



**UNITED NATIONS**

# **COMMISSION ON HUMAN RIGHTS**

**REPORT of the ELEVENTH SESSION**

**5—29 APRIL 1955**

**ECONOMIC AND SOCIAL COUNCIL**

**OFFICIAL RECORDS: TWENTIETH SESSION**

**SUPPLEMENT No. 6**

**GENEVA**



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## CHAPTER I

### ORGANIZATION OF THE SESSION

#### A. Opening and duration of the session

1. The eleventh session of the Commission on Human Rights was held at the European Office of the United Nations, Geneva, and was opened on 5 April 1955 (480th meeting) by Mr. René Cassin (France), First Vice-Chairman of the Commission at its tenth session. The session ended on 29 April 1955.

2. Tributes were paid at the opening meeting to the memory of the late Mr. Mahmoud Azmi (Egypt), Chairman of the Commission at its tenth session.

#### B. Representation and attendance at the session

3. The following representatives of Member States on the Commission attended :

- Mr. Ralph Lindsay Harry (Australia), member<sup>1</sup>
- Mr. Rudecindo Ortega (Chile), member
- Mr. Cheng Paonan (China), member
- Mr. Ahmed Saroit (Egypt), member<sup>1</sup>
- Mr. René Cassin (France), member
- Mr. Constantin Eustathiades (Greece), alternate<sup>2</sup>
- Mr. Rajeswhar Dayal (India), member
- Mr. Charles D. Ammoun (Lebanon), alternate
- Mr. Pablo Campos Ortiz (Mexico), member
- Mr. Erik Colban (Norway), alternate
- Mr. Abdul Waheed (Pakistan), member
- Mr. Salvador P. Lopez (Philippines), member<sup>1</sup>
- Mr. Henryk Birecki (Poland), member
- Mr. V. Asiroglu (Turkey), member
- Mr. V. I. Sapoznikov (Ukrainian SSR), member
- Mr. P. D. Morosov (Union of Soviet Socialist Republics), member
- Mr. S. Hoare (United Kingdom of Great Britain and Northern Ireland), member
- Mrs. Oswald B. Lord (United States of America), member.

4. The following were designated as alternates for the whole session : Mr. Charles D. Ammoun (Lebanon) in place of Mr. Edward Rizk, and Mr. Erik Colban (Norway) in place of Mrs. Aase Lionaes. In accordance with rule 13, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, Mr. Pierre Juvigny represented France during the session.

5. The following were designated as alternates for various parts of the session : Mr. F. B. Cooper (Australia), Mr. Humberto Diaz-Casanueva (Chile), Mr. Ash-

raf Ghorbal (Egypt), Mr. Emilio Calderon Puig (Mexico), Mr. Henryk Zdanowski (Poland), Miss Margaret I. Mackie (United Kingdom), Mr. Philip Halpern, Mr. James F. Green (United States of America).

6. Members of the Commission were accompanied by the following advisers : Mr. E. de Curton, Mr. Jean-Louis Pons, Miss Anne Lissac (France), Mr. A. M. Belonogov (Union of Soviet Socialist Republics), Mr. Philip Halpern, Mr. James F. Green, Mr. Warren E. Hewitt (United States of America).

7. At the 480th meeting, the representatives of the Union of Soviet Socialist Republics and of Poland made statements in which they pointed out that the seat of China on the Commission was illegally occupied by a representative of the Kuomintang Group who did not have any right to represent China on the Commission. The representative of China considered the statements of the Soviet Union and Poland as out of order. He pointed out that he was the representative of the only Government representing China in the United Nations. He further stated that he had been nominated by his Government as its representative on the Commission with the concurrence of the Secretary-General and that his nomination had been confirmed by the Economic and Social Council. The representative of the United States stated that the issue raised by the Soviet Union and Poland had been repeatedly rejected both in the Commission and other functional commissions of the United Nations on the ground that these commissions were not competent to consider the issue. The representative of India wished to place on record the fact that the only Government of China recognized by his own Government was the Central Government of the People's Republic of China.

8. The following observers of States Members of the United Nations were present at various meetings of the session : Mr. Alfredo Teixeira Valladao, Mr. Heitor Pinto de Moura (Brazil), Mr. Mahmoud Salehi (Iran), Mr. W. H. J. van Asch van Wijck, Miss A. F. W. Lun-singh-Meijer (Netherlands).

9. In accordance with the decision of the Commission at its 487th meeting (see Chapter VIII) the Commission on the Status of Women was represented at certain meetings by Mrs. Hélène Lefauchaux (France).

10. The following representatives of specialized agencies were present at various meetings of the session :  
*International Labour Organisation* : Mr. P. P. Fano, Mr. M. D. Snyder, Mr. Ph. Blamont, Mr. M. Djamalzadeh.

*United Nations Educational, Scientific and Cultural Organization* : Dr. Hanna Saba, Mr. Pio Carlo Terenzio.

*World Health Organization* : Miss B. Howell.

11. *The Office of the United Nations High Commissioner for Refugees* was represented at certain meetings of the Commission by Mr. P. Weis.

<sup>1</sup> Nomination to be confirmed by the Economic and Social Council.

<sup>2</sup> Mr. Nicolas Hadjivassiliou (Greece), member, was present at the opening meeting. His nomination is to be confirmed by the Economic and Social Council.

12. The *Council of Europe* was represented at certain meetings by Mr. A. McNulty.

13. The following authorized representatives for *non-governmental organizations* in consultative relationship with the Economic and Social Council were present as observers :

#### CATEGORY A

*International Confederation of Free Trade Unions* : Mr. H. Patteet

*International Federation of Christian Trade Unions* : Mr. Georges Eggermann

*International Organisation of Employers* : Mr. Joseph Vanek

*Inter-Parliamentary Union* : Mr. H. M. K. Howson

*World Federation of Trade Unions* : Mr. T. L. Drinkwater

*World Federation of United Nations Associations* : Mr. John A. F. Ennals, Mrs. B. Troupin, Mr. A. Khoshish.

#### CATEGORY B

*Agudas Israel World Organization* : Mr. H. A. Goodman, Chief Rabbi A. Safran

*Catholic International Union for Social Service* : Miss J. de Romer

*Commission of the Churches on International Affairs* : Mr. O. Nolde, Mr. E. Rees

*Consultative Council of Jewish Organizations* : Mr. Moses Moskowitz, Mr. F. R. Brunshwig

*Co-ordinating Board of Jewish Organizations for Consultation with the Economic and Social Council of the United Nations* : Mr. G. Warburg

*Friends World Committee for Consultation* : Mr. J. Duncan Wood

*International Association of Penal Law* : Mrs. Romniano, Mr. Max Habicht

*International Catholic Press Union* : Rev. Father M. M. Cottier

*International Conference of Catholic Charities* : Rev. Father Bouvier, Mr. Fernand Dubois, Mr. Benoit de Castro, Mr. de Cartis

*International Co-operative Women's Guild* : Mrs. J. Hubler, Miss M. C. Leburge, Mrs. Decurnex

*International Council of Women* : Miss van Eeghen

*International Federation for the Rights of Man* : Professor Edgar Milhaud

*International Federation of Business and Professional Women* : Miss Ruth Tomlinson, Miss Elisabeth Feller, Mrs. Helen Heer

*International Federation of Friends of Young Women* : Mrs. Duncan Wood

*International Federation of University Women* : Mrs. J. R. Fiechter

*International Federation of Women Lawyers* : The Honourable Helvi Sipilä

*International League for the Rights of Man* : Mrs. Marian Potter

*International Union for Child Welfare* : Mr. Georges Thelin, Mrs. J. M. Small

*International Union of Family Organizations* : Mr. François Delaby

*International Union for the Protection of Nature* : Mr. C. J. Bernard

*League of Red Cross Societies* : Mr. F. Daubenton

*Liaison Committee of Women's International Organizations* : The Dowager Lady Nunburnholme, Mrs. Prince-Koire, Mrs. R. Wible, Miss Margaret Nobs, Mrs. M. Fiechter

*Nouvelles Équipes Internationales* : Mr. Alain Bruel

*Pax Romana* : Mr. Bernard Ducret, Mr. Sugranyes de Franch, Mrs. J. P. Buensod

*Women's International League for Peace and Freedom* : Mrs. Gertrude Baer

*World Jewish Congress* : Mr. G. M. Riegner

*World Union of Catholic Women's Organizations* : Miss J. de Romer, Miss S. Farquet

*World Veterans Federation* : Mr. Raoul Lenz

*World's Alliance of Young Men's Christian Associations* : Mr. P. M. Limbert, Mr. Douglas Deane, Mr. J. F. Reymond

*World's Young Women's Christian Association* : Miss Alice Arnold, Miss Parimal Das

*World Union for Progressive Judaism* : Mr. B. Woyda.

#### REGISTER

*International Committee of Catholic Nurses and Medico-Social Workers* : Miss Meienberg

*International Federation of Free Journalists* : Mr. Christophe Gorski, Mr. Antoine Radvansky, Mr. Boleslaw Wierzbianski

*Open Door* : Mrs. Gertrude Baer

*Union O.S.E.* : Mr. M. Berenstein, Mr. L. Curvic

*World Association of Girl Guides and Girl Scouts* : Dame Leslie Whateley, Miss Elisabeth Lotz

*World University Service* : Mr. D. J. Aitken

*St. Joan's International Social and Political Alliance* : Mrs. Leroy-Boy

14. Mr. John P. Humphrey, Director of the Division of Human Rights, represented the Secretary-General at the session. Mr. Lin Mousheng and Mrs. Margaret K. Bruce acted as secretaries of the Commission.

#### C. Election of officers

15. The Commission at its 480th meeting unanimously elected :

Mr. René Cassin (France), *Chairman*

Mr. Salvador P. Lopez (Philippines), *First Vice-Chairman*

Mr. Rudecindo Ortega (Chile), *Second Vice-Chairman*

Mr. Abdul Waheed (Pakistan), *Rapporteur.*

#### D. Meetings, resolutions and documentation

16. The Commission held 34 plenary meetings. The views expressed by the members of the Commission during these meetings are summarized in documents E/CN.4/SR.480-513.

17. In accordance with rule 75 of the rules of procedure of the functional commissions of the Economic and Social Council the Commission granted hearings at various meetings (E/CN.4/SR.490, 493, 495, 501, 503 and 509) to representatives of the following non-governmental organizations :

*Category A* : World Federation of United Nations Associations (Mr. John A. F. Ennals), International Confederation of Free Trade Unions (Mr. H. Patteet), World Federation of Trade Unions (Mr. T. L. Drinkwater).

*Category B* : World Jewish Congress (Mr. Gerhard M. Riegner), Consultative Council of Jewish Organizations (Mr. Moses Moskowitz)

18. Resolutions and decisions of the Commission appear under the subject matters to which they relate. Draft resolutions A-E for consideration by the Economic

and Social Council are set out in Annex I. Financial implications of resolutions and decisions of the Commission prepared by the Secretariat will be found in Annex II.

19. Documents before the Commission at its eleventh session are listed in Annex III.

### **E. Statement of the personal representative of the Secretary-General**

20. The personal representative of the Secretary-General read a statement on behalf of the Secretary-General, at the opening meeting, concerning the future work programme of the Commission and the implications of the re-organization of the Secretariat. At the request of the Commission this statement was circulated as document E/CN.4/L.386.

## **CHAPTER II**

### **AGENDA**

21. The provisional agenda (E/CN.4/707), which was prepared by the Secretary-General in consultation with the Chairman of the Commission, was as follows :

1. Election of officers
2. Adoption of the agenda
3. Review of programme and establishment of priorities (General Assembly resolution 533 (VI) ; Economic and Social Council resolutions 324 (XI), 402 B I and II (XIII), 451 A (XIV), 497 C (XVI) and 557 (XVIII) )
4. Recommendations concerning international respect for the right of peoples and nations to self determination (General Assembly resolutions 637 C (VII), 738 (VIII) and 837 (IX) ; Economic and Social Council resolutions 472 (XV), 510 (XVI) and 545 (XVIII) )
5. Development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world (General Assembly resolutions 494 (V), 608 (VI) and 739 (VIII) ; Economic and Social Council resolutions 358 (XII), 501 C (XVI) and 510 (XVI) )
6. Annual reports on human rights (Economic and Social Council resolutions 303 E (XI) and 501 C (XVI) ; E/1681, paragraph 47)
7. Yearbook on Human Rights (Economic and Social Council resolution 303 H (XI) )
8. Report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities
9. Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination (Economic and Social Council resolution 546 (XVIII) )
10. Definition and protection of political groups (E/CN.4/641, paragraph 60)
11. Injuries suffered by groups through the total or partial destruction of their media of culture

and their historical monuments (E/CN.4/641, paragraph 60)

12. General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories
13. Draft declaration on the rights of the child (Economic and Social Council resolution 309 C (XI) )
14. Old-age rights (welfare of the aged) (General Assembly resolution 213 (III) ; Economic and Social Council resolutions 198 (VIII) and 309 D (XI) )
15. Right of asylum (E/600, paragraph 48)
16. Resolution 154 D (VII) and decision of 2 August 1949 of the Economic and Social Council dealing with the freedom to choose a spouse, etc.
17. Local human rights committees (Economic and Social Council resolution 9 (II) of 21 June 1946 ; E/600, paragraph 49 ; E/800, paragraph 22 ; E/1371, paragraph 30)
18. International Court of Human Rights (E/1681, paragraphs 40 and 81)
19. Continuing validity of Minorities Treaties and Declarations (Economic and Social Council resolution 116 C (VI) ; E/1681, paragraph 76)
20. Communications :
  - (a) Lists of communications and replies from Member States (Economic and Social Council resolution 75 (V) as amended by 275 B (X) and 192 A (VIII) )
  - (b) Procedure for handling of communications relating to human rights (E/1681, paragraph 56 ; E/CN.4/165 and Corr.1, E/CN.4/165/Add.1 and E/CN.4/706)
21. Report of the eleventh session of the Commission on Human Rights to the Economic and Social Council.

22. Subsequently, the Secretary-General proposed two additional items :

- (1) Election of a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/707/Add.1), and
- (2) Representation of the Commission on the Status of Women at Sessions of the Commission on Human Rights (E/CN.4/715).

23. At its 480th and 481st meetings the Commission discussed the provisional agenda. There was no disagreement on the provisional agenda as a list of items of which the Commission was seized, but there was disagreement as to the order in which the items were to be discussed. At its 481st meeting the Commission

decided to take up item 7, "Yearbook on Human Rights", and if possible items 10 to 19, during its next four meetings, and to discuss immediately thereafter item 8, "Report of the Seventh Session of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities", before taking up item 3, "Review of Programme and Establishment of Priorities".

24. Having completed its deliberations on items 7 and 8, the Commission at its 494th meeting decided to give priority at the remainder of the session to items 4, 5 (including 6 and 17), 9, 12, 20 and 13 of the provisional agenda.<sup>3</sup>

<sup>3</sup> This decision was made under agenda item 3. For the text of the resolution, see Chapter V, paragraph 82.

### CHAPTER III

#### YEARBOOK ON HUMAN RIGHTS

25. By its resolution 303 H (XI) of 9 August 1950, the Economic and Social Council requested the Secretary-General to continue annually the compilation and publication of the Yearbook on Human Rights, and recommended that from 1951 onwards this work, while continuing to "record international and national developments concerning human rights which have taken place during the year" should also contain "(a) a compilation concerning the application, and so far as necessary, the evolution in as many countries as possible of one of the rights or of a group of closely related rights set forth in the Universal Declaration of Human Rights. This compilation shall be prepared from information supplied by governments and may include digests of this information prepared by the Secretary-General and shall be documented by reference to legislative enactments and other authoritative sources". Paragraph (b) of this resolution provided that "the Secretary-General shall draw up a plan for the consideration of the Commission on Human Rights indicating, for a number of years ahead, which right, or group of rights should be treated in each year". In accordance with this paragraph of the Council resolution, the Secretary-General submitted, at the Seventh Session of the Commission on Human Rights, a memorandum, dated 9 March 1951 (E/CN.4/522) suggesting various criteria which might be used in establishing priority for the rights to be studied in the Yearbook from 1951 to 1955. Until its present session the Commission was not able to consider the question of the Yearbook, with the result that no decision for the implementation of Council resolution 303 H (XI), paragraph (a), could be taken.

26. Subsequently, the United Nations General Assembly adopted resolution 789 (VIII) on the control and limitation of United Nations documentation in general. The Secretary-General in his review of the organization and work of the Secretariat in the economic and social fields (E/2598) stated that "it should be possible to reduce the bulk of the Human Rights Yearbook, without diminishing its usefulness, by the elimination of certain material and by the stricter selection of items to be included in it". By its resolution 557 A (XVIII) the Economic and Social Council expressed its general approval of this report. In a statement, read at the

opening meeting of the Commission's present session (E/CN.4/L.386), the Secretary-General expressed the hope that the Commission "would not press for the implementation of paragraph (a) of Council resolution 303 H (XI) of 9 August 1950, which calls for the addition of a new feature to the Yearbook, and would consider the possibility of making appropriate recommendations to the Council in this matter".

27. The Commission studied the question of the Yearbook on Human Rights at its 482nd to 487th meetings. In addition to the Secretary-General's memorandum (E/CN.4/522) already mentioned, it had before it a draft resolution submitted by the representatives of Australia and the Philippines (E/CN.4/L.387). This was twice revised, and incorporated an amendment proposed by the representatives of Chile and Mexico (E/CN.4/L.388, paragraph 1) and amendments by the representatives of France (E/CN.4/L.389) and of Egypt, India and Lebanon (E/CN.4/L.390). A second amendment submitted by the representatives of Chile and Mexico (E/CN.4/L.388, paragraph 2) and several amendments by the representative of Poland (E/CN.4/L.391 and 392) were not accepted by the sponsors of the draft resolution.

28. At the close of the discussion at the 487th meeting, the Commission unanimously adopted the following resolution :

#### RESOLUTION I

##### YEARBOOK ON HUMAN RIGHTS

*The Commission on Human Rights,*

*Having considered* resolution 303 H (XI) of the Economic and Social Council and the memorandum of the Secretary-General of 9 March 1951 (E/CN.4/522),

*Convinced* that the Yearbook on Human Rights has served a valuable purpose in keeping peoples and Governments informed of important developments in the field of Human Rights,

*Considering* that the usefulness of the Yearbook could be further increased by action on the general lines indicated in the above-mentioned resolution of the Council,

*Having taken into account* resolution 557 A (XVIII) of the Council,

*Commends* the Secretary-General for the manner in which the Yearbook has been prepared and presented ;

*Decides* that, in addition to existing sections which record international and national developments concerning human rights including the rights proclaimed in the Universal Declaration of Human Rights, which have taken place during the year :

- (1) The Yearbook for 1955 shall include a section containing statements furnished by Governments concerning the application and, so far as necessary, the evolution of the right set forth in article 9 of the Universal Declaration of Human Rights—i.e. “No one shall be subject to arbitrary arrest, detention or exile” ;
- (2) The Yearbook for 1956 shall include a section containing similar statements furnished by Governments and any specialized agencies concerned regarding the right set forth in article 25, paragraph 2, of the Universal Declaration of Human Rights, i.e. “Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection” ;

*Decides further*

- (1) That the Yearbook for 1955 and for 1956 shall also include similar statements furnished by Governments concerning the application and, so far as necessary, the evolution of the rights mentioned in sub-paragraphs (1) and (2) above, in Non-Self-Governing and Trust Territories ; and
- (2) That the Yearbook shall also include a bibliographical index of works and studies relating to human rights ;

*Authorizes* the Secretary-General

- (1) To invite Governments and any specialized agencies concerned to furnish for the Yearbook for 1955 and in due course for the Yearbook for 1956, the statements referred to in the preceding paragraphs, in addition to information in connexion with paragraphs (c) and (d) of resolution 303 H (XI) of the Economic and Social Council ;
- (2) In order to keep the size of the Yearbook within reasonable limits without diminishing its usefulness, to draw the attention of Governments to paragraph (c) of resolution 303 H (XI) of the Economic and Social Council and request them to supply for publication, instead of full texts, wherever deemed sufficient by the Government concerned, summaries, references and extracts ;

*Requests* the Secretary-General to study the possibility of publishing the Yearbook in as many of the official languages of the United Nations as possible with a view to ensuring a wider circulation ;

*Decides* that the item “Yearbook on Human Rights” shall be placed on the provisional agenda of the thirteenth session of the Commission.

29. The preamble to the resolution, which was the text contained in the draft submitted by Australia and the Philippines, was adopted unanimously.

30. The first paragraph of the operative part, commending the Secretary-General for the manner in which the Yearbook had been prepared and presented, was adopted by 13 votes to none, with 5 abstentions. This paragraph, however, had given rise to an amendment by the representative of Poland (E/CN.4/L.391, paragraph 1) who proposed that it be replaced by the following text : “Considering the form and presentation of the Yearbook to be satisfactory”. The author of the amendment argued that as the Commission had not discussed the contents of the Yearbook it could not commend the manner in which it had been prepared. It was also felt that, by commending the Secretary-General for his work, the criticisms expressed by some members were not adequately reflected. On the other hand, several members objected that it would be inconsistent for the Commission to declare itself satisfied with the form of the Yearbook when it was proposing to make changes in it. The amendment was rejected by 13 votes to 3, with 2 abstentions.

31. The Commission was unanimously in favour of implementing paragraph (a) of the Economic and Social Council’s resolution 303 H (XI). This was the subject of the second section of the operative part of the draft.

32. It was emphasized that the inclusion of a new section of the Yearbook must not entail the suppression of the existing sections. With a view to clarifying this point the wording “Decides that, in addition to existing sections which record international and national developments concerning human rights which have taken place during the year . . .” was inserted in the second paragraph of the operative part of the revised draft resolution (E/CN.4/L.387/Rev.2). This was an oral amendment by the representative of India and reflected the consensus of opinion in the Commission. The representative of Poland proposed an amendment to this text (E/CN.4/L.391, paragraphs 2 and 3, first sub-paragraph) to the effect that the existing sections of the Yearbook recorded developments in the field of human rights “including the rights proclaimed in the Universal Declaration of Human Rights”. This amendment was adopted by 7 votes to none, with 11 abstentions. The majority of members felt that the implementation of paragraph (a) of Council resolution 303 H (XI) implied a choice of rights or groups of rights as subjects for statements in the Yearbook. Some members enquired whether Governments would still be at liberty to transmit information concerning progress made in achieving the observance of all other human rights in their territories. According to those members, it was important to preserve this liberty, since the primary purpose of the Yearbook was to serve as a means of exchange of information between Governments, fully reflecting the situation in their countries, and since the programme for promoting the observance of human rights varied from one State to another. It was pointed out that Governments could continue to submit such reports, under paragraphs (c) and (d) of Council resolution 303 H (XI), which were still applicable.

33. After a discussion on the rights which should be subjects for treatment in the new section of the Year-

book, the majority of members stated that they were in favour of including in the 1955 and 1956 editions respectively the right to protection against arbitrary arrest or detention, as set forth in article 9 of the Universal Declaration, and the right of motherhood and childhood to special care and assistance, as set forth in article 25, paragraph 2, of the Declaration. This was the proposal contained in the second section of the operative part of the draft resolution in its original form (E/CN.4/L.387). There was also a majority in favour of the revised text (E/CN.4/L.387, Rev.1 and 2), specifying that the statements should relate to the full contents of the above-mentioned articles of the Declaration, including the right to protection against arbitrary exile, and the right of all children, whether born in or out of wedlock, to enjoy the same social protection. However, some members objected that the preparation and publication of statements on these two rights, which were logically distinct from the right to protection against arbitrary arrest and detention, and the right of motherhood and childhood to special care and assistance, would overload the initial programme which was experimental in character and would increase the size of the publication.

34. Some members stated that while articles 9 and 25, paragraph 2, of the Universal Declaration were important, articles 2, 23, 24 and 26 proclaimed rights which were just as fundamental and hence should also be dealt with in the statements reproduced in the Yearbook. The choice of those rights would actually keep more closely to the order followed in the Universal Declaration. That was the gist of an amendment by the representative of Poland (E/CN.4/L.391, paragraphs 2 and 3, second sub-paragraphs) proposing the addition in the second section of the operative part of the draft resolution of two passages to the effect that the Yearbook for 1955 should include statements on the application of "the prohibition of discrimination in respect of all the rights and freedoms proclaimed in the Universal Declaration of Human Rights as defined in article 2 of that Declaration", while the statements in the 1956 edition would refer to "the right to work, to rest and to education as defined in articles 23, 24 and 26 of the Universal Declaration of Human Rights". Some members felt that the adoption of those amendments would lead to duplication of work, since a sub-commission was concerned with questions of discrimination, while some specialized agencies dealt with the problems relating to the right to work, rest and education. Other members pointed out on the other hand that the intrinsic importance of these two latter groups of rights, which justified the work of certain bodies, would also warrant the publication of relevant statements in the Yearbook; and far from overlapping, they would constitute a valuable source of documentation for the competent organs. However, the majority of the members feared that the adoption of the Polish amendments might unduly increase the workload in the preparation of statements and the size of the 1955 and 1956 Yearbooks. Some intimated that they would favour the inclusion of the rights mentioned in the Polish amendments as part of the programme for the 1957 Yearbook.

35. The Commission was unanimous in stipulating that the "statements" concerning the rights dealt with in the new section of the Yearbook should contain informa-

tion systematically presented. In that connexion, it was considered that the terms "exposés", "informaciones" and "informatsiya" in French, Spanish and Russian respectively faithfully rendered the idea expressed in English by the word "statements". It was also unanimously decided that such statements should be furnished by Governments. The revised draft resolution (E/CN.4/L.387/Rev.1 and 2), reflecting the agreement reached by the Commission, added that the statements concerning the rights laid down in article 25, paragraph 2, of the Universal Declaration could also be furnished by "any specialized agencies concerned".

36. The two Polish amendments mentioned above, proposed in the second sub-paragraphs of paragraphs 2 and 3 of document E/CN.4/L.391, were rejected by 8 votes to 5 with 5 abstentions, and 9 votes to 3 with 6 abstentions, respectively. Paragraphs (1) and (2) of the second section of the operative part of the revised draft resolution (E/CN.4/L.387/Rev.2), with their common introductory clause as amended, were adopted, the first unanimously and the second by 17 votes to none with one abstention.

37. The sponsors of the joint draft resolution also revised the operative part of the text so as to include a new item proposed by the representatives of Egypt, India and Lebanon (E/CN.4/L.390), according to which the Yearbooks for 1955 and 1956 should "also include similar statements furnished by Governments concerning the application and, so far as necessary, the evolution of the rights mentioned in sub-paragraphs (1) and (2) above in Non-Self-Governing and Trust Territories". This proposal, it was pointed out, was a complement to the provision in paragraph (d) of resolution 303 H (XI) of the Economic and Social Council applying to the existing sections of the Yearbook. It was adopted unanimously. Some members explained, however, that their approval applied only to the specific case covered by the draft resolution and should not be interpreted as implying approval of a similar provision in other contexts or in relation to other rights.

38. A final amendment dealing with the contents of the Yearbook, proposed by the representatives of Chile and Mexico (E/CN.4/L.388, paragraph 1), specified that it should "also include a bibliographical index of works and studies relating to human rights". This was accepted by the sponsors of the joint draft resolution (E/CN.4/L.387/Rev.2, paragraph (2) of the third section of the operative part) and adopted by 16 votes to none, with 2 abstentions, though certain members drew attention to the Secretary-General's endeavours to eliminate the printing of lengthy bibliographies on grounds of economy.

39. In the first paragraph of the fourth section of the operative part, the revised draft resolution (E/CN.4/L.387/Rev.2) authorized the Secretary-General to invite Governments and any specialized agencies concerned to furnish the above-mentioned statements. It was again made clear that the statements would be additional to information communicated under paragraphs (c) and (d) of resolution 303 H (XI) of the Economic and Social Council. This paragraph received unanimous support.

40. It was the intention of the majority of the Commission to keep the size of the Yearbook within reasonable limits without diminishing its usefulness by asking

Governments themselves to make use of summaries or references wherever possible in submitting information for publication in the Yearbook. This would be in accordance with the principles laid down in Council resolution 303 H (XI), paragraph (c). The third section of the operative part of the joint draft resolution (E/CN.4/L.387) had provided for a request to Governments in this sense. The revised draft (E/CN.4/L.387/Rev.2) incorporated the French amendment (E/CN.4/L.389) stipulating that such a procedure should be followed "wherever such abridged material is sufficient, the full text to be annexed but to be published only when indispensable". Some members, however, warned against the dangers of over-conciseness, which might detract from the value of the Yearbook as a scientific document.

41. While it was agreed that Governments should be solely responsible for compiling the information, the point was debated whether the final decision on publication in an abridged form should rest with the Governments or with the Secretariat. Some members considered that, as in the past, the matter could be settled by negotiation between the Governments concerned and the Secretariat. Two Polish amendments (E/CN.4/L.392) on the other hand, proposed that summaries should be transmitted for publication "whenever deemed sufficient by the Government concerned", and that the end of the paragraph reading "the full texts to be annexed but to be published only when indispensable" should be deleted. The supporters of these amendments emphasized that the matter should be left entirely to the discretion of Governments, which were best qualified to give an adequate account of the information relating to human rights in their territories. If the volume of information furnished by Governments for inclusion in the Yearbook went beyond reasonable limits, the competent bodies of the United Nations could remind Governments of the need for brevity. The Polish amendments were adopted by 7 votes to 5 with 6 abstentions and 8 votes to 7 with 3 abstentions, respectively. The Commission then adopted paragraph (2) of the fourth

section of the operative part of the amended proposal by 17 votes to none with one abstention.

42. Paragraph 2 of the joint Chilean and Mexican amendment (E/CN.4/L.388) proposed that the Secretary-General be authorized "to study the possibility of publishing the Yearbook in as many of the official languages of the United Nations as possible with a view to ensuring a wider circulation". Although the financial implications of this proposal were stressed by some members, the text of the amendment was adopted by 13 votes to none with 5 abstentions and forms the fifth section of the operative part of the resolution.

43. Finally, by 17 votes to none, with one abstention, the Commission adopted the last section of the operative part of the revised draft resolution (E/CN.4/L.387/Rev.2) proposing that the item "Yearbook on Human Rights" be placed on the provisional agenda of its thirteenth session. Such a procedure, it was generally agreed, would enable the Commission to assess how far the Yearbook had improved as a result of the decisions taken at the eleventh session. It was, however, objected that the time allowed was possibly too short for the Commission to obtain all the necessary data.

44. An estimate of the financial implications of the resolution was submitted by the Secretary-General (E/CN.4/L.393—see also Annex II). One opinion was that the Secretary-General's estimate was modest; another opinion was that, by reducing the existing sections and by requesting Governments to make summaries and statements, there should be little additional cost and one member made it clear that his support of the resolution was based on the assumption that there would be no extra expense. During the debates on the resolution, the majority of the Commission, while fully acknowledging the importance of the financial aspect of the question as stressed by the Secretary-General, emphasized that the Yearbook was a valuable publication and its utility should not be reduced by purely budgetary considerations.

## CHAPTER IV

### PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

#### A. Report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

45. The report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/711) constituted item 8 of the Commission's agenda. In this report, the Sub-Commission submitted two draft resolutions to the Commission for consideration and adoption: (a) draft resolution A concerning a proposed study of discrimination in the matter of emigration, immigration and travel; and (b) draft resolution B on studies in the field of discrimination to be undertaken by the Sub-Commission.

46. The Commission discussed item 8 in its 488th to 491st meetings.

47. While the discussion centred primarily on the draft resolutions submitted by the Sub-Commission,

certain views were expressed concerning the Sub-Commission's report as a whole. Several members regretted that the Sub-Commission had not been able to carry its work very far due to its inability to obtain the administrative and financial assistance which it needed. It was urged that the Commission should take necessary decisions which would eliminate obstacles that had paralysed the work of the Sub-Commission. Appreciation was, however, expressed on the progress made by the Sub-Commission, particularly in its study of discrimination in education. It was also noted that another study in the field of discrimination in employment and occupation was being made by the ILO. There was wide agreement that the Commission should give its full support and encouragement to the Sub-Commission in order to enable it to carry out its task. The Commission should stress the necessity of providing the Sub-Commission with the necessary financial and administrative assistance in its work.

48. Some members expressed appreciation for the financial help UNESCO had given to the Special Rapporteur on discrimination in education, but thought that assistance in the form of technical help should also have been furnished by that agency. The representative of UNESCO explained that the task of UNESCO's officials was to administer its programme and when technical research was required it was entrusted on a contractual basis to outside experts. UNESCO had placed comprehensive documentation on the state of education in the world at the disposal of the Special Rapporteur, but it had very little information on the *de facto* situation which might be regarded as constituting discrimination on racial, religious or ethnic grounds. Some members stated that they understood UNESCO's difficulties, but others expressed surprise that the Organization working in the field of education should not have information on such an important aspect of the subject.

*1. Proposed study of discrimination in the matter of emigration, immigration and travel*

49. The Sub-Commission had submitted to the Commission for consideration and adoption draft resolution A (E/CN.4/711, annex 1) concerning a proposed study of discrimination in emigration, immigration and travel, the text of which was as follows :

RESOLUTION II

STUDY OF DISCRIMINATION IN THE MATTER OF EMIGRATION, IMMIGRATION AND TRAVEL

*The Commission on Human Rights,*

*Recalling* that, in the work programme established by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifth session and approved by the Commission and the Economic and Social Council, it was provided that among the measures to combat discrimination it would study would be those in the field of "immigration and travel",

*Recalling* that at its sixth session the Sub-Commission decided that the study should cover not only immigration and travel but also "emigration",

*Recalling* that at its tenth (1954) session the Commission drew the attention of the Sub-Commission to the observations made upon a proposal (subsequently withdrawn) under which, *inter alia*, the words "immigration and travel" in resolution D of the Sub-Commission would have been replaced by the words "the right to return to one's country as provided in paragraph 2 of article 13 of the Universal Declaration of Human Rights";

*Recalling further* that in its resolution 545 D (XVIII) of 29 July 1954 the Economic and Social Council requested the Sub-Commission "to take as the objective of its study in this field paragraph 2 of article 13 of the Universal Declaration of Human Rights";

*Considers* that the study of discrimination in immigration is of fundamental importance and has already been included in the programme of work of the Sub-Commission ;

*Invites* the Economic and Social Council to decide that the Sub-Commission is not precluded from undertaking a study on the question of discrimination in immigration.

50. The above draft resolution was adopted by the Commission at its 490th meeting by 10 votes to 5 with 2 abstentions, one member not participating in the vote.

51. In support of the draft resolution several members maintained that the study of discrimination in immigration was of fundamental importance. Discrimination in the matter of immigration affected an important aspect of human rights. A study of the question would contribute to the elimination of racial and other forms of discrimination. Moreover the question of discrimination in immigration was very closely related to that of discrimination in the matter of emigration, hence parallel studies on both questions should be undertaken concurrently. It was recalled that the Sub-Commission had, at a previous session, decided to undertake a study of discrimination in the fields of immigration and travel, and such decision had been approved by the Council and the Commission.

52. On the other hand, the view was expressed that the question of discrimination in the matter of immigration could not properly be taken as a subject of study by the Sub-Commission. The right of immigration was not included among the rights set forth in the Universal Declaration of Human Rights or in the draft covenants on human rights. Its omission from the Universal Declaration had not been fortuitous but deliberate, for most States Members denied that there was a right of immigration similar in character to the other rights prescribed in that instrument. Moreover, the Council, in adopting resolution 545 D (XVIII), had intended to restrict the scope of the Sub-Commission's study by keeping it within the bounds of article 13, paragraph 2, of the Universal Declaration. There was therefore no need to refer the question again to the Council and seek further clarification of its intention. Nor was there any justification for requesting the Council to reverse its decision.

53. An amendment was proposed by Norway and the United Kingdom (E/CN.4/L.395) which would replace the last two paragraphs by the following text :

*"Recalling further* that the study of discrimination in immigration has already been included in the programme of work of the Sub-Commission ;

*"Invites* the Economic and Social Council to state whether or not it is open to the Sub-Commission, under the terms of resolution 545 D (XVIII), to undertake a study of the question of discrimination in immigration."

It was explained that the amendment was a procedural one, designed to obviate a lengthy debate in the Commission on the substance of the question. It was pointed out that the real purpose of draft resolution A of the Sub-Commission was to elicit the proper meaning and interpretation of Council resolution 545 D (XVIII), hence it was unnecessary to enter into a substantive discussion of the question in the Commission. However, several members did not agree that the amendment was merely procedural and pointed out that it omitted reference to what was stated in draft resolution A regard-

ing the "fundamental importance" of the study of discrimination in immigration. The Commission was a responsible organ and should express its views on the question. Moreover, it was not merely a question of seeking clarification of the meaning of Council resolution 545 D (XVIII); the Sub-Commission had expressed in its draft resolution a definite desire to undertake the proposed study, which the Commission ought to bring to the Council's notice. For lack of general support the amendment was subsequently withdrawn (E/CN.4/SR.490).

*2. Studies in the field of discrimination to be undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities*

54. The Sub-Commission at its seventh session had considered the question of undertaking further studies in the field of discrimination in 1955. It had, however, been informed by the Secretary-General (E/CN.4/Sub.2/L.85/Rev.1/Add.1) that to avoid additional financial implications no further assistance could be rendered by the Secretariat to the work of the Sub-Commission until the study on discrimination in education had been completed.

55. In the light of the Secretary-General's statement, the Sub-Commission had adopted draft resolution B (E/CN.4/711, Annex 1) for consideration and adoption by the Commission. Under that draft resolution, the Commission had been requested *inter alia* to undertake two further studies in the field of discrimination in 1956 and to request the Council to take adequate measures with a view to providing the Sub-Commission with the necessary financial and administrative assistance to enable it to pursue its studies without delay.

56. The Commission discussed draft resolution B at its 488th to 491st meetings. Several amendments to the draft resolution were submitted by the representatives of the Philippines (E/CN.4/L.396), France (E/CN.4/L.397) and India and the Philippines (E/CN.4/L.398). A statement on financial implications of decisions adopted by the Sub-Commission at its seventh session was submitted by the Secretary-General (E/CN.4/711/Add.1).

57. On the conclusion of its discussion the Commission adopted by 17 votes to none with one abstention the following resolution:

RESOLUTION III

STUDIES IN THE FIELD OF DISCRIMINATION  
TO BE UNDERTAKEN BY THE SUB-COMMISSION  
ON PREVENTION OF DISCRIMINATION AND PROTECTION  
OF MINORITIES

*The Commission on Human Rights,*

*Having considered* the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/711),

*Noting* that the Sub-Commission completed, at its seventh session, the discussion of the preliminary reports on the procedure to be followed in carrying out studies of discrimination in 1955 in the matter of:

(a) Political rights mentioned in the Universal Declaration of Human Rights (E/CN.4/Sub.2/165),

(b) religious rights and practices (E/CN.4/Sub.2/162), and

(c) Emigration, immigration, and travel (E/CN.4/Sub.2/167),

*Considering* that both the Commission and the Economic and Social Council had approved that a new study in one of the above-mentioned fields should be undertaken in 1955, whether or not the study of discrimination in education had been completed,

*Expresses* its deep regret that notwithstanding such approval the necessary steps were not taken to make such a study in 1955 possible;

*Commends* the Sub-Commission for its efforts and endorses the programme of work which it has adopted;

*Approves* the decision of the Sub-Commission to undertake two further studies in the field of discrimination in 1956 in order not to delay its work and expresses the opinion that if this proves impossible, one further study should be undertaken in 1956 in any case and another in 1957;

*Expresses* the hope that the specialized agencies and the non-governmental organizations concerned will continue to give the Sub-Commission every co-operation and assistance it may require, and that the Commission on the Status of Women will continue to co-operate with the Sub-Commission;

*Hopes* that sufficient understanding will be shown by the appropriate authorities of the United Nations in the future of the importance of the work of the Sub-Commission and its needs, and that adequate financial and administrative arrangements will be made to enable the Sub-Commission to pursue its work without delay;

*Requests* the Secretary-General to take adequate measures with a view to providing the Sub-Commission with the necessary financial and administrative assistance to enable it to pursue its studies without delay.

58. The first clause of the preamble was an amendment by the representative of the Philippines (E/CN.4/L.396) which was adopted unanimously. The second clause was proposed by the Sub-Commission in its draft resolution B, the third clause was an amendment by the representatives of India and the Philippines (E/CN.4/L.398) which the Commission adopted unanimously. On a proposal by the representatives of India and the Philippines (E/CN.4/L.398), the Commission unanimously decided to delete the clause of the preamble in draft resolution B reading: "Noting further that the Sub-Commission thereafter received a note from the Secretariat (E/CN.4/Sub.2/L.86/Rev.1/Add.1) to the effect that no further assistance could be rendered to the work of the Sub-Commission until the study on discrimination in education has been completed, to avoid additional financial implications".

59. In the first paragraph of the operative part, the Commission "expresses its deep regret" that although both the Commission and the Economic and Social Council had approved that a new study should be undertaken by the Sub-Commission in 1955, "the necessary steps were not taken to make such study in 1955 possible". Several members expressed the view that the work of the Sub-Commission should not be hampered

by administrative or budgetary considerations. The work of the Sub-Commission was extremely important, for the necessity of preventing discrimination and protecting minorities was of vital urgency. Regret was expressed that the Secretary-General seemed to have placed budgetary considerations above the responsibilities of the United Nations in the field of human rights which the Sub-Commission was endeavouring to further. It was emphasized that over-stringent financial control, especially in the field of human rights, could do a lot of harm to the prestige of the United Nations. Some members wondered whether in reality the Secretary-General's desire for economy was based solely on budgetary considerations and did not originate from fear to tread on dangerous ground. Other members, however, pointed out that budgetary restrictions on the Sub-Commission's work had not been imposed arbitrarily by the Secretary-General, but were part of a general policy initiated by the General Assembly and the Economic and Social Council. The Commission should pay due regard to the Secretary-General's proposals for budgetary and administrative economies. It would be creating a dangerous precedent to grant preferential treatment to particular organs, no matter what importance might be attached to them, or however small the sums involved. A majority of the members, however, felt that the Commission should draw the attention of its parent bodies to the necessity of providing the Sub-Commission with the means of carrying out its work. It was the Commission's duty to remind the higher organs of the United Nations that the work of the Sub-Commission should not be allowed to come to a standstill for purely financial reasons.

60. It was felt that the Commission should commend the Sub-Commission for its efforts and endorse its programme of work by giving it all the backing and assistance it deserved. This was the subject of a Philippine amendment (E/CN.4/L.396) which was adopted by 16 votes to none with one abstention and became the second paragraph of the operative part of the Commission's resolution.

61. The Sub-Commission had asked the Commission, in draft resolution B, to approve its "decision to undertake two further studies in the field of discrimination in 1956 in order not to delay its work". Some members maintained that it would be impractical and unwise to approve the initiation by the Sub-Commission of two further studies in 1956 in view of the financial and administrative considerations to which the Secretary-General had already drawn attention. Reference was made to the Secretary-General's note on financial implications (E/CN.4/711/Add.1) in which he stated that some additions to the existing staff would be necessary in case two studies were to be undertaken simultaneously in 1956 and expressed the hope that the work of the Sub-Commission would be so planned that it would be possible to provide the assistance required from the Secretariat from existing resources. The view was also expressed that the Sub-Commission should place more emphasis on the thoroughness with which studies were carried out than on the number of studies it should undertake or the speed with which it should complete them. It was suggested that the Sub-Commission should undertake one study in 1956 and one in 1957. On the other hand, those who supported the text proposed

by the Sub-Commission maintained that the decision of the Sub-Commission to undertake two studies in 1956 should be respected especially because it was unable, for administrative and budgetary reasons, to initiate a new study in 1955. As a matter of principle, the Commission should leave it to the Sub-Commission to determine which studies it should undertake, the order of priority and the speed at which they should be completed. Moreover, budgetary considerations should not be an obstacle to the Sub-Commission's programme since if financial savings had to be made they should not be done at the expense of such important work as the fight against discrimination. It was suggested that the Sub-Commission should not be made a scapegoat.

62. To conciliate the two opposing views, an amendment was submitted by the representative of France (E/CN.4/L.397) providing that if the undertaking of two studies in 1956 should prove impossible "one further study should be undertaken in 1956 in any case and another in 1957". A number of members criticized the amendment in that it weakened the text proposed by the Sub-Commission. The amendment was adopted by 10 votes to 8.

63. The fourth clause of the operative part concerning continued co-operation with the Sub-Commission by the specialized agencies, non-governmental organizations and the Commission on the Status of Women was an amendment by the representative of the Philippines. The amendment was adopted by 15 votes to none with 3 abstentions. Several members urged that specialized agencies should adopt an imaginative outlook and should offer effective co-operation. The reference to the co-operation by the Commission on the Status of Women was incorporated in the amendment on the suggestion of the representative of Chile. Some members thought that a special reference to the Commission on the Status of Women might not seem advisable since there were undoubtedly other organs of the United Nations whose co-operation with the Sub-Commission was equally essential.

64. In the fifth paragraph of the operative part hope is expressed "that sufficient understanding will be shown by the appropriate authorities of the United Nations in the future of the importance of the work of the Sub-Commission and its needs, and that adequate financial and administrative arrangements will be made to enable the Sub-Commission to pursue its work without delay". The phrase "by the appropriate authorities of the United Nations" was an amendment by the representatives of India and the Philippines and was adopted unanimously.

65. In the final paragraph, the Secretary-General is requested "to take adequate measures with a view to providing the Sub-Commission with the necessary financial and administrative assistance to enable it to pursue its studies without delay". Under the original text proposed by the Sub-Commission the request was to be directed to the Economic and Social Council. Some members thought that the Secretary-General was the appropriate authority to implement the request. An amendment to replace "Economic and Social Council" by "Secretary-General" was proposed by the representatives of India and the Philippines and was adopted by 16 votes to none, with 2 abstentions.

## **B. Election of a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities**

66. The election of a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities was proposed by the Secretary-General as an additional item for the provisional agenda of the eleventh session of the Commission (E/CN.4/707/Add.1). The item was proposed as a result of the resignation of Mr. Jorge Bocobo of the Philippines as a member of the Sub-Commission. The Secretary-General was notified of the resignation in a communication dated 7 March 1955 from the Permanent Representative of the Philippines to the United Nations.

67. The Commission was informed by the Secretary-General that Mr. José D. Ingles of the Philippines had been nominated, with the consent of his Government, for election for the unexpired term of Mr. Bocobo on the Sub-Commission (E/CN.4/714).

68. The Commission took up the item at its 485th meeting. It unanimously elected Mr. José D. Ingles as a member of the Sub-Commission.

## **C. Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination**

69. In resolution 546 (XVIII) the Economic and Social Council authorized the Secretary-General to convene a conference of non-governmental organizations in consultative status with the Council interested in the eradication of prejudice and discrimination, in which they might :

“(a) Exchange views concerning the most effective means of combating discrimination ;

“(b) Co-ordinate their endeavours in this work if they find it desirable and feasible ;

“(c) Consider the possibility of establishing common objectives and programmes.”

70. In the same resolution the Council requested the Commission on Human Rights “to direct the Sub-Commission on Prevention of Discrimination and Protection of Minorities to include in its subsequent report to the Commission its observations on the proceedings of the Conference”.

71. The Conference was held at the European Office of the United Nations in Geneva from 31 March to 4 April 1955. It adopted a Final Act (E/NGO/CONF.1/8) which contained four resolutions.

72. The Commission considered the item on the Conference of Non-Governmental Organizations at its 509th meeting. A draft resolution was submitted by the representative of the Philippines (E/CN.4/L.406) and amendments thereto by the representative of Chile (E/CN.4/L.408). The representative of the Philippines accepted, with minor verbal changes, the amendments of the representative of Chile. The Philippine draft resolution thus amended was adopted unanimously. It read as follows :

## **RESOLUTION IV**

### **CONFERENCE OF NON-GOVERNMENTAL ORGANIZATIONS INTERESTED IN THE ERADICATION OF PREJUDICE AND DISCRIMINATION**

*The Commission on Human Rights,*

*Having noted* the Final Act of the Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination (E/NGO/CONF.1/8),

*Expresses* its gratification that the Conference was held and particularly that such a large number of non-governmental organizations participated and reached such a large measure of agreement in their conclusions ;

*Transmits*, pursuant to resolution 546 (XVIII) of the Economic and Social Council, the above-mentioned Final Act to the Sub-Commission on Prevention of Discrimination and Protection of Minorities with the request that it include in its next report to the Commission its observations on the proceedings of the Conference;

*Expresses* the hope that the non-governmental organizations themselves will give earnest consideration to the recommendations of the Conference and engage in such consultations among themselves and with the Commission on Human Rights, the Commission on the Status of Women, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the specialized agencies concerned, as may be necessary to hasten the eradication of prejudice and discrimination.

## **D. General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories**

73. On 10 December, 1952, the General Assembly adopted resolution 644 (VII) in which it (i) recommended to the Administering Members the abolition in Non-Self-Governing Territories of discriminatory laws and practices contrary to the principles of the Charter and of the Universal Declaration of Human Rights ; (ii) recommended that they examine all laws, statutes and ordinances in those territories with a view to abolishing any such discriminatory provisions and practices ; (iii) recommended that they similarly examine such laws as distinguish between citizens and non-citizens primarily on racial or religious grounds ; (iv) recommended that all public facilities should be open to inhabitants without distinction of race ; (v) recommended that laws providing measures of protection for sections of the population should be frequently reviewed in order to find out whether the protective aspect of such laws is still predominant and whether exemption from them in particular circumstances should be made ; (vi) recognized that the improvement of race relations largely depended upon the development of educational policies and commended all measures designed to improve among all pupils understanding of the needs and problems of the community as a whole ; (vii) called the attention of the Commission on Human Rights to this resolution.

74. This item has been on the Commission's agenda since its ninth session in April and May 1953. The Commission discussed it at the 509th and 511th meetings.

75. A draft resolution proposing the transmittal of resolution 644 (VII) of the General Assembly to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its information was submitted by the representative of the Philippines (E/CN.4/L.407). Some members considered that this draft resolution did not go far enough and criticized in particular the proposal that it be submitted to the Sub-Commission merely for its information. Others, while not objecting to the draft resolution, considered that it might be more appropriate for the Commission merely to take formal action on the item by noting the General Assembly resolution. Amendments were presented by the representative of Poland (E/CN.4/L.409) which, *inter alia*, recommended (a) that the Sub-Commission be guided in its practical work also by General Assembly resolution 644 (VII) and (b) that it submit to the Commission on Human Rights at its twelfth session recommendations concerning measures to be taken immediately for the implementation of that resolution. One of the amendments of the representative of Poland under which the Commission would decide to place the question of the implementation of General Assembly resolution 644 (VII) on the provisional agenda of the Commission's twelfth session was subsequently withdrawn. The remaining Polish amendments were accepted by the representative of the Philippines.

76. During the discussion it was pointed out that resolution 644 (VII) of the General Assembly had been supplemented by resolution 502 B I (XVI) of the Economic and Social Council in which it was stated that the prevention of discrimination in independent States was as important as the prevention of discrimination in Trust and other Non-Self-Governing Territories and the Council had recommended to all States that they make every possible effort to abolish any legal provisions and administrative or private practices which discriminated against certain sections of the population. An oral amendment by the representative of the United Kingdom of Great Britain and Northern Ireland to the amendment of the representative of Poland proposing the addition of references to resolution 502 B I (XVI) of the Council was accepted by the representatives of both Poland and the Philippines.

77. There was some objection that the Polish amendment calling on the Sub-Commission to be guided by General Assembly resolution 644 (VII) and to submit recommendations to the Commission at its twelfth session on measures for the implementation of that resolution would cut across the programme of work which the Sub-Commission had already established and which had been approved by the Commission. To meet this difficulty the representative of the Philippines

proposed the addition of the phrase "in accordance with its programme of work" at the end of the new operative paragraph included in the Polish amendment. The representative of Poland accepted this proposal. The representative of the Philippines also proposed the deletion of the words "at its twelfth session" and "immediately" in part B of the new operative paragraph proposed in the amendment of Poland. The representative of the United Kingdom orally proposed that the phrase in the amendment of Poland "to be guided in its practical work also by" should be replaced by the words "to take account in its practical work of". This was accepted by the representative of the Philippines but not by the representative of Poland.

78. The above oral amendment by the representative of the United Kingdom was adopted by 13 votes to 3. The deletion in paragraph (b) of the words "at its twelfth session" was adopted by 11 votes to 3 with 2 abstentions and the deletion of the word "immediately" by 11 votes to 4 with one abstention. The resolution as a whole as amended was adopted unanimously. It read as follows:

#### RESOLUTION V

##### GENERAL ASSEMBLY RESOLUTION 644 (VII) ON RACIAL DISCRIMINATION IN NON-SELF-GOVERNING TERRITORIES

*The Commission on Human Rights,*

*Having noted* General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories,

*Considering* that racial discrimination still exists in various countries of the world although the General Assembly in 1952, and the Economic and Social Council in 1953, recommended that discriminatory laws and practices contrary to the principles of the Charter and of the Universal Declaration on Human Rights should be examined with a view to abolition,

*Transmits* the resolution to the Sub-Commission on Prevention of Discrimination and Protection of Minorities ;

*Decides* to recommend the Sub-Commission on Prevention of Discrimination and Protection of Minorities : (a) to take account in its practical work of General Assembly resolution 644 (VII) and Economic and Social Council resolution 502 B I (XVI) ; (b) to submit to the Commission on Human Rights recommendations concerning measures to be taken for the implementation of General Assembly resolution 644 (VII) and Economic and Social Council resolution 502 B I (XVI) in accordance with its programme of work.

#### CHAPTER V

##### REVIEW OF PROGRAMME AND ESTABLISHMENT OF PRIORITIES

79. Under item 3 of the provisional agenda the Secretary-General submitted a memorandum (E/CN.4/710) on "review of the human rights programme", in which he urged the desirability of carefully planning the work of the Commission and suggested that "the Commission

dispose of items [on its agenda] which are not likely to be fruitful, defer items which are not urgent and, above all, plan and establish a programme which may be progressively and systematically carried out in the course of the ensuing years".

80. The Commission discussed item 3 at its 492nd-500th meetings. In discussing the item several members expressed the view that the Commission had reached a turning-point in its history and a decision in regard to its future programme of work would determine whether the Commission would gain a new lease of life. Some members stated that it was through a careful and comprehensive review of the whole human rights programme of the United Nations and the specialized agencies and by examining its own terms of reference and the directives it had received from the General Assembly and the Economic and Social Council that the future activities of the Commission in the vital field of human rights and in enlisting world-wide support for their observance and respect could be secured.

81. From the outset it was realized that under this item there were actually two problems : (1) the establishment of an order of priorities in which the agenda items were to be discussed at the current session, and (2) the establishment of a human rights programme for the future sessions of the Commission. It was agreed that the first problem should be settled forthwith. As to the second problem, there were two different views: one view was that a future programme could not be established until the current agenda items, or at least such crucial items as items 4 and 5, had been disposed of ; the other view was that a long-term programme should be established without delay, regardless of how many items on the agenda could be completed at the current session. At its 494th meeting, by a vote of 13 to none with 5 abstentions, the Commission decided to discuss the problem of its future programme immediately after it adopted a list of priority items for the current session.

#### A. Items of priority for the current session

82. On this problem a draft resolution (E/CN.4/L.399/Rev.1, part 1) was submitted jointly by the representatives of Egypt, Lebanon, Pakistan, the Philippines and the United States of America. It read as follows :

##### *The Commission on Human Rights,*

*Bearing in mind* that the Commission has completed its work on item 7, Yearbook on Human Rights, and on item 8, Report of the Seventh Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

*Decides* to give priority at the remainder of the eleventh session to the following items on its provisional agenda (E/CN.4/707) :

Item 4. Recommendations concerning international respect for the right of peoples and nations to self-determination

Item 5. Development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world

Item 6. Annual Reports

Item 17. Local human rights committees

Item 9. Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination

Item 12. General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories

Item 20. Communications

Item 13. Draft declaration on the rights of the child.

At the 494th meeting, a Soviet Union amendment to place items 9 and 12 between items 4 and 5 in the operative part of the draft resolution was rejected by 12 votes to 4 with 2 abstentions. The draft resolution was unanimously adopted.

#### B. Programme of work for future sessions

83. On the problem of establishing a programme of work for the future the representatives of Egypt, Lebanon, Pakistan, the Philippines and the United States of America presented a draft resolution (E/CN.4/L.399, Part II), which was revised three times, incorporating the substance of amendments proposed by the representative of Chile (E/CN.4/L.400) and suggestions made by other members. The name of Chile was added to the list of sponsors in the third revision of the joint draft. Amendments were also separately submitted by the representatives of Poland (E/CN.4/L.401/Rev.1), India (E/CN.4/L.402) and France (E/CN.4/L.403).

84. As a result of its deliberations the Commission adopted at its 499th meeting a nine-point programme for its future sessions by a roll-call vote of 14 to 3 with 1 abstention. The voting was as follows :

*In favour* : Chile, China, Egypt, Greece, India, Lebanon, Mexico, Norway, Pakistan, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and the United States of America ;

*Against* : Australia, France and the United Kingdom of Great Britain and Northern Ireland ;

*Abstention* : Turkey.

85. The text of the resolution was as follows :

#### RESOLUTION VI

##### PROGRAMME OF WORK FOR FUTURE SESSIONS

##### *The Commission on Human Rights,*

*Considering* that in accordance with the provisions of the Charter and its terms of reference, its task has been to submit to the Economic and Social Council proposals, recommendations, reports and projects concerning the Universal Declaration of Human Rights, the covenant on civil and political rights, the covenant on economic, social and cultural rights, and other questions connected with the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Considering* that in accordance with the Charter, United Nations action relating to human rights should be directed towards the earliest possible completion of work on the draft covenants on human rights, which is the main task of the United Nations in this field,

*Conscious* that the drafting of the covenants marks the completion of a highly important stage in its activities ; and that it is now called upon to proceed with other tasks for the application, promotion and extension of human rights,

*Bearing in mind* its functions and terms of reference, the questions outstanding on its agenda, and the need to formulate a programme with a view to establishing priorities and concentrating efforts and resources,

*Noting* that the adoption of a concrete programme of work for future sessions does not preclude a broader programme dealing with such other matters as may be raised by the Commission or referred to it, in conformity with the United Nations Charter,

*Desiring* to maintain and strengthen within the framework of its general responsibility the work of the United Nations for universal and effective observance of, and respect for, human rights and fundamental freedoms,

*Having considered* the memorandum of the Secretary-General on "Review of the Human Rights Programme" (E/CN.4/710) and the other relevant documents cited therein,

*Adopts* the following programme of work for future sessions :

- (A) Covenants on human rights and other conventions :

Continuation of efforts to promote all the human rights proclaimed in the Universal Declaration of Human Rights and in the draft covenants on civil and political rights and on economic, social and cultural rights.

Any action that the Commission may be authorized or requested to take pursuant to measures of implementation under the covenants on human rights or other conventions on human rights and fundamental freedoms which may be concluded under United Nations auspices.

- (B) Prevention of discrimination and protection of minorities :

Consideration of the reports and recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and of any proposals or recommendations which may in future be transmitted to the Sub-Commission and any matter connected with the subjects covered by this heading.

- (C) International respect for the right of peoples and nations to self-determination :

Consideration of measures for the promotion of international respect for the right of peoples and nations to self-determination, as this right is mentioned in the Charter and in the draft covenants on human rights, and of measures for its implementation, together with consideration of progress made in the achievement of that right, with such recommendation as may be necessary.

- (D) Consideration of general developments and action taken to ensure wider observance of, and respect for, human rights and fundamental freedoms throughout the world :

Consideration of general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty on a world-wide basis, taking into account

information furnished for publication in the Yearbook on Human Rights, and additional reports from Member States and from specialized agencies pursuant to the terms of any further specific resolution with respect to reports adopted by the Commission ; also, consideration of other methods of promoting wider observance of human rights and fundamental freedoms including provisions for technical assistance and for local human rights committees.

- (E) Consideration of specific rights or groups of rights :

The undertaking of studies of specific rights or groups of rights on a world-wide basis, stressing general developments, progress achieved, and measures taken to safeguard human liberty, with such recommendations as may be necessary, in addition to studies being undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by specialized agencies, the selection of the topics of study and the method of study to be determined by further specific resolutions of the Commission.

- (F) Wider dissemination of the Universal Declaration of Human Rights and assessment of its effects and influence :

Consideration of further measures as may be necessary for the wider dissemination of the Universal Declaration of Human Rights with the co-operation of Governments and the specialized agencies and non-governmental organizations concerned.

- (G) Yearbook on Human Rights :

Review, at the thirteenth session and at later sessions as necessary, of the form and content of the Yearbook on Human Rights.

- (H) Communications :

The taking note at each session of the lists of communications prepared by the Secretary-General and consideration as necessary of any proposals concerning the present procedures, under resolution 75 (V), as amended, of the Economic and Social Council, for the handling of communications with regard to human rights.

- (I) Any agenda items not completed at a previous session, and any new items that may be introduced.

86. There are seven paragraphs in the preamble, which sets forth the reasons for which and the bases on which, the future programme of the Commission was formulated. Paragraphs 1, 3, 4 and 5 were originally Chilean amendments which were revised and incorporated in the joint draft resolution. Paragraph 2 was a Polish amendment. Paragraphs 6 and 7 were in the original joint draft.

87. The first paragraph of the preamble reiterates the fact that "in accordance with the provisions of the Charter and its terms of reference", the task of the Commission "has been to submit to the Economic and Social Council proposals, recommendations, reports and projects concerning the Universal Declaration of Human

Rights, the covenants on civil and political rights, the covenant on economic, social and cultural rights and other questions connected with the promotion of universal respect for and observance of human rights and fundamental freedoms." This paragraph was adopted unanimously.

88. The second paragraph of the preamble declares that "in accordance with the Charter, United Nations action relating to human rights should be directed towards the earliest possible completion of work on the draft covenants on human rights, which is the main task of the United Nations in this field". The opinion was expressed that nothing in the Charter could be cited to substantiate the view that completion of the draft covenants was a matter of first priority or the main task of the United Nations in the field of human rights. On the other hand, it was pointed out that the drafting of the covenants had been the main task of the Commission ever since 1948, that they should be completed as soon as possible, and furthermore that the preparation and adoption of conventions for the promotion of human rights was certainly one of the principal functions of the United Nations under the Charter. The paragraph, a Polish amendment, was adopted by a roll-call vote of 11 to 5 with 2 abstentions. The voting was as follows :

*In favour* : Chile, Egypt, Greece, India, Lebanon, Mexico, Norway, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics ;

*Against* : Australia, China, France, United Kingdom of Great Britain and Northern Ireland and the United States of America ;

*Abstentions* : Pakistan and Turkey.

89. The third paragraph of the preamble states that "the drafting of the covenants marks the completion of a highly important stage" in the activities of the Commission, and that the Commission "is now called upon to proceed with other tasks for the application, promotion and extension of human rights". This paragraph was adopted by 15 votes to none with 3 abstentions.

90. The fourth paragraph, which recalls the "functions and terms of reference" of the Commission, "the questions outstanding on its agenda, and the need to formulate a programme with a view to establishing priorities and concentrating efforts and resources", was adopted unanimously.

91. The fifth paragraph notes that "the adoption of a concrete programme of work for future sessions does not preclude a broader programme dealing with such other matters as may be raised by the Commission or referred to it, in conformity with the United Nations Charter." The phrase "in conformity with the United Nations Charter", a Polish amendment, was intended to govern the entire paragraph, and was adopted by 10 votes to 1 with 7 abstentions. The paragraph as a whole as amended was adopted unanimously.

92. The sixth paragraph expresses the desire of the Commission "to maintain and strengthen, within the framework of its general responsibility, the work of the United Nations for universal and effective observance of and respect for human rights and fundamental freedoms". The phrases "within the framework of its general

responsibility" and "universal and effective" were French amendments and were adopted respectively by 12 votes to none with 6 abstentions and 17 votes to none with 1 abstention. The paragraph as a whole as amended was adopted by 17 votes to none with 1 abstention.

93. The final paragraph makes a reference to the Secretary-General's memorandum on "review of the human rights programme" and the documents cited therein, and was adopted by 17 votes to none with 1 abstention.

94. The operative clause of the resolution reads : "Adopts the following programme of work for future sessions." This was adopted unanimously. It introduces a programme of work consisting of nine points or topics. Each point is indicated by a heading and an explanatory note.

95. *The scope and substance of each point, and the manner in which it was to be formulated, gave rise to considerable discussion. One trend of thought was that each point should be indicated in the most general manner so that it could not be interpreted as implying any decision on the substance of any matter falling under each point. Another trend of thought was that a programme of work should be couched in terms that were sufficiently clear and positive and that it should contain a statement of principles, it being understood that the details would be worked out as the specific agenda items came up for discussion. It was generally agreed that a statement on a future programme should not be too general, nor too specific ; it should serve as a guide for future action, although the Commission would of course have the power to alter its programme at any time.*

96. Point A of the programme is under the heading : "Covenants on human rights and other conventions." In the original joint draft there was no mention of the covenants or other conventions. Attention to this omission was drawn by several members. Subsequently in the first revision of the joint draft the sponsors added the heading : "Covenants on human rights and other conventions." This heading was thought to imply that the covenants were not the only international legal instruments on human rights, and that other conventions might be concluded in the future.

97. The explanatory note under heading A in the joint draft resolution read :

"Any action that the Commission may be authorized or requested to take pursuant to measures of implementation under the covenants on human rights or other conventions on human rights and fundamental freedoms which may be concluded under United Nations auspices."

In discussing this explanatory note, reference was made to the functions of the Commission on Human Rights under article 49 of the draft covenant on civil and political rights and under article 20 of the draft covenant on economic, social and cultural rights, which related to reports to be submitted by States Parties to the covenants which the Economic and Social Council might transmit to the Commission for study and general recommendation. It was thought that, having prepared the draft covenants, the Commission should be ready

and willing to carry out the functions contemplated therein. Against this explanatory note it was argued that the draft covenants had not reached their final form, and that the measures of implementation were contrary to Article 2, paragraph 7, of the United Nations Charter. The Commission should therefore not commit itself to carrying out such measures of implementation.

98. To the explanatory note in the joint draft, a Polish amendment was submitted. It read :

“Continuation of efforts to promote all the human rights proclaimed in the Universal Declaration of Human Rights and in the draft covenants on civil and political rights and on economic, social and cultural rights, including :

“The right of peoples and nations to self-determination, taking account of the right of permanent sovereignty over their natural wealth and resources ;

“Provisions concerning the combating of manifestations of national and racial hostility ;

“The right of everyone to take part in the government of his country on the basis of the right to vote and to stand for election by universal, equal and direct suffrage and secret ballot ;

“The right to associate freely with others, including the right to form trade unions which must be free to perform their functions without hindrance ;

“The equal right of men and women to enjoy all the civil and political, and social and economic rights ;

“The essential economic and social rights (the right to work, to education, to social insurance and social security, to rest and to medical and other assistance).

“These efforts must be undertaken, *inter alia*, through the drafting of declarations, conventions and recommendations as well as measures concerning technical assistance, including advisory services, furnished by the United Nations as requested by interested States.”

It was maintained that, having drafted the Declaration and the covenants, the Commission should continue to promote all the rights proclaimed therein, especially certain rights or categories of rights, through the drafting of declarations, conventions and recommendations and through technical assistance. This was the logical and proper course of action. Special emphasis was given to the methods of promoting human rights, namely, the drafting of declarations, conventions and recommendations, which were essential functions of the Economic and Social Council and the Commission on Human Rights, and the rendering of technical assistance, which was a concrete and effective measure. Although some expressed the view that the Commission should continue to promote the rights proclaimed in the Declaration and the covenants, others questioned the proposal to list the rights and the reasons why such rights as were proclaimed in articles 6, 7, 8, 14, 17 and 18 of the draft covenant on civil and political rights had been excluded from the enumeration. It was also pointed out that the draft covenants had not yet been adopted in final form and it would therefore be improper to relate the rights to be promoted by the Commission in its future work to the definitions contained in the draft covenants.

The supporters of the Polish amendment stated that they were ready to add any rights which were not already enumerated.

99. Some members of the Commission saw no contradiction between the explanatory note in the joint draft and that in the Polish amendment. They expressed the view that the Commission should continue to promote the rights proclaimed in the Declaration and in the covenants through the drafting of conventions and the rendering of technical assistance, and that it should also undertake to take such action as it might be authorized or requested to take pursuant to measures of implementation under the covenants or other conventions on human rights.

100. The Polish amendment was submitted as an addition to the joint draft. It was voted in three parts. The first part beginning with “continuation of efforts” and ending in “cultural rights” was adopted by 9 votes to 7 with 2 abstentions ; the second part beginning with “including” and ending in “and other assistance” was rejected by 11 votes to 3 with 4 abstentions ; the third part beginning with “these efforts” and ending in “recommendations” was rejected by 8 votes to 6 with 4 abstentions ; the remaining phrase was not voted upon. The explanatory note in the joint draft resolution was adopted by 15 votes to 3.

101. Point B is under the heading : “Prevention of discrimination and protection of minorities.” The explanatory note contained in the joint draft resolution read :

“Consideration of the reports and recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and of any proposals or recommendations which may in future be transmitted to the Sub-Commission and any matter connected with the subjects covered by this heading”.

The Commission was unanimous in emphasizing the importance of the work of the Sub-Commission. It was observed that the explanatory paragraph covered two aspects of the work of the Sub-Commission : reports and recommendations of the Sub-Commission, and proposals and recommendations transmitted to it. Furthermore, the Commission itself might consider any matter related to discrimination and minorities. The paragraph was adopted unanimously.

102. The heading under C reads : “International respect for the right of peoples and nations to self-determination.” Under this heading the joint draft resolution contained the following explanatory note :

“Further consideration, as may be required, of international respect for the right of peoples and nations to self-determination”.

The wording “further consideration, as may be required”, was thought to imply that if the Commission “completed” its recommendations on the right of self-determination in pursuance of General Assembly resolution 837 (IX), there might not be any further consideration. Against this paragraph, it was argued that the right of self-determination was a truly basic right without which other rights could not fully be exercised, and that the Commission would legitimately be concerned with that right as long as it was not fully enjoyed throughout the world.

103. To the joint draft resolution, the representatives of both Poland and India submitted amendments. The Polish amendment read :

“Assistance in implementing the decisions taken by the organs of the United Nations concerning international respect for the right of peoples and nations to self-determination as defined in article 1 of the draft covenant on civil and political rights, *inter alia*, through the drafting of new recommendations on the subject and also through the measures mentioned in paragraph (A).”

The Indian amendment read :

“Consideration of measures for the promotion of international respect for the right of peoples and nations to self-determination, and of measures for its implementation, together with consideration of progress made in the achievement of that right, with such recommendations as may be necessary.”

Upon the acceptance by the representative of India of a clause reading, “as this right is mentioned in the Charter and in the draft covenants on human rights,” to be inserted after the word “self-determination”, the Polish amendment was withdrawn.

104. During the debate it was argued that the Indian amendment raised important and controversial questions as to the competence and functions of the Commission which could not be considered in isolation from point 4 of the agenda and the decisions to be taken thereunder ; that the right of peoples and nations to self-determination was not a subject of which the Commission on Human Rights should be permanently seized ; that article 1 of the covenants did not define clearly the scope and substance of the right, nor the meaning of “peoples” or “nations” ; that under its terms of reference the Commission could not take any measures for the implementation of the right, nor could it consider progress made in the achievement of the right without trespassing on the jurisdiction of other United Nations organs. On the other hand, it was pointed out that the Indian amendment was perfectly in order ; that the right of self-determination was recognized as a right both in the Charter and in the covenants ; that the Commission’s task would not be terminated by drafting recommendations in pursuance of General Assembly resolution 837 (IX), since it had a continuing responsibility to watch over the implementation of that right ; that the Commission should include the right of self-determination as one of the major items in its programme of work and should consider ways and means to promote the full realization of that right. Some members who expressed support for the general principle of self-determination objected to tying the principle to the definition contained in the draft covenants on the ground that that definition had not yet been finally adopted, and that in particular the present formulation of paragraph 3 of the article was incomplete and unsatisfactory.

105. The Indian amendment was voted in parts : the words “consideration of measures for the promotion of international respect for the right of peoples and nations to self-determination” were adopted by 13 votes to 2 with 3 abstentions ; the words “as this right is mentioned in the Charter” by 17 votes to none with 1 abstention ; the words “and in the draft covenants

on human rights” by a roll-call vote of 11 to 6 with 1 abstention. The voting was as follows :

*In favour* : Chile, Egypt, Greece, India, Lebanon, Mexico, Pakistan, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics ;

*Against* : Australia, China, France, Turkey, United Kingdom, United States of America ;

*Abstention* : Norway.

The words “and of measures for its implementation” by 11 votes to 5 with 2 abstentions ; the words “together with consideration of progress made in the achievement of that right” by 10 votes to 6 with 2 abstentions ; and the words “with such recommendations as may be necessary” by 12 votes to 4 with 2 abstentions. The paragraph as a whole was adopted by a roll-call vote of 11 to 5 with 2 abstentions. The voting was as follows :

*In favour* : Chile, Egypt, Greece, India, Lebanon, Mexico, Pakistan, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics ;

*Against* : Australia, France, Turkey, United Kingdom of Great Britain and Northern Ireland and the United States of America ;

*Abstentions* : China and Norway.

106. The heading under D in the joint draft resolution was as follows :

“Consideration of general developments and action taken to ensure wider observance of, and respect for, human rights and fundamental freedoms throughout the world”.

107. The explanatory paragraph contained in the joint draft resolution read :

“Consideration of general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty on a world-wide basis, taking into account information furnished for publication in the Yearbook on Human Rights, and additional reports from Member States and from specialized agencies pursuant to the terms of any further specific resolution with respect to reports adopted by the Commission ; also consideration of other methods of promoting wider observance of human rights and fundamental freedoms, including provisions for technical assistance, and for local human rights committees.”

108. The opinion was expressed that this explanatory paragraph could not properly be considered until after the Commission had discussed item 5 of its agenda, under which proposals had been made for a system of biennial reports on human rights and for technical assistance in the field of human rights. In adopting the paragraph the Commission would be making a substantive decision on such proposals. Furthermore, it was argued that Members of the United Nations were not under any obligation to submit periodic reports on human rights to the Commission and that the adoption of any reporting procedure would be contrary to Article 2, paragraph 7, of the Charter. The question of local human rights committees, it was pointed out, had never been discussed thoroughly and should not be prejudged. It was also thought that the heading under D, without the explanatory paragraph, might be sufficient in itself as an item in the programme of work.

109. On the other hand, the opinion was expressed that it was clearly the duty of the Commission to consider general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty on a world-wide basis, and that in doing so, the Commission might very well take into account such official information as might be furnished for publication in the Yearbook on Human Rights, and such additional reports from Member States and from specialized agencies as might be submitted pursuant to any specific resolution adopted by the Commission. It was thought that some reporting procedure should be established, but the matter remained in the hands of the Commission and the explanatory paragraph could not be interpreted to prejudge the precise terms of any specific resolution that might be adopted with respect to reports. The explanatory paragraph mentioned provisions for technical assistance and for local human rights committees as among other methods for the promotion of human rights.

110. The heading under D was adopted by 15 votes to none with 3 abstentions. The first part of the explanatory note beginning with "consideration of general developments" and ending in "by the Commission" was adopted by a roll-call vote of 12 to 5 with 1 abstention. The voting was as follows :

*In favour* : Chile, China, Egypt, France, Greece, India, Lebanon, Mexico, Pakistan, Philippines, Turkey and the United States of America ;

*Against* : Australia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland ;

*Abstention* : Norway.

The remainder of the explanatory paragraph was adopted by 15 votes to none with 3 abstentions. Paragraph D as a whole as amended was adopted by 12 votes to 5 with 1 abstention.

111. The heading under E reads : "Consideration of specific rights or groups of rights". The explanatory note in the joint draft resolution read :

"The undertaking of studies of specific rights or groups of rights on a world-wide basis, stressing general developments, progress achieved, and measures taken to safeguard human liberty, in addition to studies being undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by specialized agencies, the selection of the topics of study and the method of study to be determined by further specific resolutions of the Commission."

To this joint draft an Indian amendment was submitted which would add the words "with such recommendations as may be necessary" after the words "to safeguard human liberty".

112. As in the case of paragraph D it was argued that paragraph E could not be properly considered until after the Commission had discussed item 5 of its

agenda, under which a proposal on studies on specific aspects of human rights had been made, and had decided in particular who would make the studies and what their purpose would be. On the other hand, it was argued that a decision should be taken under item 3 adopting the underlying principle that studies should form a part of the future work of the Commission leaving the selection of topic and the method of study for consideration under item 5. Some members expressed the opinion that the Commission should not be engaged in making academic studies on all human rights, but should be actively engaged in taking practical measures for promotion of human rights. The majority of the members thought that under the Charter the Economic and Social Council and the Commission on Human Rights could initiate or make studies, and that such studies could be used as bases for making recommendations or taking other appropriate action.

113. The Indian amendment was adopted by 9 votes to none with 9 abstentions. Paragraph E as a whole as amended was adopted on a roll-call of 10 votes to 4 with 4 abstentions. The voting was as follows :

*In favour* : Chile, China, Egypt, Greece, India, Lebanon, Mexico, Pakistan, Philippines, United States of America ;

*Against* : Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland ;

*Abstentions* : Australia, France, Norway, Turkey.

114. Paragraphs F, G, H and I, in the joint draft resolution, were as follows :

"F. Wider dissemination of the Universal Declaration of Human Rights and assessment of its effects and influence :

"Consideration of further measures as may be necessary for the wider dissemination of the Universal Declaration of Human Rights with the co-operation of Governments and the specialized agencies and non-governmental organizations concerned.

"G. Yearbook on Human Rights :

"Review, at the thirteenth session and at later sessions as necessary, of the form and content of the Yearbook on Human Rights.

"H. Communications :

"The taking note at each session of the lists of communications prepared by the Secretary-General and consideration as necessary of any proposals concerning the present procedures, under resolution 75 (V), as amended, of the Economic and Social Council, for the handling of communications with regard to human rights.

"I. Any agenda items not completed at a previous session, and any new items that may be introduced."

These paragraphs did not give rise to any controversy and were adopted unanimously.

## CHAPTER VI

### RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION

115. The General Assembly, in resolution 637 C (VII) of 16 December 1952, requested the Commission : (a) to continue preparing recommendations concerning international respect for the right of peoples to self-determination, and particularly recommendations relating to the steps which might be taken within the limits of their resources and competence, by the various organs of the United Nations and the specialized agencies to develop international respect for the right of peoples to self-determination ; and (b) to submit its recommendations through the Economic and Social Council to the General Assembly. This resolution was transmitted to the Commission at its ninth session by the Economic and Social Council by resolution 472 (XV) of 1 April 1953. The Commission, however, was unable to consider the question at that session.

116. At its eighth session the General Assembly, by resolution 738 (VIII) of 28 November 1953, requested the Commission to give due priority at its tenth session to the preparation of recommendations concerning international respect for the right of peoples and nations to self-determination. This resolution was transmitted to the Commission by resolution 510 (XVI) of 7 December 1953 of the Economic and Social Council.

117. In pursuance of resolutions 637 C (VII) and 738 (VIII) of the General Assembly and resolutions 472 (XV) and 510 (XVI) of the Economic and Social Council, the Commission on Human Rights at its tenth session requested the Economic and Social Council to transmit to the General Assembly for consideration and adoption the following two draft resolutions (E/2573, annex IV, draft resolutions F I and II) :

#### RESOLUTION F I

##### *The General Assembly,*

*Noting* that the right of peoples and nations to self-determination as affirmed in the two draft covenants completed by the Commission on Human Rights includes "permanent sovereignty over their natural wealth and resources",

*Believing* it necessary to have full information at its disposal regarding the actual extent and character of this sovereignty,

*Decides* to establish a commission consisting of to conduct a full survey of the status of this basic constituent of the right to self-determination with recommendations, where necessary, for its strengthening ;

*Invites* the regional economic commissions and the specialized agencies to co-operate with the Commission in its task ;

*Requests* the Commission to report to the twentieth session of the Economic and Social Council ;

*Requests* the Secretary-General to provide the Commission with necessary staff and facilities.

#### RESOLUTION F II

##### *The General Assembly,*

*Recalling* that it is among the purposes and principles of the United Nations to develop friendly relations based on respect for the principle of equal rights and self-determination of peoples,

*Recalling further* that, under Article 14 of the Charter, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations,

*Considering* that inadequate realization of the right to self-determination not only undermines the basis of these friendly relations as defined in the Charter, but also creates conditions which may prevent further realization of the right itself,

*Believing* that such a situation is contrary to the purposes and principles of the United Nations and that its peaceful rectification is therefore a matter of immediate concern,

*Decides* to establish a commission consisting of the representatives of with the following terms of reference :

1. The commission shall examine any situation resulting from alleged denial or inadequate realization of the right of self-determination, which falls within the scope of Article 14 of the Charter and to which the Commission's attention is drawn by any ten Members of the United Nations ;

2. The commission shall provide its good offices for the peaceful rectification of any situation it is required to examine ;

3. If within six months no adjustment of the situation can be effected to the satisfaction of the parties concerned the Commission shall report the facts with appropriate recommendations to the General Assembly ;

*Requests* the Secretary-General to provide the Commission with the necessary staff and facilities.

118. These two draft resolutions were considered by the Economic and Social Council at its eighteenth session and, in resolution 545 G (XVIII), it decided "to transmit these draft resolutions to the Commission on Human Rights, together with the records of the meetings of the Council and the Social Committee on this question, so that it may reconsider them in the light of the Council's discussions". The discussions in the Council are summarized in the official records of its 820th plenary meeting and in documents E/AC.7/SR.289-292.

119. When the General Assembly, at its ninth session, examined the report of the Council, it adopted resolution 837 (IX), by which it requested the Commission on Human Rights :

"To complete its recommendations concerning international respect for the right of peoples and nations to

self-determination, including recommendations concerning their permanent sovereignty over their natural wealth and resources, having due regard to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of under-developed countries, in order that the General Assembly may give those recommendations full and due consideration at its next regular session”.

At its resumed eighteenth session, the Council formally transmitted resolution 837 (IX) of the General Assembly to the Commission on Human Rights.

120. The question of recommendations concerning international respect for the right of peoples and nations to self-determination was placed on the agenda of the Commission at its eleventh session, and was considered by the Commission at its 500th-506th meetings. The Commission had before it a note by the Secretary-General (E/CN.4/708), and a statement of the financial implications of draft resolutions F I and II (E/2573, annex VI D).

121. In the course of the debate the representatives of Egypt, Greece, India, Lebanon, Pakistan and the Philippines submitted a joint draft resolution (E/CN.4/L.404). This was adopted at the 505th meeting by a roll-call vote of 11 to 6 with 1 abstention. The voting was as follows :

*In favour* : Chile, Egypt, Greece, India, Lebanon, Mexico, Pakistan, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics ;

*Against* : Australia, France, Norway, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America ;

*Abstention* : China.

122. The text of the resolution read :

## RESOLUTION VII

### RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION

*The Commission on Human Rights,*

*Having received* Economic and Social Council resolution 545 G (XVIII),

*Having considered* General Assembly resolution 837 (IX) which requests the Commission to complete its recommendations concerning international respect for the right of peoples and nations to self-determination,

*Believing* that the consideration and adoption of measures for promoting the right of self-determination are matters of immediate concern,

*Reaffirms* the recommendations contained in resolutions F I and II adopted by the Commission at its tenth session ;

*Recommends* that in the conduct of the full survey of the status of permanent sovereignty of peoples and nations over their natural wealth and resources due regard shall be paid to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of under-developed countries ;

*Requests* the Economic and Social Council, pursuant to General Assembly resolution 837 (IX), to transmit these recommendations to the General Assembly for consideration at its next regular session.

123. In this resolution, the Commission reaffirmed its recommendations in draft resolutions F I and II by which the General Assembly would establish :

(1) A commission which would conduct a full survey of the status of the right of peoples and nations to “permanent sovereignty over their natural wealth and resources” and to make recommendations, where necessary for strengthening this right ; and

(2) A commission which would examine any situation resulting from alleged denial or inadequate realization of the right of self-determination ; provide its good offices for the peaceful rectification of any such situation ; and, if within six months no adjustment of the situation could be effected, report the facts with appropriate recommendations to the General Assembly.

The Commission further recommended that in the conduct of the survey “due regard shall be paid to the rights and duties of States under international law and to the importance of encouraging international co-operation in the development of under-developed countries”.

124. During the debate, all members of the Commission were agreed that the principle of self-determination should be universally recognized and respected. The opinion was expressed by some members, however, that self-determination was a political principle of the highest importance, but not a fundamental human right. It was pointed out that the Universal Declaration of Human Rights did not mention self-determination as a human right, and the view was expressed that by treating self-determination as a fundamental human right, a course had been adopted which had created dissension in the United Nations and would not attain fruitful results. Certain members also pointed out that in so far as Non-Self-Governing Territories were concerned the Administering Powers could not be held responsible for any obligations other than those laid down in Chapter XI of the Charter. Against this opinion, it was stated that self-determination was a collective right appertaining to all nations and all peoples, and that it was an essential condition for the establishment and realization of all other human rights. Furthermore, it was pointed out that the General Assembly, the highest organ in the United Nations, had reaffirmed the right of self-determination in several of its resolutions.

125. With a view to reaching a general understanding of the meaning of self-determination, a suggestion was put forward that an analytical study of the whole question of self-determination should be made. Such a study might include : “(1) the concept of ‘peoples’ and ‘nations’ ; (2) the essential attributes of the principle of self-determination, including applicable rules of international law ; (3) the relationship between the principle of self-determination and other relevant Charter principles ; (4) the applicability of the principle to peoples and nations which have been, by force or subversion, deprived of their rights to exercise it ; and (5) the economic, social and political conditions under which the exercise of the principle is facilitated.” It was urged that such a study should be undertaken as the first

essential step towards the achieving of constructive results. A general agreement on the concept of "peoples" and "nations", and on the substance of the principle of self-determination, it was thought, would not only meet the requirements of logic and clarity, but would also facilitate the making and adoption of practical and effective recommendations. Such a study, if conducted in an objective and rational manner, would create a favourable atmosphere for the implementation of the right of peoples and nations to self-determination. It was further emphasized that what was intended was not simply an academic exercise for the purpose of preparing definitions but a realistic study of the scope of the application of the principle and of the conditions favourable to its exercise.

126. The majority of the members of the Commission, however, were not in favour of making studies of abstract principles which they nevertheless considered academic. It was said, in the first place, that a definition of the right of peoples and nations to self-determination had already been formulated and was embodied in article 1 of the draft covenants on human rights. Furthermore, it was declared that the issue of self-determination was a live and a burning issue of the deepest immediate concern to hundreds of millions of human beings in many parts of the world. Those millions were fighting for their right to self-determination and were demanding immediate action. Tactics of delay and diversion, such as the formulation of definitions, would only cause exasperation, discord and violence. Practical measures should be taken to expedite the processes by which peoples and nations which were not self-governing or truly independent would be enabled to determine their own political, economic, social and cultural status. The hope was expressed that those who were in a position to do so would make constructive proposals to safeguard their own rights under international law and at the same time to promote a speedy and peaceful realization of the right of self-determination, in order to release the full creative energies of peoples not yet free and to enable them to share in freedom, equality and dignity, the common heritage of all mankind.

127. The principle of self-determination, it was generally agreed, was a universal principle, applicable to all nations and to all peoples in all parts of the world. The majority of the Commission agreed that not only the inhabitants of Non-Self-Governing and Trust Territories, but all peoples everywhere, should have the right to self-determination. Fears were expressed that, as the days of old colonialism were numbered, new forms of colonialism—and of imperialism—were arising. It was stated that several nations and peoples, erstwhile sovereign and independent, were no longer masters of their own destinies. It was also stated that there were States which were theoretically independent, but actually in the grip of economic monopolies, and had become virtual colonies and dependencies of new imperialism. To all such peoples and nations, it was declared, the principle of self-determination should apply.

128. As to what recommendations the Commission should make to implement the right of peoples and nations to self-determination, the majority of the members of the Commission were strongly in favour

of reaffirming the recommendations which the Commission had made at its tenth session in draft resolutions F I and II, namely, the establishment of a survey commission and a good offices commission. Some members, however, were opposed to such recommendations and wanted to adopt a new course of action. It was suggested that the Commission should endeavour to secure observance of civil and political rights throughout the world, rather than reaffirm its recommendations for the creation of two new commissions. It was feared that such commissions, if established, would generate animosity and would not bring about a peaceful atmosphere; and it would create confusion and discord inasmuch as there was no general agreement as to what the term "self-determination" was intended to mean. The majority of the Commission did not wish to deviate from the previous recommendations. It was pointed out that resolution 837 (IX) of the General Assembly was a clear mandate for the commission "to complete", and not to reconsider, its former recommendations.

129. With regard to the establishment of the survey commission, the majority were of the opinion that a full survey of the status of permanent sovereignty over natural wealth and resources would be a most constructive step towards the goal of self-determination. The draft resolution, it was maintained, was directed against exploitation and expropriation alike. It was an attempt to allay all honest apprehensions and doubts. On the one hand, it was said, under no circumstances should a people be deprived of its own means of subsistence through the exploitation of foreign investors; on the other hand, foreign investments should not be expropriated without just and fair compensation and only if warranted by public necessity. It was generally recognized that there should be collaboration between those who were in possession of surplus capital and modern techniques and those who were under-developed and non-self-governing. It was for this reason that the Commission recommended that the survey commission should pay due regard "to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of under-developed countries". At the same time it was said that under no circumstances should this economic collaboration be used for political purposes. Others stated that the General Assembly had directed the Commission itself to give due regard to the factors quoted above before deciding on any recommendation.

130. It was further suggested that, on the basis of a full survey, the United Nations might draw up a social and economic programme with a view to assisting in the development of Non-Self-Governing and under-developed countries or Territories. Such a planned programme, under the auspices of the United Nations, would be the best and most effective form of international co-operation for a full realization of the right of self-determination.

131. Questions were raised as to how certain groups could exercise permanent sovereignty over their natural wealth and resources when they were not yet independent, and how that sovereignty could be permanent. It was said that sovereignty was not inalienable as was shown in the case of voluntary cessions of territory which might be considered as partial renunciations of

sovereignty. On the other hand, it was pointed out that such an abandonment of sovereignty under political pressure had no significance. It was thought, moreover, that before the permanent right to natural wealth could exist there must be some form of independence or sovereignty; and that no voluntary cessions of territory could be likened to a conquest or to the consequence of an imposed treaty.

132. As to the establishment of the good offices commission, the majority of the members of the Commission maintained the view that the new organ was to examine "any situation resulting from alleged denial or inadequate realization of the right of self-determination", and to rectify it, before that situation should become a menace to peace or develop into a virtual state of war. The purpose was to implement the right of self-determination by peaceful means and to avoid bloodshed.

133. Against the proposal it was argued that the establishment of the good offices commission was, in the first place, contrary to the principle of non-intervention in the domestic affairs of States, as provided for in Article 2, paragraph 7, of the Charter and would prematurely establish a permanent body, whereas "a situation" must arise before its peaceful adjustment could

be undertaken as provided for in Article 14 of the Charter, and in the second place constituted an infringement of the authority of the General Assembly since it would exercise the functions of the Assembly General as provided for in Article 14 of the Charter. Furthermore, although the Charter affirmed the principle of self-determination, it did not contain provisions for the establishment of any organ to implement that principle.

134. In reply to those arguments, it was stated, in the first place, that any situation such as was described in Article 14 of the Charter would cease to be a purely domestic issue. The fact that the General Assembly had repeatedly requested the Commission to make recommendations concerning the international respect for the right of self-determination indicated clearly that the issue of self-determination was a matter falling within the competence of the United Nations. In the second place, the good offices commission, being created by the General Assembly, and reporting directly thereto, could not possibly infringe upon the authority of its creator. Finally, it was pointed out that under the Charter the General Assembly could establish any subsidiary organ as it might deem necessary for the performance of any of its functions.

## CHAPTER VII

### DEVELOPMENT OF THE WORK OF THE UNITED NATIONS FOR WIDER OBSERVANCE OF, AND RESPECT FOR, HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS THROUGHOUT THE WORLD

135. Under the item "Development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world", the representative of the United States, at the ninth session of the Commission, submitted three draft resolutions (E/CN.4/L.266/Rev.2, E/CN.4/L.267/Rev.1, E/CN.4/L.268) relating respectively to annual reports on human rights, advisory services and studies on specific aspects of human rights. After a brief discussion the Commission decided to send these draft resolutions and amendments thereto to the Economic and Social Council, with the request that they be forwarded to Member States and to specialized agencies for comments (E/2447, paragraphs 273-284). Pursuant to Council resolution 501 C (XVI) comments were received from the Governments of Afghanistan, Belgium, Burma, Byelorussian SSR, Chile, Denmark, France, Pakistan, Philippines, Sweden, Ukrainian SSR, the United Kingdom of Great Britain and Northern Ireland, and the United States of America (E/CN.4/690 and Add.1-12), and from the ILO and UNESCO (E/CN.4/691 and Add.1).

136. At its eighth session the General Assembly, in resolution 739 (VIII), asked the Commission, through the Council, to consider at its tenth session the three draft resolutions of the United States of America, and to prepare recommendations thereon, in order that these recommendations might be considered by the Economic and Social Council at its eighteenth session.

137. At the tenth session of the Commission, the representative of the United States presented the three

draft resolutions in revised form (E/CN.4/L.266/Rev.3, E/CN.4/L.267/Rev.2, E/CN.4/L.268/Rev.1). Due to lack of time, however, the Commission was unable to give full consideration to the United States proposals. It was understood that the question would be on the agenda for the eleventh session of the Commission (E/2573, paragraphs 339-357).

138. The question was included as item 5 in the agenda of the present session, and was discussed by the Commission at its 506th, 507th, 510th and 511th meetings. The United States representative submitted further revisions of the three draft resolutions (E/CN.4/L.266/Rev.4, E/CN.4/L.267/Rev.3, E/CN.4/L.268/Rev.2 and see paragraphs 161 and 168 of this Report). Statements of financial implications were submitted by the Secretary-General (E/CN.4/L.266/Rev.4/Add.1, E/CN.4/L.267/Rev.3/Add.1, E/CN.4/L.268/Rev.2/Add.1).

139. General observations on the United States proposals as a whole were made by members of the Commission. It was explained that the proposals gave a concrete form to certain items, in particular items D and E, of the future programme of work which had been adopted by the Commission at its current session (see paragraph 85 above). Several representatives expressed general support for the proposals. They emphasized however that those proposals should in no way be considered as a substitute for the covenants on human rights, but rather as complementary to them. Until the covenants came into force, they said, it would be useful to set up some machinery to carry forward the development and promotion of wider respect for, and

observance of, the rights proclaimed in the Universal Declaration. The view was expressed, on the other hand, that the proposals were designed to divert the United Nations from its main task of completing the covenants. Moreover, some of the proposals were in conflict with certain provisions of the Charter.

140. Some representatives were of the opinion that the programme contained in the proposals should be provisional in character and should be maintained only as long as the covenants had not yet entered into force, while others thought that certain aspects of the programme, in particular those relating to technical assistance, would remain of great value even after the adoption and entry into force of the covenants.

141. It was agreed that of the three draft resolutions, the Commission should first take up the draft resolution on technical assistance. At its 511th meeting, the Commission adopted the draft resolution on technical assistance, with amendments, but did not have time to consider the other two draft resolutions nor the draft resolution proposed by the representative of France which was included under item 6 of the Commission's agenda (Annual reports on human rights). The representative of the United States stated that those draft resolutions should have priority on the agenda of the next session, whereupon the Chairman stated that the Commission took note of the statement of the United States representative (E/CN.4/SR.511).

#### A. Technical assistance

142. The Commission at its 511th meeting adopted by 14 votes to 2, with 1 abstention, the following resolution on technical assistance :

#### RESOLUTION VIII

##### HUMAN RIGHTS TECHNICAL ASSISTANCE

##### *The Commission on Human Rights*

*Recommends* that the Economic and Social Council request the General Assembly to adopt the following draft resolution :

##### *The General Assembly,*

[for the text, see annex I, draft resolution D.]

143. In the first two clauses of the preamble reference is made to Articles 55 and 56 of the Charter and to the fact that technical assistance is one of the means of promoting the human rights objectives of the Charter and the Universal Declaration of Human Rights. It was suggested in the course of the discussion that mention should be made of the draft covenants in the preamble in order to avoid any implication that the adoption of the resolution would mean that the completion of the covenants could be postponed or delayed. However, it was contended that such reference was unnecessary since it was already clear from the discussion that the United States proposals were in no way intended as a substitute for the covenants on human rights. This was further made clear by the acceptance by the United States representative of the amendments proposed by the representatives of Chile and the Philippines to the draft resolution on annual reports and on studies of specific aspects of human rights (see paragraphs 167 and 176 below).

144. In the third, fourth and fifth paragraphs of the preamble note is taken of General Assembly resolutions 729 (VIII), 730 (VIII) and 839 (IX) relating respectively to technical assistance in "promoting and safeguarding the rights of women", in the "eradication of discrimination or in the protection of minorities" and in "promoting freedom of information". The fifth paragraph takes cognizance of arrangements previously established by the General Assembly concerning the regular technical assistance programmes and the advisory services of the United Nations. The last paragraph of the preamble recognizes that the specialized agencies are already rendering important services to their members with a view to ensuring effective observance of human rights.

145. Paragraph A, sub-paragraph 1, of the operative part authorizes the Secretary-General, subject to the Council's direction, to make provisions for technical assistance, "at the request of Governments", with respect to the field of human rights as described in paragraph E of the resolution.

146. Several members stressed the value of technical assistance in the field of human rights. It was pointed out that technical assistance was one of the most fruitful achievements of the United Nations. The proposal to extend the technical assistance programme to the field of human rights would fill a gap in the existing technical assistance programme of the United Nations. The General Assembly had already authorized technical assistance with respect to certain human rights. What was proposed in the United States draft resolution was to extend the scope of technical assistance to the whole of the human rights field. On the other hand, a number of members, while they favoured the draft resolution in principle, pointed out the practical difficulties which it raised. They maintained that it would be undesirable to divert technical assistance funds to a new field at a time when the technical assistance programme was gaining momentum. The view was expressed that technical assistance funds should not be used in social fields unless a pressing need for such assistance had been shown to exist. Reference was made to the fact that only one Government so far had made a request under General Assembly resolution 729 (VIII), while no requests had been received under resolutions 730 (VIII) and 839 (IX). It was also pointed out that the Secretary-General, in his statement of financial implications (E/CN.4/L.367/Rev.3/Add.1), stated that the cost of the programme could not be estimated in the absence of information regarding the nature and scope of future requests. It was not proper for the Commission to request the Council and the General Assembly to take action on the proposal without having had any opportunity to examine its budgetary implications.

147. In reply to the objections raised, it was stated that it was not possible to draw a dividing line between economic and social fields for the two were closely inter-related. Moreover it was just as important and essential to promote wider observance of human rights as it was to ensure the economic well-being of peoples. Regarding the fact that only one request had been made so far for technical assistance under Assembly resolution 729 (VIII), it was contended that that fact could hardly be used in evaluating the usefulness of the resolution; a single request might be extremely important. As regards

budgetary implications, it was believed that initially the cost would be low.

148. Paragraph A, sub-paragraph 1, also indicates the form of technical assistance to be rendered, namely, advisory services of experts, fellowships and scholarships, and seminars. Provisions for technical assistance are to be made by the Secretary-General "with the co-operation of the specialized agencies where appropriate and without duplication of their existing activities". A clause providing for consultation by the Secretary-General in his discretion, with non-governmental organizations having consultative status was deleted, on the proposal of the representative of the United Kingdom, by 10 votes to 5, with 2 abstentions. It was pointed out that it would not seem advisable that non-governmental organizations should be consulted in the actual operation and administration of technical assistance programmes. With respect to co-operation with specialized agencies, the opinion was expressed that a certain ambiguity existed in the text. Co-operation with the specialized agencies was to be sought "without duplication of their existing activities". The meaning of "existing activities" was not clear. It was pointed out that under paragraph D the specialized agencies were requested to "continue to develop their technical assistance activities with a view to aiding Members to further the effective observance of human rights". On the other hand, under paragraph A, sub-paragraph 1, the specialized agencies were to extend their co-operation "without duplication of their existing activities."

149. Sub-paragraph 2 of paragraph A authorizes the Secretary-General "to take the programme authorized by this resolution into account in preparing the budgetary estimates of the United Nations". Doubts were expressed during the discussion as to whether funds would be available to finance the programme envisaged in the resolutions. It was also asked whether the programme envisaged would fall under the regular technical assistance programme or under the expanded programme or whether it would be a third kind of programme. It was explained, in reply, that the programme envisaged in the resolution would be part of the regular technical assistance programme of the United Nations. It was not even absolutely essential that the programme contemplated should come under the heading of technical assistance in the budget. There was need for flexibility, and the Secretary-General did not have to make rigid budgetary allocations.

150. Paragraph B of the operative part lays down policies which should guide the Secretary-General in undertaking the performance of technical assistance. It was explained that these policies were in conformity with policies previously established by the General Assembly concerning the regular programmes of technical assistance and advisory services of the United Nations.

151. In paragraph C, the Secretary-General is requested to report regularly to the Commission on Human Rights and the Commission on the Status of Women on measures taken by him in compliance with this resolution. In an earlier draft (E/CN.4/L.267/Rev.3) the clause reading "and to request these Commissions to formulate recommendations from time to time concerning the continued action required to carry

on this assistance" was included at the end of the paragraph. This was objected to on the ground that it was doubtful whether any commission was competent to perform the function of reviewing the actual operation of technical assistance programmes. In view of such objection, the clause was deleted by the sponsor from the revised text (E/CN.4/L.413).

152. Paragraph D "recommends that the specialized agencies continue to develop their technical assistance activities" to further effective observance of human rights. The view was expressed that this paragraph was unnecessary. It was, however, pointed out that certain specialized agencies had considered the paragraph useful and had welcomed it.

153. Paragraph E provides that "the above assistance shall be applicable to any subject in the field of human rights, including all rights enumerated in the Universal Declaration of Human Rights and in the draft covenants on civil and political rights and on economic, social and cultural rights, in addition to the subjects covered by the existing resolutions of the General Assembly provided however that the subject shall be one for which adequate assistance is not available through a specialized agency and which does not fall within the scope of existing technical assistance programmes".

154. The text of paragraph E had been revised several times by the representative of the United States in an effort to meet general agreement. As originally drafted (E/CN.4/L.267/Rev.3), the text is as follows:

"E. *Selects* the following as subjects to which the above assistance would be applicable:

(a) Improvement of procedures under criminal and civil law;

(b) Increased participation in national and community civic affairs;

(c) Promoting and safeguarding the rights of women;

(d) Promoting freedom of information;

(e) Abolishing slavery and institutions and practices akin thereto;

(f) Prevention of discrimination and the protection of minorities; and

(g) Establishment of non-governmental and governmental bodies for the protection of basic human rights."

155. Objections were raised on the grounds that the wording of the paragraph seemed to restrict the initiative of Governments, which was contrary to the general policy and practice of the United Nations in regard to technical assistance in general. It should be the Governments themselves which should determine in the first place on what matter they needed technical assistance. Moreover, although the list given dealt generally with recognized rights, it was a selective list. The view was also expressed that the list omitted certain very important rights such as the right of self-determination, and economic, social and cultural rights. Attention was also drawn to the desirability of applying technical assistance measures, not only to political rights, but also to economic, social and cultural rights. It was stated that preference should be given to economic and social rights, since

these rights were of great importance to under-developed countries. While emphasizing that the enumeration of rights was intended merely to serve as a guide, the sponsor of the draft resolution, in order to meet the objections raised to the listing of the rights, agreed to revise paragraph E (E/CN.4/L.413). In this revision, paragraph E read as follows:

“E. The above assistance shall be applicable to:

(a) Promoting and safeguarding the rights of women;

(b) Promoting freedom of information;

(c) Prevention of discrimination and the protection of minorities; and

(d) Any other subject in the field of human rights for which adequate advisory assistance is not available through a specialized agency and which does not fall within the scope of existing technical assistance programmes.”

It was explained that reference to specific subjects, namely, the promotion and safeguarding of rights of women, the promotion of freedom of information and the prevention of discrimination and protection of minorities, was maintained in the list to avoid a possible construction of the resolution as repealing resolutions 729 (VIII), 730 (VIII) and 839 (IX) of the General Assembly. Sub-paragraph (d) was an omnibus clause designed to cover the entire field of human rights.

156. Objections were raised to the way in which the rights as listed were formulated. It was pointed out, for example, that sub-paragraph (a) related merely to promoting and safeguarding “the rights of women”, whereas it was important to stress “equal rights of men and women to the enjoyment of all political, social and economic rights”. Regarding sub-paragraph (c) on prevention of discrimination and protection of minorities, it was maintained that mention should also be made of “measures to combat manifestations of national and racial hostility”. In reply to these objections, it was pointed out that the formulation of sub-paragraphs (a), (b) and (c) merely followed the wording of General Assembly resolutions 729 (VIII), 730 (VIII) and 839 (IX). It was unnecessary to embark on a lengthy discussion as to formulation, since the rights listed were intended merely to serve as a guide to Governments in making their requests.

157. The representative of the USSR submitted an amendment (E/CN.4/L.414) to the revised text of paragraph E (E/CN.4/L.413). The amendment would add to sub-paragraph (a) the words “and ensuring the equal right of men and women to the enjoyment of all political, social and economic rights”. The amendment would also add to sub-paragraph (c) the words “questions concerning the combating of manifestations of national and racial hostility”. It proposed additional subjects, namely, implementation of the right of peoples and nations to self-determination, including sovereignty over their natural wealth and resources; implementation of the right to take part in the government of the State on the basis of universal equal and direct suffrage by secret ballot; implementation of the right to freedom of association, including the right to form trade unions unhampered in the fulfilment of their functions; and implementation of basic economic and social rights, including such rights as the right to work, social insur-

ance and social security, the right to leisure, the right to education and medical aid, and others. It further proposed the insertion in sub-paragraph (d) of the revised United States text of the phrase “including all rights enumerated in the Universal Declaration of Human Rights and the draft covenants on civil and political rights and on economic, social and cultural rights”. In support of the amendment it was explained that the rights proposed to be added were important ones, were defined in the Universal Declaration and in the draft covenants and were in conformity with the adopted programme of future work of the Commission. The amendment was opposed by some members, however, on the ground that it tried to inject highly controversial subjects into the resolution. It was pointed out that there was general agreement in principle on the need to extend technical assistance to the whole area of human rights. In the opinion of those representatives it was undesirable to give a list since it would inevitably suggest priorities and would give rise to the implication that the rights omitted were less important.

158. On the suggestion of the representative of Greece and in a further effort at compromise, the United States representative orally revised the text of paragraph E to read as follows: “The above assistance shall be applicable to any subject in the field of human rights, in addition to the subjects covered by the existing resolutions of the General Assembly, provided, however, that the subject shall be one for which adequate advisory assistance is not available through a specialized agency and which does not fall within the scope of existing technical assistance programmes”. In an attempt to reach agreement the representatives of Egypt, Greece, India, the Philippines and the USSR proposed to add after the words “in the field of human rights” the phrase “including all rights enumerated in the Universal Declaration of Human Rights and in the draft covenants on civil and political rights and the draft covenant on economic, social and cultural rights”. This amendment was opposed by some members on the ground that it would be improper to include a reference to the rights enumerated in the draft covenant because the final formulation of the rights was yet to be decided by the General Assembly. The amendment, which was not accepted by the representative of the United States of America, was voted in parts. The first part reading “including all rights enumerated in the Universal Declaration of Human Rights” was adopted unanimously. The remaining part was adopted by 10 votes to 7. The paragraph as a whole as amended was adopted by 14 votes to 3. In view of the adoption of the joint amendment, the representative of the USSR did not press for a vote on his amendment (E/CN.4/L.414) after pointing out that the proposals contained in the amendment had been included in the text adopted by the Commission.

159. In paragraph F the specialized agencies are invited to communicate to the Council, for transmission to the Commission on Human Rights “any observations which they may deem appropriate on the above assistance and on any new measures of assistance which they may deem necessary with a view to assisting Members in furthering the effective observance of human rights”. Doubts were raised concerning the kind of “observations” which the specialized agencies were requested to submit under this paragraph.

160. Paragraph G "expresses the hope" that any international, national, non-governmental organizations, universities, philanthropic foundations and other private groups will supplement the programme of the United Nations.

### B. Annual reports

161. The draft resolution on annual reports (E/CN.4/L.266/Rev.4) was as follows :

#### *The Commission on Human Rights*

*Considering* that by Articles 55 and 56 of the Charter the Members of the United Nations have pledged to take joint and separate action to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Considering* that the Universal Declaration of Human Rights sets forth the goals toward which all Members of the United Nations should strive, both by their own efforts and through international co-operation, in the promotion of human rights and that the Declaration has inspired Governments and peoples in the writing of their constitutions and laws and in the preparation of international conventions for the protection of human rights,

*Desiring* to advance as rapidly as possible respect for, and observance of, human rights and fundamental freedoms and to stimulate Governments of Member States to press forward toward attaining the goals set forth in the Universal Declaration of Human Rights,

*Desiring* to obtain from each Member of the United Nations informations on developments and progress achieved in the field of human rights and measures taken to safeguard human liberty in its metropolitan area and Non-Self-Governing Territories,

*Having adopted* as part of its programme of future work :

Consideration of general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty on a world-wide basis, taking into account information furnished for publication in the Yearbook on Human Rights, and additional reports from Member States and from specialized agencies pursuant to the terms of any further specific resolution with respect to reports adopted by the Commission,

*Bearing in mind* the special responsibilities of other organs of the United Nations and of the specialized agencies in the promotion of human rights and the facilities the latter may have for obtaining necessary information from their Members :

1. *Decides* to consider general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty, taking into account information furnished for publication in the Yearbook on Human Rights and additional reports from Member States and from specialized agencies ; and to transmit to the Economic and Social Council such comments and conclusions on the information and reports as it deems appropriate ;

#### 2. *Recommends*

(a) That each Member transmit annually to the Secretary-General a report on developments and

progress achieved in the field of human rights and measures taken to safeguard human liberty in its metropolitan area and Non-Self-Governing Territories, such report to supplement the information furnished for publication in the Yearbook on Human Rights and to make reference to any relevant portions of reports already submitted to another organ of the United Nations or to a specialized agency ;

(b) That in respect of rights coming within the purview of the specialized agencies, the latter transmit annually to the Secretary-General a report on a topical basis summarizing the information contained in the reports which they receive from their Members, together with an analysis of this information ; and

(c) That these reports deal in particular with the right or group of rights currently selected for study by the Commission on Human Rights ;

3. *Calls the attention* of each Member State to the advisability of setting up an advisory body, composed of experienced and competent persons, to assist their Government in the preparation of its report ;

4. *Requests* the Secretary-General to prepare a brief summary and analysis of the reports upon a topical basis ;

5. *Requests* the Economic and Social Council to invite the specialized agencies to co-operate in the full realization of the aims set forth in this resolution.

162. It was pointed out that the above draft resolution, unlike the earlier drafts, was being put forward as a resolution of the Commission itself. It was also explained that in the revised draft resolution due regard had been taken not only of certain constructive suggestions by Governments, but also of the resolution on programme of future work adopted by the Commission at its current session (see paragraph 85 above). Under point D of that resolution the Commission would consider general developments and progress achieved in the field of human rights and measures taken to safeguard human liberty on a world-wide basis, taking into account information furnished for publication in the Yearbook on Human Rights and "additional reports from Member States and from specialized agencies pursuant to any further specific resolution with respect to reports adopted by the Commission". It was the purpose of the present draft resolution to implement that work programme. In order to integrate the reporting system with the Yearbook, the reports were to be annual, instead of biennial, as previously proposed. It was pointed out that the reports were to supplement the information furnished for publication in the Yearbook on Human Rights, thus avoiding repetitious information. The Commission would take these reports into account, in addition to information contained in the Yearbook, in its consideration of the general developments and progress achieved in the field of human rights and of the measures taken to safeguard human liberty. The Secretary-General was to prepare a brief summary and analysis of the reports upon a topical basis in order to facilitate their consideration by the Commission.

163. The discussion of this draft resolution was incomplete. Some members reserved the right to make their observations when the draft resolution was taken up and the sponsor reserved her right to reply to the

observations and amendments after all members had had an opportunity to express their views. A number of representatives raised objections and doubts concerning certain points of the draft resolution. Doubts were raised in particular with regard to the first paragraph of the operative part which would have the Commission examine the reports and transmit to the Economic and Social Council such comments and conclusions thereon as it would deem appropriate. It was pointed out that the purpose of the system of reports should mainly be the organization of international assistance to States which needed it, rather than an attempt at international supervision of the observance by States of their obligations in the field of human rights. The Commission should not confer upon itself the right to judge, criticize or scrutinize the actions of governments. The Commission, which consisted of representatives of Governments and whose work could not be considered strictly or exclusively technical, was not equipped to undertake the analysis and study of the reports.

164. Doubts were also expressed concerning the reference to "Non-Self-Governing Territories" in subparagraph (a) of the second paragraph of the operative part. It was pointed out that this reference seemed to direct information on Non-Self-Governing Territories to new channels and tended to change drastically the system envisaged in the Charter and that it might undermine the work of the Committee on information from Non-Self-Governing Territories. On the other hand, it was stated that the reference to "Non-Self-Governing Territories" was not intended to replace the information being submitted pursuant to Article 73 e of the Charter. The information to be submitted to the Commission would be that relating in particular to human rights and was intended to supplement information being submitted to other organs of the United Nations.

165. The question was also raised regarding the interpretation to be given to paragraph 4 of the operative part concerning the preparation by the Secretary-General of "a brief summary and analysis of the reports upon a topical basis". It was pointed out that "summary" and "analysis" had different meanings, since an "analysis" would involve some judgment. The meaning of the term should be made clear. Moreover, it should be made clear whether the "analysis" by the Secretary-General would entail the making of recommendations to Governments.

166. It was said that the draft resolution was intended to divert the Commission and the United Nations from their tasks as laid down in the Charter. It was said that to impose on a State the obligation to account to the United Nations by submitting reports on the observance of human rights within its territories and to grant the United Nations the right to make recommendations on such reports, with the exception of reports on Non-Self-Governing Territories, was inconsistent with the principle of sovereignty of States and therefore with the Charter.

167. The representatives of Chile and the Philippines submitted an amendment (E/CN.4/L.411) to add the following clause as the first paragraph of the preamble: "Convinced that certain positive steps to promote respect for, and observance of, human rights and fundamental freedoms can be taken without prejudice to the

adoption and ratification of the covenants on human rights, including the measures of implementation provided therein." It was explained that the purpose of the amendment was to make it clear that the resolution was not intended to obstruct or retard the adoption of the covenants on human rights. The amendment was accepted by the sponsor of the draft resolution (E/CN.4/SR.510).

### C. Studies of specific aspects of human rights

168. The text of the draft resolution on studies of specific aspects of human rights (E/CN.4/L.268/Rev.2) is as follows:

#### *The Commission on Human Rights*

*Desiring* to strengthen the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms on a world-wide basis,

*Having adopted* as a part of its programme of future work:

"The undertaking of studies of specific rights or groups of rights on a world-wide basis, stressing general developments, progress achieved, and measures taken to safeguard human liberty, with such recommendations as may be necessary",

*Bearing in mind* the special responsibilities of the specialized agencies as regards certain human rights,

#### 1. *Decides*

(a) To initiate a series of studies of specific aspects of human rights on a world-wide basis and stress in these studies general developments, progress achieved and measures taken to safeguard human liberty, with such recommendations as may be necessary; and

(b) To select specific subjects for study, provided that no subject shall be selected which can more appropriately be studied by another organ of the United Nations or by the specialized agencies;

2. *Requests* the Secretary-General to appoint as an expert adviser for each subject selected by the Commission for study, a person of high standing and of recognized competence in the particular subject, who shall

(a) Prepare the study of the subject in his own name and under his own responsibility, utilizing published material and written statements necessary for the study, with such assistance from the Secretariat as he may require; including access to the same information provided the Commission on Human Rights with respect to communications concerning human rights under Economic and Social Council resolution 75 (V), as amended; and

(b) Assist the Commission in its consideration of the study;

3. *Requests* the Economic and Social Council to invite the specialized agencies to co-operate in carrying out this resolution; and

4. *Decides* to approve as its first subject for study the right of everyone to be free from arbitrary arrest, detention and exile.

169. It was explained that the revised draft resolution had been shortened considerably. This draft, like

those on annual reports and technical assistance, had been integrated with the programme of future work adopted by the Commission. Thus, in the second paragraph of the preamble, reference is made to point E of the Commission's programme of future work.

170. In the first paragraph of the operative part, it is provided that the Commission would "initiate a series of studies of specific aspects of human rights on a world-wide basis and stress in these studies general developments, progress achieved and measures taken to safeguard human liberty, with such recommendations as may be necessary". It was pointed out that the inclusion of the phrase "with such recommendations as may be necessary" in the draft resolution reflected the view expressed in the course of the debate on the Commission's programme of future work that studies should not remain theoretical and academic.

171. The selection of the subject of study is left to the Commission, with the proviso that no subject should be selected which can be more appropriately studied by another organ of the United Nations or by the specialized agencies. A suggestion was made that this clause should be drafted in a positive form.

172. The draft resolution further provides that the first subject for study would be "the right of everyone to be free from arbitrary arrest, detention and exile". The subject, it was explained, was one on which Governments had been requested to furnish statements for the 1955 Yearbook on Human Rights. On the other hand, the view was expressed that questions of a political nature should not be selected since they might occasion controversy and disagreement. It would be preferable to choose other rights which were not political in nature and which would be in keeping with the programme of the United Nations and with the needs of under-developed countries.

173. Regarding the method of study, it is proposed in operative paragraph 2 that the Secretary-General appoint an expert adviser who shall prepare the study in his name and on his own responsibility. The importance of the studies being undertaken by an independent expert was stressed. Some representatives, however, were opposed to the idea of entrusting the studies to

experts not responsible to anyone. It was also argued that the draft resolution would convert the Commission into a study sub-commission and would transfer the Commission's responsibilities, which it derived from Article 68 of the Charter, to a private individual who would not be responsible to anyone. That would be equivalent to liquidating the Commission.

174. With regard to the sources of information for the studies, paragraph 5 provides that the expert in preparing the study would utilize "published material and written statements necessary for the study, with such assistance from the Secretariat as he may require; including access to the same information provided the Commission on Human Rights with respect to communications concerning human rights under Economic and Social Council resolution 75 (V), as amended". It would be the duty of the expert to screen the "published" material, leaving out material which was purely propaganda. Some doubts were expressed concerning the placing of communications at the disposal of the expert, in accordance with the procedure laid down in Council resolution 75 (V). It was stated that the Commission itself was not agreed on that procedure.

175. Against this draft resolution the objection was raised that, like the one on annual reports, it was intended to divert the Commission's attention from its main work in connexion with the draft covenants on human rights, since some members did not support some of the rights included in the draft covenants.

176. An amendment was submitted by the representatives of Chile and the Philippines (E/CN.4/L.412) which would add at the end of the first paragraph of the preamble the following words: "without prejudice to the adoption and ratification of the covenants on human rights including the measures of implementation provided therein." The amendment was accepted by the sponsor of the draft resolution (E/CN.4/SR.510).

177. The discussion of this draft resolution was incomplete. Some members reserved the right to make their observations when the resolution was taken up in detail and the sponsor reserved her right to reply to the observations and amendments after all members had had an opportunity to express their views.

## CHAPTER VIII

### REPRESENTATION OF THE COMMISSION ON THE STATUS OF WOMEN AT SESSIONS OF THE COMMISSION ON HUMAN RIGHTS

178. The Economic and Social Council adopted at its nineteenth session (845th meeting held on 6 April 1955) a resolution requesting the Commission "to invite the Commission on the Status of Women to send a representative to participate without vote in its deliberations, when questions of direct concern to the Commission on the Status of Women are on the agenda." This

resolution was brought to the attention of the Commission in a note by the Secretary-General (E./CN.4/715).

179. The matter was considered by the Commission at its 487th meeting. The Commission decided to invite the Commission on the Status of Women to send a representative to participate without vote in discussions on questions of direct concern to that Commission.

**CHAPTER IX**  
**COMMUNICATIONS**

180. The 508th meeting was held in closed session to consider item 20 (a) of the Agenda and to receive the confidential list of communications (HR/Communications List No. 5 and Addenda 1 and 2) and observations from Governments (HR/Communications Nos. 53-72) prepared by the Secretary-General in accordance with Economic and Social Council resolutions 75 (V), 192 A (VIII), 275 B (X) and 455 (XIV). A non-confidential list of communications (E/CN.4/CR.24) dealing with the principles involved in the promotion of universal respect for, and observance of, human rights had previously been circulated to the members of the Commission. The confidential list contained summaries of, or references to, 5,982 communications received during the period 31 December, 1953 to 15 January 1955. Of this total 2,740 alleged violations of freedom of religion and 2,570 violations of human rights on political grounds. Other communications alleged discrimination and violations of the rights of minorities (27), violations of trade union

rights (23), arbitrary arrest and detention (23), violations of the right of asylum (17), denial of the right to a fair trial (15), the practice of forced labour (13), violations of the right to work and to just and favourable conditions of work (12) and violations of the right of self-determination (12). The remaining communications concerned a variety of subjects, such as conscientious objection to military service, cruel and inhuman punishment, educational rights, fair elections, family rights, freedom of assembly, freedom of expression, freedom of information and of the press, freedom of movement, genocide, marriage rights, the right to nationality, old age rights, property rights, refugees, rights of the child, slavery and the status of women.

181. The Commission decided by 14 votes to none with 3 abstentions to take note of the distribution of the lists of communications. It also decided, unanimously, to make public the summary record of the meeting.

**CHAPTER X**  
**NEXT SESSION OF THE COMMISSION**

182. At the 513th meeting the representative of the USSR proposed that the next session of the Commission be held in Geneva. The attention of the Commission was drawn by the representative of the Secretary-General to General Assembly resolution 790 (VIII) requesting organs of the United Nations to adhere to the pattern of conferences established for 1954-1957. The Commission adopted by 12 votes to 1 with 3 abstentions the following resolution :

**RESOLUTION IX**

PLACE OF MEETING OF THE NEXT SESSION OF THE COMMISSION

*The Commission on Human Rights*

*Recommends* to the Economic and Social Council to decide that the Commission on Human Rights shall meet at Geneva in 1956.

**CHAPTER XI**  
**ADOPTION OF THE REPORT OF THE ELEVENTH SESSION OF THE  
COMMISSION TO THE ECONOMIC AND SOCIAL COUNCIL**

183. The Commission considered the draft report of its eleventh session (E/CN.4/L.405 and Add.1-10) at its 512th and 513th meetings and adopted it unanimously.

## ANNEXES

### ANNEX I

#### Draft resolutions for the Economic and Social Council

##### A

###### STUDY OF DISCRIMINATION IN THE MATTER OF EMIGRATION, IMMIGRATION AND TRAVEL<sup>4</sup>

*The Economic and Social Council,*

*Recalling* that, in the work programme established by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifth session and approved by the Commission on Human Rights and the Council, it was provided that among the measures to combat discrimination the Sub-Commission would study would be those in the field of immigration and travel,

*Recalling* that at its sixth session the Sub-Commission decided that the study should cover not only immigration and travel but also emigration,

*Recalling* that at its tenth session the Commission drew the attention of the Sub-Commission to the observations made upon a proposal (subsequently withdrawn) under which, *inter alia*, the words "immigration and travel" in resolution D of the Sub-Commission would have been replaced by the words "the right to return to one's country as provided in paragraph 2 of article 13 of the Universal Declaration of Human Rights";

*Recalling further* that in its resolution 545 D (XVIII) of 29 July 1954 the Council requested the Sub-Commission "to take as the objective of its study in this field paragraph 2 of article 13 of the Universal Declaration of Human Rights",

1. *Considers* that the study of discrimination in immigration is of fundamental importance and has already been included in the programme of work of the Sub-Commission;

2. *Decides* that the Sub-Commission is not precluded from undertaking a study on the question of discrimination in immigration.

##### B

###### STUDIES IN THE FIELD OF DISCRIMINATION TO BE UNDERTAKEN BY THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES<sup>5</sup>

*The Economic and Social Council,*

*Having considered* chapter IV of the report of the eleventh session of the Commission on Human Rights (E/2731), which relates to the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/711),

*Noting*, at its seventh session, that the Sub-Commission completed the discussion of the preliminary reports

<sup>4</sup> See resolution II of the Commission in paragraph 49, and paragraphs 50-53 of this report.

<sup>5</sup> See resolution III of the Commission in paragraph 57, and paragraphs 54-65 of this report.

on the procedure to be followed in carrying out studies of discrimination in 1955 in the matter of:

(a) Political rights mentioned in the Universal Declaration of Human Rights (E/CN.4/Sub.2/165),

(b) Religious rights and practices (E/CN.4/Sub.2/162), and

(c) Emigration, immigration, and travel (E/CN.4/Sub.2/167),

*Considering* that both the Council and the Commission had agreed that a new study in one of the above-mentioned fields should be undertaken in 1955, whether or not the study of discrimination in education had been completed,

1. *Expresses* its deep regret that notwithstanding such approval the necessary steps were not taken to make such a study in 1955 possible;

2. *Commends* the Sub-Commission for its efforts and endorses the programme of work which it has adopted;

3. *Approves* the decision of the Sub-Commission to undertake two further studies in the field of discrimination in 1956 in order not to delay its work and expresses the opinion that if this proves impossible, one further study should be undertaken in 1956 in any case and another in 1957;

4. *Expresses* the hope that the specialized agencies and the non-governmental organizations concerned will continue to give the Sub-Commission all the co-operation and assistance it may require, and that the Commission on the Status of Women will continue to co-operate with the Sub-Commission;

5. *Hopes* that sufficient understanding will be shown by the appropriate authorities of the United Nations in the future of the importance of the work of the Sub-Commission and its needs, and that adequate financial and administrative arrangements will be made to enable the Sub-Commission to pursue its work without delay;

6. *Requests* the Secretary-General to take adequate measures with a view to providing the Sub-Commission with the necessary financial and administrative assistance to enable it to pursue its studies without delay.

##### C

###### RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION<sup>6</sup>

*The Economic and Social Council,*

*Having considered* General Assembly resolution 837 (IX) which requests the Commission on Human Rights to complete its recommendations concerning the international respect for the right of peoples and nations to self-determination,

<sup>6</sup> See resolution VII of the Commission in paragraph 122, and chapter V of this report.

Noting that the Commission, at its eleventh session, reaffirmed the recommendations contained in resolution F I and II adopted by the Commission at its tenth session,

Transmits to the General Assembly, pursuant to its resolution 837 (IX), the following draft resolutions, proposed by the Commission, for consideration and adoption :

## I

*The General Assembly,*

“Noting that the right of peoples and nations to self-determination as affirmed in the two draft covenants completed by the Commission on Human Rights includes ‘permanent sovereignty over their natural wealth and resources’,

“Believing it necessary to have full information at its disposal regarding the actual extent and character of this sovereignty,

“1. *Decides* to establish a commission consisting of to conduct a full survey of the status of this basic constituent of the right to self-determination with recommendations, where necessary, for its strengthening; and that in the conduct of the full survey of the status of permanent sovereignty of peoples and nations over their natural wealth and resources due regard shall be paid to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of under-developed countries;

“2. *Invites* the regional economic commissions and the specialized agencies to co-operate with the Commission in its task;

“3. *Requests* the commission to report to the Economic and Social Council at its twentieth session;

“4. *Requests* the Secretary-General to provide the commission with the necessary staff and facilities.”

## II

*The General Assembly,*

“Recalling that it is among the purposes and principles of the United Nations to develop friendly relations based on respect for the principle of equal rights and self-determination of peoples,

“Recalling further that under Article 14 of the Charter, the General Assembly may recommend measures for the peaceful adjustment of any situation regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations,

“Considering that inadequate realization of the right to self-determination not only undermines the basis of these friendly relations as defined in the Charter but also creates conditions which may prevent further realization of the right itself,

“Believing that such a situation is contrary to the purposes and principles of the United Nations and that its peaceful rectification is therefore a matter of immediate concern,

“1. *Decides* to establish a commission consisting of the representatives of with the following terms of reference :

“(1) The commission shall examine any situation resulting from alleged denial or inadequate realization of the right of self-determination, which falls within the scope of Article 14 of the Charter and to which the commission’s attention is drawn by any ten Members of the United Nations ;

“(2) The commission shall provide its good offices for the peaceful rectification of any situation it is required to examine ;

“(3) If within six months no adjustment of the situation can be effected to the satisfaction of the parties concerned the commission shall report the facts with appropriate recommendations to the General Assembly.

“2. *Requests* the Secretary-General to provide the commission with the necessary staff and facilities.”

## D

### HUMAN RIGHTS TECHNICAL ASSISTANCE<sup>7</sup>

*The Economic and Social Council,*

*Requests* the General Assembly to adopt the following draft resolution :

*The General Assembly,*

“Considering that by Articles 55 and 56 of the United Nations Charter the Members of the United Nations have pledged themselves to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

“Recognizing that technical assistance, by the international interchange of technical knowledge through international co-operation among countries, represents one of the means by which it is possible to promote the human rights objectives of the United Nations Charter and the Universal Declaration of Human Rights,

“Taking note of resolution 729 (VIII) of the General Assembly authorizing the Secretary-General to render, at the request of Member States, services which do not fall within the scope of existing technical assistance programmes, in order to assist these States in promoting and safeguarding the rights of women,

“Taking note of resolution 730 (VIII) of the General Assembly authorizing the Secretary-General to render, at the request of any State Member of the United Nations, technical advice and other services which do not fall within the scope of existing technical assistance programmes, in order to assist the Government of that State within its territory in the eradication of discrimination or in the protection of minorities or both,

“Taking note of resolution 839 (IX) of the General Assembly authorizing the Secretary-General to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist these States in promoting freedom of information,

“Taking account of the arrangements previously established by the General Assembly concerning the regular technical assistance programme and the advisory services of the United Nations (resolutions 200 (III), 246 (III), 305 (IV), 418 (V), 518 (VI), and 725 (VIII)),

<sup>7</sup> See paragraphs 143-160 of this report.

“Considering that the specialized agencies, within their competence and by virtue of their regular programmes of technical assistance, are already rendering important services to their Members with a view to ensuring the effective observance of human rights:

“A. *Authorizes* the Secretary-General

“1. Subject to the directions of the Economic and Social Council, to make provision for the following forms of technical assistance at the request of Governments, with the co-operation of the specialized agencies where appropriate and without duplication of their existing activities, with respect to the field of human rights as described in paragraph E below:

“(a) Advisory services of experts;

“(b) Fellowships and scholarships; and

“(c) Seminars;

“2. To take the programme authorized by this resolution into account in preparing the budgetary estimates of the United Nations;

“B. *Requests* the Secretary-General to undertake the performance of the assistance as provided in paragraph A.1 above, in agreement with the Governments concerned, on the basis of requests received from Governments and in accordance with the following policies:

“1. The kind of service to be rendered to each country under paragraph A.1 (a) shall be decided by the Government concerned;

“2. The selection of the persons under paragraph A.1 (b) shall be made by the Secretary-General on the basis of proposals received from Governments, which shall indicate their preferences with regard to host countries, and those persons shall be acceptable to the host countries;

“3. The amount of assistance and the conditions under which they are to be rendered shall be decided by the Secretary-General with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting Government shall be expected to assume responsibility, as far as possible, for all or a considerable part of the expenses connected with the assistance furnished to it, either by making a contribution in cash, or in form of services for the purpose of the programme being carried out;

“C. *Requests* the Secretary-General to report regularly to the Commission on Human Rights and as appropriate to the Commission on the Status of Women on the measures which he takes in compliance with the terms of this resolution;

“D. *Recommends* that the specialized agencies continue to develop their technical assistance activities with a view to aiding Members to further the effective observance of human rights;

“E. *Decides* that the above assistance shall be applicable to any subject in the field of human rights, including all rights enumerated in the Universal Declaration of Human Rights and in the draft covenants on civil and political rights and on economic, social and cultural rights, in addition to the subjects covered by the existing resolutions of the General Assembly, provided however that the subject shall be one for which adequate advisory assistance is not available through a specialized agency and which does not fall within the scope of existing technical assistance programmes;

“F. *Invites* the specialized agencies to communicate to the Economic and Social Council, for transmission to the Commission on Human Rights, any observations which they may find appropriate on the above assistance and on any new measures of assistance which they may deem necessary with a view to assisting Members in furthering the effective observance of human rights; and

“G. *Expresses* the hope that international and national non-governmental organizations, universities, philanthropic foundations and other private groups will supplement this United Nations programme with similar programmes designed to further research and studies, the exchange of information and assistance in the field of human rights.”

## E

### REPORT OF THE COMMISSION ON HUMAN RIGHTS ON ITS ELEVENTH SESSION

*The Economic and Social Council*

*Takes notes* of the report of the Commission on Human Rights on its eleventh session.

## ANNEX II

### Financial implications of resolutions of the Commission (prepared by the Secretariat)

#### A. YEARBOOK ON HUMAN RIGHTS<sup>8</sup>

##### *Financial implications of the draft resolution E/CN.4/L.387/Res.2*

1. The operative parts of the resolution call for:

(a) The inclusion in the Yearbook for 1955 and for subsequent years of a new section containing statements furnished by Governments on specific rights or categories of rights, and

(b) The inclusion in the Yearbook each year of a bibliographical index of works and studies relating to human rights.

Both proposals, if implemented, would entail additional budgetary expenses.

2. Concerning the first proposal, the estimated extra cost would be \$3,600 in 1956 and about \$7,200 annually thereafter to provide additional staff assistance to the editor of the Yearbook as from mid-1956. It would be the responsibility of the editor, so assisted, to undertake suitable abridgments of the material submitted so as

<sup>8</sup> See resolution I of the Commission in paragraph 28 of this report.

to restrict the Yearbook to its present size. On this basis no additional printing cost would be incurred.

3. In this connexion, however, the Secretary-General wishes to point out that any such addition to personnel would make it difficult for him to maintain his establishment within the target level.

4. Concerning the proposal for a bibliography, the estimated direct extra cost, assuming the text to be about 20 pages per volume, would be about \$2,000 for production, and \$1,050 for printing, or a total of some \$3,050 per annum.

5. In giving a financial estimate for the proposed bibliography, the Secretary-General wishes to call the attention of the Commission to the fact that under the new UN publishing programme, a systematic effort has been made in recent months to eliminate the printing of lengthy bibliographies in favour of an arrangement under which bibliographical material is made available at the UN Headquarters Library. The Secretary-General would urge the Commission to consider such an alternative in place of the proposed bibliography.

#### B. STUDIES IN THE FIELD OF DISCRIMINATION TO BE UNDERTAKEN BY THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES<sup>9</sup>

1. The Secretary-General anticipates that the study of discrimination in education will either be completed for the eighth session of the Sub-Commission in 1956 or will at least be so far advanced that one further study could be undertaken with the existing staff. It can be assumed that the collection of material for such an additional world-wide study, the compilation and arrangement of the material, country by country, the transmission of the material thus compiled to the Governments of States Members and non-Members of the United Nations, the receipt and study of the replies from Governments and the preparation of the general evaluation of the material by the Rapporteur together with the production and translation of the Rapporteur's report would require the whole time between the eighth session of the Sub-Commission, at the beginning of 1956, and the end of 1957. The report would thus be available for the tenth session of the Sub-Commission to be held at the beginning of 1958. If the Sub-Commission should proceed, in 1956, with one further study to be completed for the 1958 session of the Sub-Commission, the Secretariat assistance for this purpose could be rendered by the staff provided for in the "target organization" for the Secretariat as it will be reflected in the Budget Estimates for 1956.

2. If, on the other hand, two studies were to be commenced in 1956 and to be carried out simultaneously in 1956 and 1957, it would be necessary to strengthen the staff responsible for Secretariat assistance to the Sub-Commission by reassignment and transfer of existing staff and also by adding, for the period of the two studies, i.e. the years 1956 and 1957, additional staff to the Secretariat (one First Officer, one Assistant Officer and one Secretary). The additional costs involved in carrying out these studies are estimated as follows :

| <i>Estimated 1956 costs</i>                                                                                                                 | <i>First study</i> | <i>Second study</i> |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|
|                                                                                                                                             | \$                 | \$                  |
| Salaries and common staff costs . . . . .                                                                                                   | Nil                | 20,000              |
| Travel and subsistence of Rapporteur (round trip—Europe/N. Y. and subsistence allowance of 60 days at \$25 per day) <sup>10</sup> . . . . . | 2,400              | 2,400               |
| Sub-total, 1956                                                                                                                             | 2,400              | 22,400              |
| <i>Estimated 1957 costs</i>                                                                                                                 |                    |                     |
| Salaries and common staff costs . . . . .                                                                                                   | Nil                | 20,000              |
| Travel and subsistence of Rapporteur <sup>10</sup> . . . . .                                                                                | 2,400              | 2,400               |
| Printing of Rapporteur's Report in the three working languages . . . . .                                                                    | 13,600             | 13,600              |
| Sub-total, 1957                                                                                                                             | 16,000             | 36,000              |
| TOTAL                                                                                                                                       | 18,400             | 58,400              |

The language services connected with the two studies can probably be provided within existing resources, assuming about 1,000 pages of documentation for each study in each of the three working languages. (The total cost of this work-load, if separately calculated, would amount to about \$15,000 for each study for salaries of language staff over the two years 1956-1957.)

3. In the light of the directives from the General Assembly, the Secretary-General hopes, however, that the work of the Sub-Commission will be so planned that the assistance required from the Secretariat could be furnished from the existing resources and the additional funds required would be kept to a minimum.

#### C. RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION<sup>11</sup>

1. The first draft resolution calls for the establishment by the General Assembly of a commission to conduct a full survey of the status of the permanent sovereignty of peoples and nations over their natural wealth and resources. Assuming that the commission would consist of representatives of Governments, would meet at Headquarters and would be composed of members of permanent delegations, no expenses in respect of the members would be incurred by the United Nations. Necessary staff and facilities, including documentation services, would be provided by the Secretary-General ; any requirement for additional funds would be put to the General Assembly at an appropriate time.

2. The second draft resolution calls for the establishment by the General Assembly of a commission whose terms of reference would include the examination of any situation resulting from denial or inadequate realization of the right of self-determination, and the provision of good offices for the peaceful rectification of any situation it is required to examine. Expenses for the members of this commission, which it is also assumed would consist of representatives of Governments, would arise only if the commission met away from Headquarters or undertook field visits. In such event funds would be required for travel and, in the case of field visits, for *per diem* of members, for travel and *per diem*

<sup>10</sup> For the purpose of these estimates the cost of travel and subsistence of a Rapporteur has been included. Any proposal to carry out the studies by a different technique would of course modify this figure.

<sup>11</sup> See resolution VII of the Commission in paragraph 122, and draft resolution C in annex I of this report.

<sup>9</sup> See resolution III of the Commission in paragraph 57, and draft resolution B in annex I of this report.

of assisting Secretariat officials and possibly for temporary assistance and miscellaneous expenses as well.

3. The costs which might arise in connexion with this commission cannot be estimated in advance, and the Secretary-General, in the event that the commission were established, would request authority, under the terms of the annual resolution on unforeseen and extraordinary expenses, to meet such costs from the Working Capital Fund.

#### D. HUMAN RIGHTS TECHNICAL ASSISTANCE<sup>12</sup>

1. The resolution would establish a programme of technical assistance to Governments in the field of

<sup>12</sup> See resolution of the Commission in paragraph 142 and draft resolution D in annex I of this report.

human rights as described in paragraph E. The Secretary-General would be requested, in paragraph 2, "to take the programme authorized by this resolution into account in preparing the budgetary estimates of the United Nations".

2. The Secretary-General is unable at this stage, in the absence of information regarding the nature and scope of future requests, to prepare any estimate of additional costs. Should the Economic and Social Council and the General Assembly approve the resolution, the Secretary-General would propose that the General Assembly authorize expenditure of funds from the Working Capital Fund to meet any requests actually arising in 1956 and that for subsequent years a specific amount for this purpose, based on experience, be included in the annual budget.

### ANNEX III

#### List of documents before the Commission at its eleventh session

| 1. DOCUMENTS ISSUED IN THE GENERAL SERIES |                                                                                                                                                                                         | E/CN.4/652                    | Definition and protection of political groups : note by the Secretary-General                                                                                                       |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E/CN.4/165 and Corr.1                     | Report of the Secretary-General on the situation (fifth session) with regard to communications concerning human rights                                                                  | 653                           | Injuries suffered by groups through the total or partial destruction of their media of culture and their historical monuments : note by the Secretary-General                       |
| 165/Add.1                                 | Communication from the deputy permanent representative of the Union of South Africa to the United Nations                                                                               | 681                           | Memorandum by the Secretary-General on General Assembly resolution 644 (VII) concerning racial discrimination on Non-Self-Governing Territories                                     |
| 362 and Add.1                             | Summarized documentation on measures for the benefit of aged persons and on their standard of living                                                                                    | 690 and Add.1-12              | Comments of Member States received by the Secretary-General under Economic and Social Council resolution 501 C (XVI)                                                                |
| 367, Corr.1 and Add.1                     | Study by the Secretary-General of the legal validity of the undertakings concerning minorities                                                                                          | 691 and Add.1                 | Observations of the specialized agencies received by the Secretary-General pursuant to Economic and Social Council resolution 501 C (XVI)                                           |
| 511 and Rev.1 (English only)              | Note by the Secretary-General on the relevant decisions of the Economic and Social Council and the Commission on the Status of Women dealing with the freedom to choose a spouse, etc.  | 698                           | Note by the Secretary-General on development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world |
| 512                                       | Memorandum by the Secretary-General on the draft declaration on the rights of the child                                                                                                 | 706                           | Memorandum by the Secretary-General on communications concerning human rights                                                                                                       |
| 517                                       | Memorandum by the Secretary-General on annual reports on human rights                                                                                                                   | 707 and Add.1                 | Provisional agenda of the eleventh session of the Commission                                                                                                                        |
| 518 and Rev.1 (English only)              | Note by the Secretary-General concerning old age rights (welfare of the aged)                                                                                                           | 708                           | Note by the Secretary-General on recommendations concerning international respect for the right of peoples and nations to self-determination                                        |
| 519 and Add.1                             | Memorandum by the Secretary-General on local Human Rights Committees                                                                                                                    | 709                           | Note by the Secretary-General on the Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination                                     |
| 521 and Corr.1 (English only)             | Note by the Secretary-General concerning the international court of human rights                                                                                                        | 710 and Corr.1 (English only) | Memorandum by the Secretary-General on review of the human rights programme                                                                                                         |
| 522                                       | Memorandum by the Secretary-General concerning the <i>Yearbook on Human Rights</i>                                                                                                      |                               |                                                                                                                                                                                     |
| 535 and Add.1                             | Note by the Secretary-General on the development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world |                               |                                                                                                                                                                                     |
| 647                                       | Memorandum by the Secretary-General concerning the <i>Yearbook on Human Rights</i>                                                                                                      |                               |                                                                                                                                                                                     |

|                      |                                                                                                                                                                                                                                                                                                                                                                            |                                                                                           |                                                                                               |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| E/CN.4/711 and Add.1 | Report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights ; and financial implications of decisions adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its seventh session                                                             | E/NGO.CONF.1/8 and Corr.1 (English only)<br>Corr.2 (French only)<br>Corr.3 (English only) | Final Act of the United Nations Conference on the Eradication of Prejudice and Discrimination |
|                      |                                                                                                                                                                                                                                                                                                                                                                            | A/C.3/213/Rev.1<br>(Official Records, Third session, General Assembly Annexes)            | Draft Declaration on Old Age Rights submitted by the Delegation of Argentina                  |
| 712                  | Note by the Secretary-General on resolution 154 D (VII) and decision of 2 August 1949 of the Economic and Social Council dealing with the freedom to choose a spouse, etc.                                                                                                                                                                                                 |                                                                                           |                                                                                               |
| 713                  | Memorandum by the Secretary-General on activities of various organs of the United Nations in connexion with the right of asylum                                                                                                                                                                                                                                            |                                                                                           |                                                                                               |
| 714                  | Note by the Secretary-General on election of a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities                                                                                                                                                                                                                                   |                                                                                           |                                                                                               |
| 715                  | Note by the Secretary-General on representation of the Commission on the Status of Women at sessions of the Commission on Human Rights                                                                                                                                                                                                                                     |                                                                                           |                                                                                               |
| 716                  | Text of resolution adopted by the Commission on Human Rights on the <i>Yearbook on Human Rights</i>                                                                                                                                                                                                                                                                        |                                                                                           |                                                                                               |
| 717                  | Resolutions adopted by the Commission on Human Rights on the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities                                                                                                                                                                                              |                                                                                           |                                                                                               |
| 718                  | Texts of resolutions adopted by the Commission on Human Rights on review of programme and establishment of priorities                                                                                                                                                                                                                                                      |                                                                                           |                                                                                               |
| 719                  | Report of the eleventh session of the Commission on Human Rights to the Economic and Social Council                                                                                                                                                                                                                                                                        |                                                                                           |                                                                                               |
| INF/7                | Notes on the provisional agenda and documentation for the eleventh session of the Commission on Human Rights                                                                                                                                                                                                                                                               |                                                                                           |                                                                                               |
| INF/8 and Rev.1      | List of representatives attending the eleventh session of the Commission on Human Rights                                                                                                                                                                                                                                                                                   |                                                                                           |                                                                                               |
| CR.24                | Non-confidential list of communications dealing with the principles involved in the promotion of universal respect for and observance of human rights, received by the United Nations from 12 February 1954 to 18 January 1955, prepared by the Secretary-General in accordance with resolution 75 (V) of the Economic and Social Council as amended by resolution 275 (X) |                                                                                           |                                                                                               |
| SR.480-513           | Summary records of the plenary meetings of the eleventh session of the Commission                                                                                                                                                                                                                                                                                          |                                                                                           |                                                                                               |
| E/1900               | Memorandum by the Secretary-General presented to the twelfth session of the Economic and Social Council on development of a twenty-year programme for achieving peace through the United Nations, containing observations on, <i>inter alia</i> , point 8 relating to wider observance and respect for human rights and fundamental freedoms, paragraphs 25-61             |                                                                                           |                                                                                               |
| E/2573               | Report of the tenth session of the Commission on Human Rights                                                                                                                                                                                                                                                                                                              |                                                                                           |                                                                                               |

2. DOCUMENTS ISSUED IN THE LIMITED SERIES

|                                |                                                                                                                                                                                                                                                     |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E/CN.4/L.266/Rev.4* and Add.1* | United States of America : draft resolution on reports on human rights ; and statement of financial implications by the Secretary-General                                                                                                           |
| L.267/Rev.3* and Add.1*        | United States of America : draft resolution on human rights technical assistance ; and statement of financial implications by the Secretary-General                                                                                                 |
| L.268/Rev.2* and Add.1*        | United States of America : draft resolution on studies of specific aspects of human rights ; and statement of financial implications by the Secretary-General                                                                                       |
| L.386                          | Statement by the personal representative of the Secretary-General                                                                                                                                                                                   |
| L.387 and Rev.1-2              | Australia and the Philippines : draft resolution on the <i>Yearbook on Human Rights</i>                                                                                                                                                             |
| L.388                          | Chile and Mexico : amendment to the draft resolution on the <i>Yearbook on Human Rights</i> submitted by Australia and the Philippines (E/CN.4/L.387)                                                                                               |
| L.389                          | France : amendment to the draft resolution on the <i>Yearbook on Human Rights</i> submitted by Australia and the Philippines (E/CN.4/L.387)                                                                                                         |
| L.390                          | Amendment by Egypt, India and Lebanon to the draft resolution on the <i>Yearbook on Human Rights</i> submitted by Australia and the Philippines (E/CN.4/L.387)                                                                                      |
| L.391                          | Poland : amendment to the draft resolution on the <i>Yearbook on Human Rights</i> submitted by Australia and the Philippines (E/CN.4/L.387/Rev.1)                                                                                                   |
| L.392                          | Poland : amendments to the draft resolution concerning the <i>Yearbook on Human Rights</i> submitted by Australia and the Philippines (E/CN.4/L.387/Rev.1)                                                                                          |
| L.393                          | Financial implications of the draft resolution on the <i>Yearbook on Human Rights</i> in doc. E/CN.4/L.387/Rev.2                                                                                                                                    |
| L.394                          | Note by the Secretary-General on the Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination                                                                                                     |
| L.395                          | Norway and the United Kingdom of Great Britain and Northern Ireland : amendment to draft resolution A (E/CN.4/711, annex I) of the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities |

\* In French these documents are E/CN.4/L.266/Rev.5, E/CN.4/L.267/Rev.4, E/CN.4/L.268/Rev.3, see E/CN.4/L.266/Rev.5/Corr.1 (French only), E/CN.4/L.267/Rev.4/Corr.1 (French only) and E/CN.4/L.268/Rev.3/Corr.1 (French only). Document E/CN.4/L.267/Rev.3 was revised during the 11th session and issued as E/CN.4/L.413.

|                                                   |                                                                                                                                                                                                           |               |                                                                                                                                                                                                 |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E/CN.4/L.396                                      | Philippines : amendment to draft resolution B (E/CN.4/711, annex I) of the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities               | E/CN.4/L.407  | Philippines : draft resolution on General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories                                                              |
| L.397                                             | France : amendment to draft resolution B (E/CN.4/711, annex I) of the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities                    | L.408         | Chile : amendment to draft resolution submitted by the Philippines (E/CN.4/L.406) on Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination |
| L.398                                             | India and the Philippines : amendment to draft resolution B (E/CN.4/711, annex I) of the report of the seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities | L.409         | Poland : Amendment to the draft resolution submitted by the Philippines (E/CN.4/L.407) on General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories      |
| L.399 and Rev.1-3 and Rev.3/Corr.1 (Russian only) | Egypt, Lebanon, Pakistan, the Philippines and the United States of America : draft resolutions I and II on review of programme and establishment of priorities                                            | L.410         | Union of Soviet Socialist Republics : amendment to draft resolution submitted by the United States of America (E/CN.4/L.267/Rev.3) on human rights technical assistance                         |
| L.400                                             | Chile : amendments to draft resolution II (E/CN.4/L.399/Rev.1) submitted by Egypt, Lebanon, Pakistan, the Philippines and the United States of America                                                    | L.411         | Chile and the Philippines : amendment to the draft resolution on reports on human rights proposed by the United States of America (E/CN.4/L.266/Rev.4) on reports on human rights               |
| L.401                                             | Poland : amendment to draft resolution II (E/CN.4/L.399/Rev.1) submitted by Egypt, Lebanon, Pakistan, the Philippines and the United States of America                                                    | L.412         | Chile and the Philippines : amendment to the draft resolution on studies of specific aspects of human rights proposed by the United States of America (E/CN.4/L.268/Rev.2)                      |
| E/CN.4/L.401/Rev.1                                | Poland : amendment to draft resolution II (E/CN.4/L.399/Rev.3) submitted by Egypt, Lebanon, Pakistan, the Philippines and the United States of America                                                    | L.413         | United States of America : revised draft resolution on human rights technical assistance                                                                                                        |
| L.402                                             | India : amendments to draft resolution II submitted by Egypt, Lebanon, Pakistan, the Philippines and the United States of America (E/CN.4/L.399/Rev.2)                                                    | L.414         | Union of Soviet Socialist Republics : amendments to revised United States draft resolution (E/CN.4/L.413) on human rights technical assistance                                                  |
| L.403                                             | France : amendment to draft resolution II submitted by Egypt, Lebanon, Pakistan, the Philippines and the United States of America (E/CN.4/L.399/Rev.2)                                                    |               |                                                                                                                                                                                                 |
| L.404                                             | Egypt, Greece, India, Lebanon, Pakistan and the Philippines : draft resolution on recommendations concerning international respect for the right of peoples and nations to self-determination             | E/CN.4/NGO.60 | International Federation of Business and Professional Women (Category B) : comments on the agenda of the eleventh session of the Commission on Human Rights                                     |
| L.405 and Add.1-10                                | Draft report of the eleventh session of the Commission on Human Rights to the Economic and Social Council                                                                                                 | 61            | International League for the Rights of Man (Category B) : comments on the agenda of the eleventh session of the Commission on Human Rights                                                      |
| L.406                                             | Philippines : draft resolution on Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination                                                              | 62            | Coordinating Board of Jewish Organizations (Category B) : a programme of human rights                                                                                                           |

### 3. DOCUMENTS ISSUED IN THE NON-GOVERNMENTAL ORGANIZATIONS SERIES

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