various suggestions for implementation, but drew the attention of the Council to such proposals as had been made (E/800, Annex C).

15. Owing to the pressure of business, the Council decided that, at the final plenary stage, there should only be general statements of position by members regarding the draft International Declaration of Human Rights, without other debate or decisions other than a decision to transmit the documents to the General Assembly, together with statements of position.

16. At the final plenary stage, the Council accordingly adopted the following resolution:

**"THE ECONOMIC AND SOCIAL COUNCIL**

**"DECIDES to transmit to the General Assembly the draft International Declaration of Human Rights<sup>1</sup> submitted to the Council by the Commission on Human Rights in the report of its third session (document E/800), together with the remainder of this report and records of the proceedings of the Council at**

its seventh session on this subject<sup>2</sup>.

-----

---

1 For the text of the draft Declaration of Human Rights, see Official Records of the Economic and Social Council, third year, seventh session, Supplement No. 2 (document E/800).

2 Documents E/SR.180, E/SR.201, E/SR.202, E/SR.215 and E/SR.218.