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COMMISSION ON HUMAN RIGHTS

SECOND SESSION

(THE SECRETARIAT HAS RECEIVED THE FOLLOWING MEMORANDUM
FROM THE INTER-PARLIAMENTARY UNION)

MEMORANDUM

In the course of its work in the period between the two world wars, the Inter-Parliamentary Union, as the mouthpiece of democratic forces within elected Parliaments, had occasion to adopt a number of resolutions relating to the protection and rights of the individual, in connection with the question of national minorities, colonial problems, and the development of the representative system.

We have the honour to submit to the attention of the members of the Committee on Human Rights some extracts from those resolutions which may be of interest to them. Although adopted before the last war, these texts have lost none of their value, since the problems which the Committee has been asked to study are not connected with any particular period.

The Inter-Parliamentary Union, which has been granted consultative status (Category A) by the Economic and Social Council, will follow the work of the Committee on Human Rights with the most sympathetic attention. If necessary, it will examine the possibility of recommending the convention or conventions which may be drawn up by the Committee to the Parliaments affiliated to the Union.

August 1947.

Léopold BOISSIER
Secretary General.

Right of Existence and Right to Physical Safety.

Declaration of the Rights and Duties of Minorities (Adopted by the XXIST Inter-Parliamentary Conference, Copenhagen, 1923).
(Excerpts.)

Article I. The States agree to grant to all their inhabitants full and complete protection of life and liberty, without distinction of birth, nationality, language, race, or religion.

Every inhabitant of a State shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

Article III. The fact of belonging to a minority of race, religion, or language, does not in any way liberate a national of a State from the duties imposed by the Constitution and Laws of that State.

Article IV. On the other hand, the States agree to grant to all their nationals equality before the law and the enjoyment of the same political and civil rights, without distinction of race, language, or religion, in particular with respect to electoral rights and admission to public educational institutions, to government employ, functions, or honours, in the exercise of professions and industries, and in the application of the agrarian laws. The States shall, in their political administration, take into account the state of feeling of nationals belonging to a minority, a state which is created by the very fact of belonging to a minority, and shall seek to establish a system of government which shall give satisfaction to all their nationals.

Individual Liberties.

Resolution adopted by the XXIXth Inter-Parliamentary Conference, Madrid, 1933.

The XXIXth Inter-Parliamentary Conference,

notes with regret that slavery and the slave-traffic still exist at the present time,

and asks that every form of slavery, whether direct, indirect or disguised, shall be abolished.

The XXIXth Inter-Parliamentary Conference recalls the resolution adopted by the XXIIInd Inter-Parliamentary Conference in 1924 and,

considering that the time has come for the immediate prohibition in the colonies of forced labour to the profit of private persons or enterprises,

considering, moreover, that forced labour, still exceptionally countenanced in the case of public utility works, should be abolished as early as possible,

invites the National Groups of the Union to take action in favour of the immediate ratification of the Convention relating to forced or compulsory labour adopted in 1930 by the International Labour Conference at its XIVth Session.

The XXIXth Inter-Parliamentary Conference is of opinion that in future no penal clauses should be introduced or renewed in the labour contracts concluded with natives. It asks the Groups to use their influence for that purpose within their respective Parliaments.

Public Liberties. Political Rights.

Declaration of the Rights and Duties of Minorities (Adopted by the XXIXth Inter-Parliamentary Conference, Copenhagen, 1923). (Excerpts.)

Article V. No restriction shall be decreed against the free use by all nationals of a State of any language whatsoever, either in private or commercial intercourse, in religion, in the press, or any sort of publications, or at public meetings.

Article VI. Nationals of a State who belong to minorities of race, religion or language, shall enjoy the same treatment and the same guarantees in law and in fact as the other nationals of that State. In particular, they shall have the same right to found, manage and control, at their own expense and without being subject to special conditions, charitable, religious, social, and economic institutions, as well as schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein. The possession and the free use of endowments or properties intended for the upkeep of their religious and educational institutions must be secured and, if necessary, restored.

Resolution adopted by the XXIXth Inter-Parliamentary Conference, Madrid, 1933. (Excerpts.)

The XXIXth Inter-Parliamentary Conference

recalls the resolution passed by the London Conference in 1930 in which the Union declared that the parliamentary system contributes to the education of the peoples by calling upon every citizen to take part in public life through universal suffrage and the exercise of the essential democratic liberties (freedom of political, social and religious opinion, freedom of assemblies, freedom of association, freedom of the press, freedom and secrecy of voting).....

Juridical Status.

Resolution adopted by the XXVIIth Inter-Parliamentary Conference, Bucharest, 1931.

The XXVIIth Inter-Parliamentary Conference recommends that the legal status of persons without nationality, and more particularly of children without nationality, should be regularised as soon as possible by an international convention.

Nationality and Protection of Foreigners.

Resolution adopted by the XXVth Inter-Parliamentary Conference, Berlin, 1928, on Migration Problems.

The XXVth Inter-Parliamentary Conference,

considering the world-wide importance of migration problems,

considering that it is the right of each State, in conformity with the principle of national sovereignty, to regulate immigration into its own territory,

but considering nevertheless that the measures enacted might, by their reaction on the standard of life and prosperity of other countries, disturb good relations between the nations and, consequently, international peace,

Expresses the wish that States shall endeavour to conclude amongst themselves bi-lateral treaties making it possible to conciliate their points of view and to safeguard the economic and social interests of emigrants.

Such treaties should in particular bear on the following points :

1) The organization of national and international information services.

2) Rules relating to the conditions under which emigrants may leave the country and be admitted into foreign territory.

3) The protection of the emigrant, with special reference to the simplification of the passport system, to health and to moral conditions, particularly in the case of women, children and young people; measures to combat the white slave traffic and prostitution.

4) Sanitary conditions: housing, preventive measures against contagious diseases, addiction to drugs, etc.

5) The application to immigrants of the social legislation in force in the country receiving them, and particularly of insurance measures.

6) Practical measures relating to the application of laws on nationality.

7) Military obligations.

Cultural Rights.

Resolution adopted by the XXth Inter-Parliamentary Conference, Vienna, 1922.

The XXth Inter-Parliamentary Conference expresses the wish that in the interest of science and intellectual co-operation all scientific congresses shall be open to scientists and men of letters of all countries without distinction of nationality.

Resolution adopted by the XXIXth Inter-Parliamentary Conference, Madrid, 1933.

Contact between the coloured races and western civilisation sometimes results in so rapid and radical a transformation of the customs and habits of those races that it constitutes a threat to

their very existence. This being so, it is the duty of the colonial power to watch over the gradual evolution of those races in order to render them capable of adapting themselves little by little to the conditions of modern life.

The Conference regrets the errors committed in the effort for the intellectual and moral education of native races and believes that such education, while taking fully into account the customs and traditions of the civilisation under which it is given, should aim at leading these races gradually to a point at which they will be fit for final emancipation.