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*President:* Mr. Nasrollah ENTEZAM (Iran).

**Draft first international covenant on human rights and measures of implementation: report of the Third Committee (A/1559 and Corr.1)**

[Agenda item 63]

*Mr. Noriega (Mexico), Rapporteur of the Third Committee, presented the report of that Committee and the accompanying draft resolutions (A/1559 and Corr.1).*

1. The PRESIDENT (*translated from French*): Before putting the three draft resolutions of the Third Committee to the vote, I shall recognize the various speakers who wish to explain their votes. I trust that speakers will confine themselves to the seven-minute time limit. The first speaker on my list is the representative of the Soviet Union.
2. Mr. MOROZOV (Union of Soviet Socialist Republics) (*translated from Russian*): The delegation of the USSR wishes to explain the motives which will guide it in voting on draft resolution I submitted by the Third Committee concerning the future work of the Commission on Human Rights.
3. The delegation of the Soviet Union considers that the Third Committee's draft does not stress the deficiencies of the draft covenant prepared by the Commission on Human Rights at its sixth session. Not only does it not contain enough concrete provisions which might be used as a basis for the further elaboration of the covenant, but it includes a number of incorrect proposals, which may mislead those who are to draft the various provisions of the covenant.
4. It was particularly necessary to point out those deficiencies because the draft covenant on human rights in its present form is an even less consistent and effective document than the Universal Declaration of Human Rights adopted by the General Assembly in 1948 [resolution 217 A (III)].
5. The delegation of the USSR pointed out at the third session of the General Assembly that the chief fault of that Declaration was its formal, legalistic char-

acter, since it confined itself to proclaiming a few human rights in an extremely general and incomplete form, without stating the ways and means of implementing these rights. Yet the effective implementation of human rights and fundamental freedoms is vitally important to millions of ordinary people.

6. The draft covenant not only contains all the faults of the Declaration, but it also omits any mention of certain rights which are vitally important to millions of people, such as the right to work, the right to social security, the right to leisure, the right to education and many other social, economic and cultural rights which are contained in the Universal Declaration of Human Rights, although in a proclamatory, unsatisfactory and incomplete form. As a result of these inadequacies of the draft covenant, the United Nations, two years after the adoption of the Universal Declaration of Human Rights, is even further from solving the problem of protecting and ensuring respect for human rights.

7. These circumstances make it incumbent upon the General Assembly not to confine itself to making provisions of an extremely general nature, but to point out these deficiencies to the Commission on Human Rights and to recommend concrete measures for remedying them.

8. With this object in view, the USSR has submitted the necessary amendments [A/1576 and Corr.1]. My delegation's vote on draft resolution I will depend upon the results of the consideration of these amendments, the purpose of which is as follows:

9. First, to ensure that all citizens, without distinction, have an opportunity to take part in the government of the State and therefore to abolish all restrictions, based on property, education, or anything else, on the right to take part in elections of candidates to representative organs, and to afford all citizens the opportunity of occupying any State or public office;

10. Secondly, to ensure the right of every people and every nation to national self-determination and to the development of their national culture;

11. Thirdly, to provide that the State should be obliged to guarantee to everyone the right to work and to choose his profession, so that conditions may be created in which the threat of death from hunger or exhaustion will be ruled out;

12. Fourthly, to ensure access to education without any discrimination whatsoever, and to ensure this by the provision of free elementary education and the organization of a system of scholarships and schools;

13. Fifthly, to ensure the right to rest and leisure by providing by law for a reasonable limitation of working hours and for periodic holidays with pay;

14. Sixthly, to introduce social security and social insurance for workers and employees at the expense of the State or at the expense of the employers, in accordance with the laws of each country;

15. Seventhly, to take all the necessary measures to ensure decent living quarters to every person;

16. Eighthly, to guarantee the strict observance of trade union rights and to create conditions in which the unhampered activities of trade union organizations can be ensured;

17. Ninthly, to ensure that the rights proclaimed in the covenant are not used for purposes hostile to humanity and, in particular, for purposes of war propaganda, for fomenting hostility among nations, for inciting to racial discrimination, or for spreading slanderous rumours;

18. Finally, to provide that the activities of any fascist or anti-democratic organization must be prohibited by law, subject to penalty.

19. But while the draft resolution submitted by the Third Committee omits many of the aforementioned important provisions, it contains proposals which can serve only to complicate the further elaboration of the covenant.

20. The delegation of the USSR, therefore, cannot vote for proposals such as that the Commission of Human Rights should be invited to continue to study the question of establishing a special system for the fulfilment by federal States of obligations undertaken under the covenant. The Soviet Union delegation can only interpret that proposal as an attempt to establish a pretext for not implementing the provisions of the covenant in the future.

21. We are also unable to agree to the proposal, allegedly intended to facilitate the implementation of the covenant, for the establishment of various international organs, such as a committee on human rights; such a measure would constitute interference in the internal affairs of States and a violation of their sovereignty, since the implementation of the provisions of the covenant in every State falls entirely within the domestic jurisdiction of the States signatories to the covenant and must allow for the specific economic, national and other characteristics of each country.

22. The delegation of the Soviet Union has therefore submitted its proposal for the modification of these sections and, should that proposal be rejected, it will vote against sections C and F in the form in which they have been submitted by the Third Committee.

23. The USSR delegation believes that it cannot be expected that the covenant should reproduce the prin-

ciples and provisions of the constitutions of socialist States, such as the Soviet Union and the peoples' democracies, where the above-mentioned human rights are confirmed by law and are guaranteed in practice on the basis of the socialist system of social relations. It must be borne in mind that such legislation is possible in the USSR and in the peoples' democracies because all exploitation of man by man has been eliminated in these countries and a firm foundation has thus been established for the universal respect for and implementation of human rights. The position in capitalist countries is different, and that fact has to be taken into consideration in drafting the covenant of human rights.

24. In defining the future work of the Commission on Human Rights, the General Assembly cannot, of course, ignore the particular economic and social circumstances of the various States Members of the Organization, circumstances which prevent many of them, at the present time, from settling in a consistent and satisfactory manner the problem of establishing living conditions which are really worthy of human beings. The Soviet Union delegation considers, however, that even so, the General Assembly can recommend to the Commission on Human Rights that it should include in the covenant the aforementioned minimum rights, the implementation of which affects millions of people. This is particularly essential because it is impossible otherwise to state seriously that the draft covenant guarantees real, and not imaginary, human rights.

25. Hence, if the above-mentioned amendments are rejected and if the proposals contained in sections C and F are adopted, the delegation of the USSR will abstain from voting on draft resolution I and will reserve the right to submit, at the appropriate stage in the further elaboration of the draft covenant, its proposals for the radical improvement of that document.

26. Mr. COULSON (United Kingdom): The United Kingdom delegation feels obliged to vote against draft resolution I because we consider it both inadequate and impracticable.

27. We consider it inadequate because the General Assembly has not, in our view, given a satisfactory answer to the request of the Economic and Social Council [*resolution 303 I (XI)*] to give policy decisions on four important matters. One of these questions was the general adequacy of the measures of implementation in the draft covenant. Part F of this draft resolution fails to give such an answer.

28. We have two further reasons for considering this draft resolution impracticable. One is that it instructs the Economic and Social Council to insert articles dealing with economic and social rights. With regard to many of these, my delegation has an open mind; but many others we consider cannot possibly be included in this first covenant. The second reason is that we do not think that the Commission on Human Rights can do the task which the General Assembly is going to ask it to do within the specified time, without skimping its work and so producing a draft which would not be worthy of the United Nations.

29. On the question of the colonial application clause referred to in draft resolution II, I wish to explain quite simply why we are obliged to vote against it. It is the first duty of the United Kingdom Government to

guide our Non-Self-Governing Territories to responsible self-government within the Commonwealth. This we are doing. We shall not arrest the process of devolving upon the peoples of our territories the responsibility for conducting their own affairs. We shall therefore adhere in the case of the covenant to the normal practices and procedures which in such matters regulate the constitutional relationship between the United Kingdom and the territories for whose international relations we are responsible. That is to say, we shall consult them in this matter, but not dictate. The process of consultation will take time, and the effect of a decision by the General Assembly to delete a colonial application clause from the covenant may be to delay unduly the United Kingdom Government's accession to the covenant and the application of the covenant to several territories. If that were the result, it would be a consequence of the Assembly's decision and not of any action on the part of the United Kingdom Government.

30. Sir Keith OFFICER (Australia): The Australian delegation will abstain in the vote on draft resolution I as a whole for the reason that, while we agree with some parts of it, we are opposed to others. This is due not only to our inability to agree with particular parts of the draft resolution but because, more than that, we feel that the draft resolution is not sufficiently precise in its form to be presented to the Commission on Human Rights as an authoritative and binding expression of opinion from the supreme organ of the United Nations. I am sure that many delegations share this view and believe that the draft resolution is long, repetitive and unwieldy.

31. Except in one or two respects, it fails to give the Economic and Social Council the basic policy decision which the Council sought. Indeed, the draft resolution seems to my delegation to go in the opposite direction and to confide to the Commission the study of matters extraneous to the field of human rights as such, and to propose the inclusion of rights which will certainly delay the drafting and final preparation of a covenant.

32. The Commission on Human Rights is, as we all know, a small body of eighteen experts. Certainly it is proper that this Assembly should give it general guidance and lay down policy in broad terms, but it seems to us unwise for the General Assembly to go further than this and to burden the Commission with rigid directions on detail and extraneous assignments, and all this at a time when the Commission is nearing the end of a first, though admittedly limited, achievement.

33. Section B of the draft resolution requires the Commission to take into consideration the inclusion in the covenant of economic, social and cultural rights, and that is a section of which we approve. But then, again, section E contains an express directive to the Commission to include such rights in the covenant. The basis of this latter directive was in essence those proposals which would seem to have been reasonably provided for under section E. The net result of such decisions, as we see it, is that the Commission will be making no immediate headway in its work.

34. Australia by no means contests the importance of the rights which are not included in the present eighteen articles, but we do recognize that for four years now the Commission has been working on the formulation

of basic civil rights appearing in the existing articles. Moreover, the Commission decided last May<sup>1</sup> to complete this limited but basic first covenant and to go ahead with other instruments relating to such rights, particularly economic, social and cultural, as were not yet formulated. The decisions now recommended to the General Assembly appear to mean that progress is not contemplated in the short gradual steps by which we know all real progress is measured, but in one big comprehensive and probably very slow stride. This, we think, will not bring the results the supporters of the draft resolution hope to achieve. It must be remembered that the Commission is scheduled to meet for a session of only five weeks beginning in April. For these reasons we shall vote against part E.

35. The Australian delegation finds serious defects also in the reference in section F to implementation. We do not think that the question of individual and group petitions was fully and clearly considered, or that the whole question of implementation received the careful treatment it merited. Accordingly, we shall vote against section F as it now stands.

36. Another specific objection we have to the draft resolution is in respect of section D, where there is a directive to the Commission to study the whole question of self-determination. We shall abstain on this clause because we consider that self-determination is more in the nature of a group political right, not the sort of individual right with which the Commission is competent to deal.

37. We shall vote for sections G and H, which concern procedural matters.

38. Finally, my delegation is concerned about the omission of a colonial application clause, for this means that no real account has been taken of the constitutional difficulties which will face certain countries in the application of the covenant to the territories for which they are responsible. Therefore we shall vote against draft resolution II.

39. As to draft resolution III, we shall ask that it should be voted upon in two parts, because we wish the words "and interested organizations," in the last paragraph, to be omitted. We believe that such reporting is for governments and not for organizations. We shall vote against that paragraph as it stands, and if it is included we shall abstain on the vote on draft resolution III as a whole. If those words are omitted, we shall vote in favour of draft resolution III.

40. Although obliged to vote against parts of the text before us and to abstain on draft resolution I as a whole so long as the sections we object to remain in it, the Australian Government will continue to work to find common ground with other delegations, at the next session, so that the long efforts of the United Nations to draft and approve its first covenant on human rights will be successful.

41. Mr. NORIEGA (Mexico) (*translated from Spanish*): I explained in the Third Committee,<sup>2</sup> on behalf of my delegation, why I had voted in favour of

<sup>1</sup> See *Official Records of the Economic and Social Council, Fifth Year, Eleventh Session, Supplement No. 5.*

<sup>2</sup> For the discussion on this subject in the Third Committee, see *Official Records of the General Assembly, Fifth Session, Third Committee, 287th to 316th and 318th meetings.*

draft resolution I, which is included in the Committee's report, in spite of the fact that it contained provisions with which I did not agree.

42. I explained that, after giving full consideration to the draft resolution, the Mexican delegation had come to the conclusion that its positive aspects outweighed the negative ones, with regard to which it wished to make reservations. On that condition, Mexico voted in favour of the draft resolution, and will do the same when the final vote is taken at this meeting.

43. However, I should like to refer particularly to section C of draft resolution I, in which the Economic and Social Council is called upon to request the Commission on Human Rights to study an article on federal States and to prepare for the consideration of the General Assembly, at its sixth session, recommendations whose purpose will be to secure the maximum extension of the covenant to the constituent units of federal States and to meet the constitutional problems of federal States.

44. My delegation maintains exactly the same attitude as regards this text as it did during the discussion in the Third Committee.

45. The so-called federal clause has all the characteristics of a reservation and of an escape clause. We know that such a clause is included in the machinery for implementation of the recent conventions of the International Labour Organisation. Its negative effects will be observed when it comes to carrying out the instruments which that agency establishes.

46. It was a tenet of the International Labour Organisation, before its Constitution was revised, that there should be no reservations in the conventions which it established.

47. Why was that? It was because conventions relating to social matters could not be subject to reservations, since such reservations provided loopholes which permitted differences to subsist in the various countries of the world with regard to the treatment of workers, standards of living, wage scales, etc., in other words, in all matters connected with labour conditions. The task of the International Labour Organisation is to bring about conditions for workers which are as uniform as possible throughout the world, in order to check the kind of competition which is injurious to the very life of the worker; hence the reservations to the conventions established by that agency were not accepted prior to the revision of its Constitution.

48. It was at the time when the Constitution of the International Labour Organisation was revised that the so-called federal clause made its first appearance on the international scene. The result will be that the conventions of the International Labour Organisation will not be uniformly implemented; they will be implemented partially in some States and in their entirety in others, according to the views or convenience of a particular government and to the extent that that government deems it advisable. This, of course, entirely destroys the operative force of a convention.

49. I have referred in detail to the repercussions of the federal clause on the implementation of conventions regarding labour because the covenant on human rights must also include economic and social rights,

and it may be expected that the implementation of those economic and social rights, should they be included, will suffer in the same way if there is a federal clause.

50. Technically, the inclusion of a federal clause in the covenant on human rights would result in inequality between, on the one hand, non-federal States and federal States which automatically incorporate the provisions of a covenant in their national legislation and, on the other hand, those federal States which use the federal clause as a pretext for not implementing the covenant in its entirety throughout their territories.

51. I should like, therefore, to point out to those who hope that the covenant will be universally implemented that, if the federal clause is included, there will be many States which, in view of the privileged position of federal States which take advantage of the federal clause, will think twice before signing, ratifying or acceding to such a document.

52. You all know that the so-called colonial clause has been eliminated from the covenant. I do not intend to recapitulate here the noble and humane reasons on which this decision of the Third Committee was based. However, if a comparative study is made of the two clauses, the federal and the colonial, it will be seen that their character and purpose are identical, since in both cases it is left to the federal State or to the mother country to decide whether or not to make a convention applicable to any part of the territories under its jurisdiction and responsibility.

53. The difficulty which the Commission on Human Rights encounters in studying this matter and in arriving at a solution agreeable to all who are in favour of the federal clause has already been proved by two successive failures to draw up an agreed text. I referred, in the discussion in the Third Committee, to the difficulty experienced by the Third and Sixth Committees, at the preceding session of the General Assembly, in approving a federal clause; in point of fact, no text could be approved a year ago.

54. This difficulty in which the Commission on Human Rights is going to find itself will be even greater, given the scope of draft resolution II [A/1559 and Corr. 1], for under this draft resolution, which refers to the elimination of the colonial clause, federal States which are responsible for Non-Self-Governing Territories will automatically be deprived of the benefits of a federal clause. The text of draft resolution II runs as follows: "The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan State and to all the territories, be they non-self-governing, trust, or colonial territories, which are being administered or governed by such metropolitan State." This makes it perfectly clear that federal States which are responsible for Non-Self-Governing Territories or Trust Territories will not be able to avail themselves of the federal clause.

55. I do not know how the Commission on Human Rights can produce a text which would be in direct contradiction with the text I have just read.

56. Mr. ALTMAN (Poland) (*translated from French*): I should like to explain my delegation's vote on draft resolution I and on the amendments submitted by the USSR delegation [A/1576 and Corr. 1].

57. The Third Committee's task was to determine the policy and principles to be followed by the Commission on Human Rights in preparing the definitive draft covenant. It must be admitted that, in many respects, the Third Committee has not accomplished that task.

58. Although the Committee points out, in subparagraph (a) of section B of draft resolution I, "that the list of rights in the first eighteen articles of the draft covenant on human rights does not include some of the most elementary rights," and "that the present wording of some of the first eighteen articles of the draft covenant should be improved in order to protect more effectively the rights to which they refer", that same Committee failed in its duty to indicate clearly to the Commission on Human Rights what were the most elementary rights that should be included in the revised draft covenant and in what respect the present wording should be improved.

59. The Polish delegation is of the opinion that the rights included in the first eighteen articles of the draft covenant should be supplemented by the inclusion of such very elementary rights as the right of every citizen to take part in the government of the State, the opportunity to elect candidates and to stand for election to all government bodies, and the opportunity to hold any State or public office. Without such very elementary rights there is no effective guarantee of enjoyment of the other rights included in the draft covenant.

60. The right of every people and every nation to self-determination on a national scale, and the right of national minorities to use their mother tongue and have their own educational institutions and national cultures, are equally elementary.

61. We are of the opinion that the present wording of the first eighteen articles should be changed so that, while guaranteeing to every person his right to freedom of expression, assembly, public demonstration, parading, etc., there would be a clear statement that these rights could not be used for war propaganda or to incite racial discrimination or hatred among peoples, and that the propagation of fascist ideas in any manner would be prohibited by law.

62. Only if the question is dealt with in this way will there be conformity with the spirit and purposes of the Charter and with the principles of the Universal Declaration of Human Rights approved by the General Assembly on 10 December 1948 [resolution 217 A (III)].

63. The Third Committee decided to include economic, social and cultural rights in the covenant. That goes on the credit side of the Committee's work. On the other hand, the Committee refused to give precise instructions to the Commission on Human Rights as to the formulation of the elementary rights in the fields just mentioned. We believe that this is a very serious shortcoming in section E of draft resolution I submitted by the Third Committee to the General Assembly, and we believe that this shortcoming must be remedied by amplifying this section. It must deal with the right to work, the free choice of employment, the right to rest and leisure, the right to housing worthy of a human being, the right to social security, trade union rights,

the right to education, and the duty of the State to guarantee the enjoyment of all these rights.

64. The most defective and, as it were, most unacceptable part of draft resolution I is section F. In this section, the Committee is supposed to give a reply to question whether the measures of implementation in articles 19 to 41 of the draft covenant are adequate. The Committee has refrained from giving a reply, although, according to many of its members, the measures are not adequate. The Polish delegation believes that articles 19 to 41 of the draft covenant should be deleted for the following reasons:

65. First, to retain them would result in an attempt to interfere in the internal affairs of States, which would be tantamount to a violation of their sovereignty;

66. Secondly, the implementation of the provisions of the covenant must be the exclusive responsibility of the governments concerned;

67. Thirdly, the setting up of the human rights committee discussed in the draft covenant would not only not strengthen the covenant but, on the contrary, would weaken it.

68. With respect to the implementation of the covenant, we demand direct responsibility on the part of States rather than an indirect procedure which would in fact hinder the application of the compulsory provisions of the covenant.

69. In our opinion, the General Assembly must correct the shortcomings of draft resolution I. It can do so by accepting the amendments submitted by the USSR delegation. The Polish delegation will vote in favour of those amendments. If they are not adopted, it will abstain from voting on draft resolution I as a whole.

70. Mr. DEMCHENKO (Ukrainian Soviet Socialist Republic) (*translated from Russian*): The delegation of the Ukrainian SSR will explain how it proposes to vote on the draft resolution.

71. The question of the draft covenant on human rights and measures for its implementation was placed on the agenda of the current session of the General Assembly because the Commission on Human Rights, which had been drafting the covenant, had reached an impasse. The Economic and Social Council accordingly submitted a number of questions to the General Assembly, the answers to which were to guide the Commission in its future work.

72. A detailed examination of the draft resolution submitted by the Third Committee shows that, so far from giving clear and precise instructions to the Commission, the draft contains a number of basically wrong provisions which, if adopted by the General Assembly, could misdirect the endeavours of the Commission in preparing the covenant.

73. The Third Committee's draft resolution, for instance, contains no indication that the first eighteen articles of the covenant drafted by the Commission on Human Rights are unsatisfactory both as regards the enumeration of the rights to be included in the covenant and as regards the effective guarantee of the rights referred to in those articles. As we know, the first eighteen articles of the covenant contain no reference to most important human rights—the right to employment, recreation, social insurance, education,

national self-determination and other rights in the political, economic, social and cultural fields. Obviously, unless those rights are included in the covenant, unless governments are bound in practice to guarantee the enjoyment of rights and freedoms to their citizens, the covenant will always remain a dead letter, having no binding force for anyone. But the Third Committee's draft resolution contains no instructions to the Commission to include these provisions in the draft covenant on human rights.

74. The delegation of the Ukrainian SSR will therefore support the amendments proposed by the Soviet Union delegation to sections B and E of the draft resolution; those amendments contain a detailed list of the rights to be included in the covenant. My delegation regards those amendments as most important if the Commission on Human Rights is to succeed in drafting a covenant which will serve the purpose for which it is intended.

75. In the opinion of the delegation of the Ukrainian SSR, the recommendations contained in sections C and F of the Third Committee's draft resolution are directly contrary to the United Nations Charter and to the generally recognized principles of international law. Section C, for example, provides for the special application of the provisions of the covenant to the constituent units of federal States. The recommendations in that section are designed to deprive part of the population of federal States of the possibility of enjoying the rights embodied in the covenant and to place that part of the population at a disadvantage.

76. It is only just that a federal State signatory to the covenant should extend the provisions of that document, without any exceptions or restrictions, to all parts of the federation. That is the proposal made in the USSR amendment to section C, for which the delegation of the Ukrainian SSR will vote. If that amendment is rejected, it will vote against section C.

77. With regard to section F of the draft resolution of the Third Committee, which contains a recommendation concerning the so-called implementation of the provisions of the covenant, the delegation of the Ukrainian SSR considers that this recommendation is based on an erroneous concept of the methods and procedures to be used in implementing the provisions of the covenant and that it is therefore mistaken. In our opinion, the implementation of the provisions of the covenant is a matter which is entirely within the domestic jurisdiction of every State party to the covenant. That principle should, as the USSR amendment proposes, be expressed in the preamble to the draft resolution of the Third Committee.

78. The delegation of the Ukrainian SSR supports the proposal of the Soviet Union that articles 19 to 41 should be deleted from the covenant drafted by the Commission on Human Rights on the ground that they have no connexion with measures for the implementation of the provisions of the covenant and aim at permitting interference in the domestic affairs of sovereign States.

79. In the opinion of the delegation of the Ukrainian SSR, the Commission on Human Rights can successfully carry out its task of preparing a covenant on human rights only if the General Assembly adopts a

resolution embodying the USSR amendments, which contain clear and precise instructions for the drafting of the covenant. The delegation of the Ukrainian SSR will therefore vote for the Soviet Union amendments and, if those amendments are not adopted by the General Assembly, it will abstain from voting on the draft resolution submitted by the Third Committee.

80. Mr. DE LACHARRIERE (France) (*translated from French*): As I may speak for only a limited time, I shall confine the explanations of my delegation to the first—and most important—of the draft resolutions referred to us by the Third Committee.

81. This lengthy draft most certainly contains a number of quite acceptable things in favour of which my delegation would be prepared to vote.

82. Nevertheless, taken as a whole, the text has some serious defects. In the first place, it is wordy and vague in form, and contains a number of repetitions, loosely connected proposals and poorly drafted phrases; some of the statements made in it are quite superfluous and, at times, the text is sheer verbiage. But even more serious than the superfluous statements are the contradictions to be found in the text before us.

83. Inelegance of style is accompanied by incoherence of thought. The most flagrant example of this is to be found in the contradiction between section B and section E. In the former, the problem of economic and social rights is resolved in one way, in the latter, in another. Section B provides that the views on the subject contained in the Yugoslav and Soviet Union proposals should be transmitted to the Commission for discussion and decision; that is one solution. Yet section E provides for the adoption in full of the Yugoslav proposal; that is another solution, which is clearly in contradiction with the first.

84. Such incoherence naturally weakens the draft resolution. At the same time, the draft includes provisions which are dangerous because they are the outcome of over-ambition. Immediately, at a single stroke of the pen, all rights—economic, social, cultural—are to be included in the first draft covenant, as though the subject were not vast and complex, and as though it were not obvious that to do so makes it almost impossible for the Commission on Human Rights to carry out its task if, that is, it is expected to do serious work. There is no right with which the Commission is not called upon to deal, even the right of peoples to self-determination, although we all know that that right involves an extremely broad political principle already covered by other provisions, by those of the Charter itself which define the powers of the various organs of the United Nations, including the Security Council and the Trusteeship Council.

85. On the one hand, the covenant is overloaded in this most unwise fashion; on the other hand, we are unpleasantly surprised to find that, with regard to implementation, the draft resolution is very weak—extremely weak—empty and, indeed, practically useless.

86. All the various proposals concerning implementation made in the Third Committee are referred to the Commission on Human Rights pell-mell, despite their divergent nature, despite the fact that they have not been discussed, despite the fact that the conflicting views on this subject have not been reconciled—in

other words, despite the fact that one of the principal questions which the Economic and Social Council put to the General Assembly on this essential point has been left unanswered.

87. In addition, these proposals concerning implementation are referred to the Commission together with a statement which appears to indicate that they refer only to petitions, whether individual or collective, to the exclusion of complaints submitted by States themselves. Yet we know that it would seem that, for the time being at least, measures of implementation can be taken only in respect of complaints submitted by States. Thus there is practically no provision for implementation.

88. This profusion of clauses on the one hand, and the extreme weakness of the covenant—not to say its complete lack of any provisions on implementation—on the other hand, offer a really very unfortunate contrast. That, in the opinion of my delegation, is the most serious defect of this draft resolution, that is what arouses our most serious objection to it.

89. The covenant must not be another version of the Universal Declaration of Human Rights. Either it is nothing at all or it is a legal instrument embodying specific and agreed obligations. The commitments entered into should be weighed with care. It is necessary to go forward, even if the rate of progress is slow, but it is also necessary to take into account the legal consequences of implementing such commitments; otherwise the covenant will be meaningless.

90. No, I am wrong; it could have a meaning if the only purpose of having such a covenant were to secure some political and propaganda advantage by means of oft-repeated democratic slogans. It could have a meaning if the only purpose were to use a phraseology savouring of progress as a cloak for continuing the old errors of the policy of the reason of State. The vanity of a resolution such as this would, perhaps, be justified if it simply met the intentions of governments which wished to pay a harmless tribute to the human rights proclaimed in the Charter, a verbal tribute which could be very strong but which safeguarded the traditional policy of not allowing individuals access to the international community. I cannot believe that that would be the intention of any delegation. Yet that is practically the only construction that can be placed on the empty and controversial draft resolution now before us. The French delegation is therefore unable to accept the proposed text.

91. France, from the very beginning, has given its ardent and purposeful support to the building up of the great international edifice of human rights; it has pursued that task with a conviction which I would almost call personal and which goes back to the Declaration on the Rights of Man, which it drew up in 1789, not for French nationals alone but for the citizens of the whole world; it desires that the principles embodied in the Charter should really be put into practice. It is for all these reasons that the French delegation will not vote in favour of the draft resolution now before us.

92. Mr. CASSIMATIS (Greece) (*translated from French*): In voting on the three draft resolutions sub-

mitted by the Third Committee, and on the amendment submitted by the USSR delegation, we shall be guided by our conscience.

93. That will permit us to vote for draft resolution III without any hesitation. The wording of draft resolution II, however, is such that we are compelled to abstain from voting on it. Although it directly expresses an ideal which we cherish, the necessary measures have unfortunately not yet been taken to ensure its effective application. Without them, the resolution would be purely academic.

94. Draft resolution I, which deals with the provisional text of the draft international covenant on human rights and the future work of the Commission on Human Rights, has given rise to serious problems. The Committee's long and arduous discussions have shown that there are two points of view on the question.

95. The first point of view takes two essential factors into account.

96. In the first place, as the representative of France has just pointed out, it is now a question of drafting a legally binding covenant and not just a declaration with psychological and moral significance. A declaration of this kind has already been adopted and the world is about to celebrate its second anniversary to the noise of murderous guns. The purpose of the covenant we are called upon to draft should be to implement the rights already proclaimed. It must accordingly be drafted with all the care due a universal covenant which is intended to be carried out, and must not be confined to the enunciation of simple precepts, which, as everyone knows in advance, cannot be put into practice in certain countries; those countries, I am proud to say, do not include my own.

97. Secondly, this point of view recognizes the need to take into account the evolution of moral and political ideas on the subject of human rights. Much blood has been shed since the French Revolution proclaimed the rights of man and the citizen, while leaving their implementation dependent on the caprice of national law. The conscience of the peoples now demands international protection of universally recognized rights, a protection not dependent on the good will of governments. Without that protection, free men would be left to lament the futility of their sacrifices. Limited rights, enjoyed by as many people as possible, but rights which are real and are really observed—that is what an honest, sincere and realistic conscience demands.

98. But there is also another point of view. Those who hold it take advantage of this question—as of so many others—to make propaganda, to advocate the widest possible—but entirely theoretical—extension of human rights, and to give the appropriate commission a task which it cannot possibly carry out. At the same time, they reserve the sovereign right of every State to leave the most elementary human rights on paper without seeing that they are observed—elementary rights such as the right to choose freely among different political parties or the right to the free choice of employment.

99. We regard the clause proposed in the USSR amendment, under which the implementation of the provisions of the international covenant on human

rights would be a matter for governments, as a negation of those rights and as the most glaring manifestation of a reactionary and anachronistic point of view.

100. This second point of view opens the door wide to demagogy; unfortunately it has had the support of men of good will, who have consented to embark on the path of unreality. Draft resolution I is the result.

101. We must shoulder our responsibilities in the face of these facts. At the height of an international crisis on the outcome of which perhaps the peace of the world and certainly the fate of the United Nations depends, Greece, realizing that it is its duty not to let itself be influenced by danger or demagogy, cannot associate itself with a resolution which appears to mark an advance but in fact merely postpones the day when real human rights are effectively and universally protected. My delegation will abstain from voting on draft resolution I as a whole because it will not bow to the will of those who, so far from serving human rights, wish to make use of them for propaganda purposes.

102. If, however, the draft resolution is voted on in parts, we shall vote for certain clauses for which we voted before in the Third Committee.

103. In any event, Greece will do its utmost to remove the obstacles which draft resolution I puts in the way of the effective protection of human rights; it will do its utmost to promote the universal application of those rights and to ensure their protection. That is and always has been our ideal.

104. Mr. HOFFMEISTER (Czechoslovakia): The Czechoslovak delegation voted in the Third Committee and will vote in the Assembly for draft resolution II, on the territorial application of the international covenant on human rights. This draft contains an unequivocal directive to the Commission on Human Rights and, in this way, corresponds to the demands for basic policy decisions.

105. Further, the Czechoslovak delegation will cast its vote in favour of draft resolution III, which refers to Human Rights Day.

106. On the other hand, it has been extremely difficult for our delegation to decide how to divide its vote among the constructive and clear provisions contained in the draft international covenant on human rights and the less clear and certain unacceptable formulations. Sometimes we had the impression that the statements made in the Committee were influenced by the political situation and the news from the battle front. But this covenant is not being drafted for use at this very hour, nor for the salvation of the past; this international covenant should be ahead of time, at least ahead of our time. And, in that, we may find the kernel of misunderstanding as to the concept of the draft before us, which has resulted in rather regrettable shortcomings.

107. The attempt to include a federal clause has aroused much suspicion, and we have noted the stubborn struggle of the United States delegation to have it included in the draft covenant. We could not help but hear, in the interventions of the United States delegation, a certain accent and a vague hope of evasion of the provisions prohibiting discrimination. All of us being equal, great or small, we cannot accept the introduction

of a preferential system for federal States claiming equal sovereignty but only a conditional responsibility.

108. The most inadequate part of draft resolution I, a draft which concerns, *inter alia*, measures of implementation of the covenant on human rights, is precisely the entire part dealing with implementation. A covenant on human rights must necessarily invite States to provide for the inclusion, in their constitutions or in their national or local legislations, of provisions contained and defined in the covenant. I think the majority in the Assembly agrees with my delegation on this point. Yet articles 19 to 41 are quite inadequate, since the implementation of the provisions of the covenant are regarded in those articles solely from one individualistic point of view; they are concerned only with questions of procedure, omitting this primary and essential condition for the effectiveness of the measures in question. The provisions on implementation should be binding and should force the States to act in accordance with the obligations they have undertaken by the very act of ratifying the covenant by adapting their legislations to include all the rights of individuals listed in the covenant.

109. I do not wish to pile up arguments for this clear and firm attitude, which any State with a clear conscience in regard to human rights can take, because we think it is the simplest, most effective and most logical way of implementing an international covenant.

110. The often quoted authority on international law, Professor Lauterpacht, states in chapter XVI of his book *International Law and Human Rights*:

“The preoccupation with the enforcement of the Bill of Rights ought not to conceal the fact that the most effective way of giving reality to it is through the normal activity of national courts and other organs applying the law of the land.”

111. For these reasons, the Czechoslovak delegation finds that the proposal of the delegation of the Soviet Union [A/1576 and Corr. 1] for the deletion of articles 19 to 41 from the draft international covenant on human rights, since their inclusion would constitute an attempt at intervention in the domestic affairs of States and would encroach on their sovereignty, is the best solution of this problem, which can be settled by the mere fact of ratification of the covenant by a signatory State and by the incorporation of the provisions of the covenant in the legislation of that State.

112. The Czechoslovak delegation, therefore, will support the amendments proposed by the USSR delegation. Should those amendments not be accepted, the Czechoslovak delegation feels that it will not be in a position to vote for draft resolution I as a whole, and will abstain from voting.

113. Mr. AZKOUL (Lebanon) (*translated from French*): At first sight the draft resolution submitted to us by the Third Committee seems progressive, for it invites the Commission on Human Rights to go forward with its work. My delegation, and all those who have closely followed the progress of the Commission's work are aware, however, that this draft is an obstacle to the advancement of work on human rights and is, indeed, a step backwards.

114. The question of the proclamation and observance of human rights has a long history in the United

Nations and its various organs. Like the world, it began in a nebula. That nebula was a vague and general idea of a single text which would include everything concerning human rights. After the Commission on Human Rights had set to work and faced the facts and the difficulties, some clear ideas began to take shape in the nebula.

115. The first clear idea which emerged from the Commission's proceedings was that there should not be a single document containing everything relating to human rights, but several documents. That gave rise to the idea of a separate, independent declaration of human rights and a separate, independent covenant on human rights.

116. When it had completed the first document—the Universal Declaration of Human Rights—the Commission began work on the international covenant on human rights. Facing the real issues and examining them carefully, we again found that the covenant, too, was nebulous. At first, it was to have included all the rights stipulated in the Declaration, regardless of the special circumstances, conditions or characteristics distinguishing a covenant from a declaration. Little by little a number of clear ideas have emerged out of the nebulous idea of an all-embracing covenant.

117. The first is that it is impossible to include in the covenant, immediately and simultaneously, all the rights enunciated in the Declaration. The second is that it is necessary to take into account the specific character of the covenant, which distinguishes it in nature and in scope from the Declaration. The third is that there must be several covenants and documents, each concerned with a particular category of rights. The fourth is that the first task must be to draft the articles or rights which are the easiest to formulate and the most likely to be accepted immediately by the international community, the rights which require the least contribution from other United Nations organs and the specialized agencies. Accordingly the Commission on Human Rights envisaged a first covenant devoted to personal rights.

118. The Third Committee's decision thus amounts to requesting the Commission on Human Rights to turn back to the nebulous, the confused and the vague, in other words, to something which can be neither achieved nor implemented. What is general can have no reality unless it is reduced to its separate, specific and distinct component parts.

119. Draft resolution I submitted by the Third Committee invites the Commission on Human Rights to disregard its own experience and all the difficulties it encountered during its practical study of the question of the covenant on human rights, to forget the special nature of the covenant—an international contract to be signed voluntarily by nations—and to forget that economic, social and cultural rights differ from personal and civil rights in the sense that their implementation implies the existence of economic, political and social conditions which do not depend merely on the will of authorities or governments. The draft resolution asks us to forget realities and return to the first vague and nebulous generalizations.

120. This tendency, which does not take sufficient account of the need for a covenant signed by the largest

possible number of States and implemented by them, appears in its most extreme form in the amendments submitted today by the USSR delegation. But for that delegation that is a normal and logical attitude. After calling for the deletion of provisions on implementation, after saying that the responsibility for seeing that the provisions on human rights are observed should not rest with the United Nations, and after setting aside the means of supervising the observance of those rights, it is easy to pose as the champion of human rights throughout the world and to call for the inclusion in the covenant of every conceivable right. But if anyone honestly and sincerely desires to sign a covenant, he will not oppose a covenant which guarantees even a single right; if at least that one right were observed in the world, that would be a step forward.

121. In the circumstances, my delegation has no other choice than between the following alternatives: either that the Commission on Human Rights should be requested to draft the first eighteen articles and then leave them aside and start work on the other articles; or that the Commission should be requested to complete the first eighteen articles and transmit them to us for adoption and presentation to States for signature, and then immediately start work on the other articles.

122. As my delegation is anxious that the United Nations should make progress in its study of human rights, it can only vote in favour of the second alternative, that is, not to shelve the first eighteen articles and wait indefinitely—perhaps until the others are drafted—but to refer them immediately to the General Assembly so that we may have a first covenant straightaway and others later, instead of trying to include everything in a single covenant which could never be concluded.

123. Having to choose between these two alternatives, my delegation will vote in favour of preparing, first, a covenant devoted to personal rights, and then of starting, immediately and without delay, on the drafting of covenants concerning the other human rights, until one day we have the full list of those rights, which would then be safeguarded in an effective and practical manner.

124. Therefore we shall at least abstain from voting on the decisions taken by the Third Committee, and shall vote against the amendments proposed by the Soviet Union, because both the Third Committee's proposals and the USSR amendments would retard the work done by the Commission on Human Rights in this field, and prejudice the progress already made.

125. Mr. GARCIA BAUER (Guatemala) (*translated from Spanish*): When the draft resolution on the covenant on human rights submitted by the Third Committee is put to the vote as a whole, my delegation will support it. I should like, however, to make a few comments on certain paragraphs of that draft.

126. My delegation has given serious consideration to section C, concerning a federal clause. Such a clause is clearly contrary to traditional legal doctrine. But my delegation has also carefully examined the arguments raised by some delegations, and chiefly by the United States delegation, concerning the serious difficulties of implementing a covenant in all the States of a federation.

127. On the other hand, my delegation has watched with sympathetic interest the efforts of the United States Federal Government to make human rights prevail throughout its territory. That being so, my delegation cannot but give serious attention to this problem of the federal clause.

128. We shall therefore support section C, which calls upon the Commission on Human Rights to study the question of the federal clause.

129. As regards section E, which refers to the inclusion of economic, social and cultural rights in the first covenant on human rights, we have grave doubts as to the desirability of including those rights in the covenant at this stage. The economic, social and cultural rights listed in the USSR amendment [*A/1576 and Corr. 1*] and in the Universal Declaration of Human Rights, are included in the Constitution of my country, in force since 1945; accordingly we should have no objection to their inclusion in the first covenant on human rights. However, our concern is lest we jeopardize the whole question of the international protection of human rights by going too far at this stage.

130. Consequently my delegation does not wish to commit itself at present; it will reserve its position pending a final decision of the Guatemalan Government on this point. It will abstain from voting on that section of the draft resolution at this meeting, and, as a member of the Commission on Human Rights, it will announce its position in the matter when the question is discussed in the Commission.

131. My delegation attaches the greatest importance to section F, on the implementation of human rights; it would have liked the Assembly to give a more definite reply to the question of the Commission on Human Rights concerning that point. Nevertheless, despite the indefinite character of the reply and the form in which it is made, my delegation is prepared to support that section. We know that the Commission on Human Rights will examine the General Assembly's recommendations with its customary care, and will take the most appropriate decisions.

132. Draft resolution II concerns the so-called colonial clause; the Guatemalan delegation will support that draft. We have always opposed the colonial clause. We do not see any reason why the provisions of the covenant should not be applicable to all States, whether self-governing or not; States which have difficulties in ratifying the covenant on behalf of non-self-governing territories which they administer have other ways of achieving the desired result, without there being any need for a colonial clause. The Guatemalan delegation took the same attitude with regard to that clause when other documents were being discussed.

133. My delegation, as it explained in the Third Committee, strongly supports draft resolution III, in which all States and interested organizations are invited to adopt 10 December of each year as "Human Rights Day" and observe that day to celebrate the proclamation of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948.

134. We shall vote against the USSR amendment [*A/1576 and Corr. 1*] calling for the insertion, between the third and fourth recitals in draft resolution I, of a recital to the effect that the implementation of the pro-

visions of the covenant on human rights falls exclusively within the domestic jurisdiction of States. We do not consider that in the present state of progress in international law, when the United Nations Charter refers no less than seven times to human rights, when it includes such definite provisions on them, when efforts are being made on every side to ensure the observance of human rights and their universal recognition, we do not feel that we can now take a step backwards and say that the question of human rights is a matter solely of domestic jurisdiction.

135. Those were the comments I wished to make; as I said in the beginning, when the General Assembly comes to voting on the Third Committee's proposal as a whole, the delegation of Guatemala will support it.

136. Mr. KUSOV (Byelorussian Soviet Socialist Republic (*translated from Russian*)): The delegation of the Byelorussian SSR deems it essential to explain how it will vote on draft resolution I.

137. This draft resolution is unsatisfactory. It does not bring out the inadequacies of the first eighteen articles of the draft covenant and does not give the Commission on Human Rights proper or specific instructions as to what it should do in order to eliminate the basic defects of the draft covenant.

138. The delegation of the Byelorussian SSR considers the main defect of the draft covenant to be that it does not include many extremely important provisions guaranteeing human rights and fundamental freedoms. It contains, for instance, no mention of the right to employment, to education, to leisure, to social security and to housing fit for human beings. It contains no provisions on the trade union rights of citizens and makes no mention of equal rights for women in all aspects of the political, economic, social and cultural life of nations. We find no mention, either, of democratic principles in the government of States. There is no article in the draft covenant on the right of peoples and nations to self-determination; but there can be no hope for the observance of any other human rights and freedoms unless peoples and nations are given an opportunity of deciding their own fate.

139. The drafting of the first eighteen articles of the covenant is inadequate, and does not fully ensure the rights to which those articles relate. Those articles proclaim rights and freedoms, but do not guarantee their implementation. The draft covenant not only constitutes no advance in extending fundamental rights and freedoms to peoples; it is a step backwards. It is much weaker than the Universal Declaration of Human Rights which, as we know, is seriously defective.

140. The General Assembly is thus confronted with the serious problem of giving the Commission on Human Rights specific and clear instructions enabling it to draft a covenant which will meet the needs and aspirations of hundreds of millions of working people.

141. Does the draft resolution approved by the Third Committee, which is now before us, give the Commission such instructions? As we have already stated, this draft resolution not only fails to give the necessary instructions; but it also contains certain incorrect proposals which, if approved by the General Assembly, are liable to give a wrong direction to the drafting of many provisions of the covenant.

142. Thus section C of the draft resolution provides for the inclusion in the covenant of a special article on the application of the covenant in federal States. Clearly, the inclusion of such a provision in the covenant could be used to evade discharge of the delegations assumed under the covenant. Section E does not adequately indicate what specific economic, social and cultural rights should be included in the covenant. Section F, which recommends the inclusion in the covenant of an article on its implementation, is directly contrary to the United Nations Charter. The problem of the implementation of the covenant, which is a matter within the domestic jurisdiction of each State, is dealt with by setting up various international control and pressure organs. Such articles cannot be included in the covenant, for that would be an endorsement of the right to interfere in the internal affairs of States.

143. The draft resolution under discussion must be substantially amended and amplified by including in it the concrete proposals contained in the amendments proposed by the Soviet Union to sections B, C, E, and F as well as to the preamble of the draft resolution. The delegation of the Byelorussian SSR supports those amendments and will vote for their inclusion in the draft resolution. We support them because they give clear instructions for the future work of the Commission on Human Rights and are calculated to speed up the elaboration of the draft covenant, which should contain not only a proclamation of the fundamental rights and freedoms of citizens, but also guarantees that every State, in accordance with its particular internal circumstances, will observe those rights.

144. The representative of Greece, speaking from this rostrum, was frightened by the clear and concrete proposals contained in the USSR amendments. He considered that they were unreal, propagandistic, and demagogic, and he also said that the Greek people enjoyed all rights. The representatives to the General Assembly and the peoples of the world are, I am sure, aware of the rights enjoyed by the Greek people. They are the rights of the monarcho-fascist régime, the unlimited right to terrorize, to imprison people and keep them in concentration camps and to execute innocent people without trial. The representative of Greece believes that these rights, the rights to oppress the people, are precisely what the people need. That is why he considers that Greece serves as an international example in respect of the observance of human rights. The Greek representative's statement merely serves to confirm the views of many delegations on the kind of covenant on human rights they would like to have, namely, a covenant which would include eloquent declarations of human rights, but which would not enable the peoples to enjoy those rights.

145. By adopting the Soviet Union amendments, the General Assembly will not only substantially improve the draft resolution before us, but will supply all the necessary recommendations for drafting a covenant on human rights which will meet the needs and aspirations of the vast majority of humanity.

146. That is why the delegation of the Byelorussian SSR will vote for the inclusion of these amendments in the draft resolution submitted by the Third Committee. If these amendments are not adopted by the As-

sembly, our delegation will abstain from voting on the draft resolution as a whole.

147. The PRESIDENT (*translated from French*): The list of speakers who wish to explain their delegations' votes is exhausted. We shall now go on to the vote.

148. I propose that there should be a separate vote not only on each draft resolution, but also on the different parts of each draft. Some delegations have requested such division, and, moreover, that would facilitate the President's task in putting the various amendments to the vote.

149. Let us first take draft resolution I. The USSR delegation has proposed an amendment [*A/1576, paragraph 1*] to the preamble.

150. Mr. GARCIA BAUER (Guatemala) (*translated from Spanish*): I request a roll-call vote on the first amendment of the Soviet Union.

*A vote was taken by roll-call.*

*Iraq, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Mexico, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Afghanistan, Byelorussian Soviet Socialist Republic, Czechoslovakia.

*Against:* Lebanon, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Iceland, India.

*Abstaining:* Iraq, Pakistan, Saudi Arabia, Syria, Uruguay, Venezuela, Yemen, Yugoslavia, Argentina, Burma, Egypt, Ethiopia, Indonesia, Iran.

*The amendment was rejected by 37 votes to 7, with 14 abstentions.*

151. The PRESIDENT (*translated from French*): I put the preamble to draft resolution I to the vote.

*The preamble was adopted by 52 votes to none, with 3 abstentions.*

152. The PRESIDENT (*translated from French*): We shall go on to section A, to which there is no amendment. The USSR representative has requested that the vote should be taken in parts. I accordingly put the first paragraph to the vote.

*The first paragraph was adopted by 51 votes to none, with 6 abstentions.*

153. The PRESIDENT (*translated from French*): I now put the second paragraph of section A to the vote.

*The second paragraph was adopted by 56 votes to 1.*

154. The PRESIDENT (*translated from French*): I put section A as a whole to the vote.

*Section A was adopted by 53 votes to 1, with 5 abstentions.*

155. The PRESIDENT (*translated from French*): We shall go on to section B of draft resolution I. The USSR delegation has proposed an amendment [A/1576, paragraph 2] to sub-paragraph (a). I put that amendment to the vote.

*The amendment was rejected by 40 votes to 7, with 5 abstentions.*

156. The PRESIDENT (*translated from French*): Since the amendment has been rejected, I put section B to the vote.

*Section B was adopted by 49 votes to none, with 5 abstentions.*

157. The PRESIDENT (*translated from French*): With regard to section C, an amendment [A/1576, paragraph 3] has been submitted by the USSR delegation.

I put that amendment to the vote.

*The amendment was rejected by 36 votes to 7, with 9 abstentions.*

158. The PRESIDENT (*translated from French*): I put section C, as drafted by the Third Committee, to the vote.

*Section C was adopted by 37 votes to 7, with 3 abstentions.*

159. The PRESIDENT (*translated from French*): No amendment has been submitted to section D. I put that section to the vote.

*Section D was adopted by 30 votes to 9, with 13 abstentions.*

160. The PRESIDENT (*translated from French*): With regard to section E, the Soviet Union delegation has submitted an amendment [A/1576, paragraph 4] comprising thirteen paragraphs to sub-paragraph (a), as well as an amendment [A/1576, paragraph 5] to sub-paragraph (b). Does the USSR delegation wish me to put these paragraphs to the vote separately or as a whole?

161. Mr. MALIK (Union of Soviet Socialist Republics): As a whole.

*The amendments were rejected by 41 votes to 6, with 6 abstentions.*

162. The PRESIDENT (*translated from French*): I put section E, as drafted by the Third Committee, to the vote.

*Section E was adopted by 35 votes to 9, with 7 abstentions.*

163. The PRESIDENT (*translated from French*): The USSR delegation has submitted an amendment [A/1576, paragraph 6] to section F. I put that amendment to the vote.

*The amendment was rejected by 43 votes to 5, with 9 abstentions.*

164. The PRESIDENT (*translated from French*): I put section F, as drafted by the Third Committee to the vote.

*Section F was adopted by 31 votes to 14, with 9 abstentions.*

165. The PRESIDENT (*translated from French*): No amendments have been submitted to sections G and H. I put those sections to the vote.

*Section G was adopted by 54 votes to none, with 1 abstention.*

*Section H was adopted by 52 votes to none, with 1 abstention.*

166. The PRESIDENT (*translated from French*): Before putting draft resolution I as a whole to the vote, I call upon the representative of Mexico, who wishes to speak either on a point of order or as Rapporteur of the Third Committee.

167. Mr. NORIEGA (Mexico) (*translated from Spanish*): I propose to speak not as Rapporteur, but in order to explain my vote.

168. My delegation desires that the official record of this meeting of the General Assembly should make it absolutely clear that Mexico has not been inconsistent in voting in favour of the first amendment of the Soviet Union, which reads: "Recognizing that the implementation of the provisions of the Covenant on Human Rights falls entirely within the domestic jurisdiction of States", and in abstaining from voting on the amendment to section F, which reads: "Considers that articles 19 to 41 of the draft covenant should be deleted, since their inclusion would constitute an attempt at intervention in the domestic affairs of States and an encroachment on their sovereignty".

169. I am sure that all the delegations here present agree that the implementation of the provisions of the international covenant on human rights is a matter which is solely within the domestic jurisdiction of States; indeed, as signatories to the covenant, they assume responsibility for ensuring its implementation in their territories. It is clear that because of that responsibility, the question of the extent to which States desire to co-operate with other signatory States in ensuring the widest possible observance of the rights recognized in the covenant is a question which must be decided by each State individually, as an act of national sovereignty.

170. The PRESIDENT (*translated from French*): I shall put draft resolutions I and II as a whole to the vote in succession.

*Draft resolution I as a whole was adopted by 38 votes to 7, with 12 abstentions.*

*Draft resolution II was adopted by 36 votes to 11, with 8 abstentions.*

171. The PRESIDENT (*translated from French*): We shall now go on to vote on draft resolution III.

172. The Australian delegation proposes that the words "and interested organizations" should be deleted from the last paragraph of the draft resolution. The beginning of the last paragraph of draft resolution III, thus amended, would read: "Invites all States to report annually . . .".

*The amendment was adopted by 25 votes to 10, with 19 abstentions.*

*Draft resolution III, as amended, was adopted by 47 votes to none, with 5 abstentions.*

*The meeting rose at 1.20 p.m.*