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Ninth Session

SUMMARY RECORD OF THE THREE HUNDRED AND SEVENTY-NINTH MEETING

held at the Palais des Nations, Geneva,
on Friday, 8 May 1953, at 3 p.m.

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Present:

Chairman: Mr. AZMI (Egypt)

Members:

Mr. WHITLAM	Australia
Mr. LEROY	Belgium
Mr. DIAZ-CASANUEVA	Chile
Mr. CHENG PAONAN	China
Mr. ABDEL-GHANI	Egypt
Mr. CASSIN	France
Mrs. CHATTOPADHYAY	India
Sir Abdur RAHMAN	Pakistan
Mr. INGLÉS	Philippines
Mr. DRUTO	Poland
Mrs. RÖSSEL	Sweden
Mr. KRIVEN	Ukrainian Soviet Socialist Republic
Mr. MOROSOV	Union of Soviet Socialist Republics
Mr. HOARE	United Kingdom of Great Britain and Northern Ireland
Mr. HALPERN	United States of America
Mr. FORTEZA	Uruguay
Mr. MELOVSKI	Yugoslavia

Representatives of specialized agencies:

International Labour Organisation	Mr. VALTICOS
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Representatives of non-governmental organizations:

Category A

World Federation of United Nations Associations	Mr. ENNALS
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Representatives of non-governmental organizations (continued):Category B and Registrant

Commission of the Churches on International Affairs	Mr. NOLDE
Consultative Council of Jewish Organizations	Mr. MOSKOWITZ
Co-ordinating Board of Jewish Organizations	Mr. WARBURG
International Federation of Friends of Young Women	Mrs. FIECHTER
International Federation of University Women	
International League for the Rights of Man	Mr. BALDWIN
Liaison Committee of Women's International Organizations	Mrs. WIBLE
Pax Romana	Miss ARCHINARD
St. Joan International Social and Political Alliance	Mrs. LEROY-BOY
Women's International League for Peace and Freedom	Mrs. BAER
World Jewish Congress	Mr. RIEGNER
World Union for Progressive Judaism	Mr. RONALDS

Secretariat:

Mr. Humphrey	Representative of the Secretary-General
Mr. Das)	Secretaries to the Commission
Mrs. Bruce)	

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION
(item 3 of the agenda) (continued):

Proposals for additional articles relating to the draft covenant on civil and political rights (E/CN.4/674) (continued):

Proposal by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for a new article on condemnation of incitement to violence against any religious group, nation, race or minority (E/2256, E/CN.4/L.269, E/CN.4/L.270, E/CN.4/L.271) (continued)

Mr. ABDEL-GHANI (Egypt) said that after considering the matter further he had decided to withdraw his amendment (E/CN.4/L.271) to the text proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/2256, page 54), as he felt that it would be detrimental to the cause of human rights and detract from the value of the covenants to link the attainment of lawful objectives with hatred and violence. It was the denial of such inherent rights as freedom, self-determination and the attainment of national aspirations which could properly be termed manifestations of hatred or violence, not the struggle for their recognition.

Mr. WHITLAM (Australia) felt that the Polish representative had perhaps misunderstood his remarks about the moral element in penal legislation. He had had no intention of denying the existence of that element, but had said that it was impossible to legislate people into morality. In the present instance, he considered that the question whether certain non-moral actions should be subjected to legal prohibition depended on whether those actions were of an anti-social nature, or would have anti-social effects, which could be objectively determined. That must be the test applied to the Sub-Commission's proposal.

Having already explained why his delegation would be unable to support the Polish and Chilean amendments (E/CN.4/L.269 and E/CN.4/L.270), he was obliged to state that his delegation would abstain on the Sub-Commission's proposal. The issue raised in that proposal was already substantially covered by Australian legislation, though that would constitute no reason for excluding the provision from the covenant if it commanded the support of the majority of the Commission. The real difficulty from his point of view turned on the reference to "any advocacy" which constituted "incitement to violence". In present-day circumstances a number of policies advocated in the Press, on the wireless and in public discussion, if taken at their face value, might be said to constitute incitement to some form of

violence, and if States had rigidly to prohibit them, as they would under the Sub-Commission's text, there would be danger of injustice. Jurisprudence always had to take intent into account. For instance, under the Australian Crimes Act the promotion of ill-will and hostility between different classes of Australian citizens constituted one form of sedition, but it was a legitimate defence for the accused person to prove good faith, and the charge of sedition was not sustainable unless the intention to foster ill-will and hostility could be proved. The Sub-Commission's proposal was therefore far too general in its terms and did not include those elements which were part of internationally recognized penal systems.

Mr. HOARE (United Kingdom) assured the Egyptian representative that he took no exception to his examples because they happened to refer to his country and to relations between the United Kingdom and Egypt. The examples, however, were ill-chosen because, as the representative of Pakistan had rightly pointed out, the premisses on which certain of them were based were incorrect. Nevertheless, he wholeheartedly acquiesced in the Egyptian representative's view that the Sub-Commission's proposal, with the Chilean amendment thereto, could be used as a weapon of repression.

He too could give hypothetical illustrations to prove that point. Supposing such an article had been part of international law at the time of the Italo-Abyssinian war, and that in a country, allied with Italy, where feelings ran high the Press had expressed itself in forceful terms about the justice of the war, the article in question - one sanctioned by the international community - would clearly have given the government of that country a perfect excuse to suppress all criticism of the Italian Government. It was therefore impossible to deny that the inclusion of such an article in the covenant could be used to stifle legitimate criticism.

To take another example: The Commission had just adopted an article on the protection of minorities. In a country where a minority practised a religion different from that of the majority, there was room for a great deal of controversy. Supposing the religious leader of the minority put the case for his faith in violent and perhaps bitter words, the Government would then be able, on the strength of the proposed article, to evade its obligations to protect the minority.

The effect of the Chilean amendment was to invalidate the words "incitement to violence", which were, to some extent at least, limitative and might serve as a possible check on the kind of practices to which he had just referred. But the establishment of the single criterion of "hatred" would place an effective weapon in the hands of the unscrupulous, one that would be far more dangerous than the kind of propaganda which the Chilean representative had described. It was for every government to deal with that sort of propaganda under its domestic law, and it did not need the authority of an international obligation to do so.

Furthermore, the notion of advocacy was not defined, and it was notoriously difficult to draw a line between advocacy and pernicious propaganda. Advocacy might be well-intentioned but overstep the bounds of the permissible; it might be misguided; or it might simply be foolish. It was impossible to express those shades of meaning in a text. After all, the works of Voltaire had been intended to incite to religious hatred -- and indeed they were still on the Index of the Roman Catholic Church. As for doctrines of racial and national superiority, "Mein Kampf" -- which had never at any time been proscribed in the United Kingdom -- had its origins in the works of Count Gobineau, not to mention Nietzsche. Many ideas originated in a form less reprehensible than that which they subsequently assumed. The Chilean amendment would therefore necessitate a measure of control over thought such as had never been contemplated. It was interesting to note that its author had invoked the analogy of preventive medicine, and had drawn his examples from censorship in certain strictly limited fields. The idea of prevention necessarily implied censorship. It was a very serious question whether United Nations authority should be lent to a proposal that would have the effect of imposing a censorship, and as far as the United Kingdom was concerned, the answer had been "No!" ever since the days when Milton had written "Areopagitica" and was "No!" today. His delegation would very much regret the adoption of a text the wording of which would be open to such dangerous interpretation.

When defining his Government's position earlier, he had not meant to suggest that other countries should follow its example. He was aware that many countries had constitutions and laws containing provisions on the lines of the proposed article. Every State enjoyed the prerogative of passing any law that it liked, but it was another matter to impose on the society of States a requirement to enact

legislation of a repressive character. Why should his own country, which was quite able to deal in its own way with the propaganda to which the Chilean representative had referred, be compelled to introduce into its law the conception proposed by Chile, a conception foreign to its whole tradition?

As to the Sub-Commission's proposal, he did not consider that the phrase "incitement to violence" imposed sufficient restriction on any State that might wish to exploit the article for its own purposes. It was the easiest thing in the world for a government which wished to suppress a newspaper to satisfy the requirement contained in those words by causing some windows in its offices to be broken or by creating a show of violence in the streets. Such methods had, indeed, already been used by unscrupulous governments. It might be impossible to prevent such abuses, but at least the excuse of compliance with an international requirement could and should be withheld, the more so inasmuch as unscrupulous governments liked nothing better than a moral justification for their actions. Hitler had started on a moral platform, posing as the champion of a Germany oppressed through the Treaty of Versailles.

He hoped that he had said enough to show the dangers of the Sub-Commission's proposal, which would be rendered infinitely more dangerous by the Chilean and Polish amendments to it.

Mr. PORTEZA (Uruguay) was in favour of the Sub-Commission's text, by which any advocacy of national, racial or religious hostility that constituted an incitement to violence would be prohibited. Previous speakers had already justly stressed the danger of such propaganda.

His delegation did not share the fears of those representatives who thought that the text might prove prejudicial to the fundamental freedoms on which modern democratic society was built. The citizens of Uruguay enjoyed the widest political freedom imaginable. All parties, from the Communist to the Catholic, were represented in the Uruguayan Parliament, and there was complete freedom of expression throughout the country. His delegation had no fear that the draft article would undermine such freedom, which was guaranteed by article 16. Article 4, paragraph 1, should also be calculated to allay the concern of the United Kingdom representative. In any event, it was quite clear that the draft article submitted by the Sub-Commission in no way affected the right of citizens to criticize, but merely forbade anything which might constitute an incitement to violence.

The Charter of the United Nations had been drawn up in order to foster the growth of a spirit of conciliation and to banish all those manifestations of violence that had been far too frequent in the past, and it was in the light of the principles of the Charter that the Sub-Commission's proposal should be considered.

The Chilean proposal to widen the scope of the text by referring to incitement to hatred as well as incitement to violence was a welcome addition which would fill a gap in the text, since it was obvious that the indulgence of hatred must inevitably lead to violence. His delegation would accordingly vote for that amendment.

With regard to the Polish amendment, however, he feared that the inclusion in an international instrument of terms such as "exclusiveness" and "contempt" would give rise to difficulties of interpretation likely to cause confusion. Besides, as the representative of Pakistan had rightly pointed out, the idea conveyed by the two words in question was covered by the wider term "hostility" in the Sub-Commission's text. His delegation would therefore abstain from voting on the Polish amendment.

Mr. CASSIN (France) said that the high standard of the discussion on the Sub-Commission's draft article should be a definite encouragement to that body.

The point at issue bristled with difficulties, since it involved drawing the line between lawful and unlawful propaganda, and the problem was to find a middle way between two diametrically opposed systems, based respectively on licence without responsibility and on protective measures so severe that they would have the effect of stifling freedom.

France was deeply attached to the principles of liberty proclaimed in the law of 1881; but it was a liberty that entailed responsibilities. In other words, where a misuse of liberty resulted in anti-social activities (for example incitement to riot, to destruction, to contempt for the law, to military indiscipline etc.), such activities were punishable under the penal code. Since 1939, in view of the dangers to which the country had been exposed by circumstances that were only too well known, there had been in France a special law for the protection of certain racial groups against incitement to violence and hatred.

In view of a remark made by the Chilean representative, he would like to point out that, under the French child welfare regulations, there was in fact a preventive censorship of films; but it did not apply to the Press. Protection of children and young people in that field was ensured by an advisory commission which had no powers of censorship.

In describing the relevant French legislation, he had no intention of proposing it as a model for an international instrument, since he considered it necessary to take the problems of other nations into account in order to achieve something of positive and universal value. Hence, even though the Sub-Commission's text fell short of the provisions of French law and was devoid of any compulsive force, his delegation nevertheless supported it because it would serve to establish a minimum standard common to all peoples in the matter of protection of individuals against any advocacy of national, racial or religious hostility constituting an incitement to violence.

He would like to reassure certain delegations which saw in the text an authorization for the establishment of a preventive censorship. The word "prohibited" did not mean a priori that a government should set up a system to stifle liberty. If an unlawful act could be punished in the criminal courts, it could also be the subject of civil liability actions, and one might well imagine a religious or alien group which was the object of propaganda constituting an incitement to violence suing the authors of such propaganda for damages in the civil courts.

It was clear that, since the nineteenth century, the concept of the protection of individuals against incitement to violence had evolved under the pressure of new developments and of the scientific media of propaganda used in the modern world to work on the minds of the masses. Circumstances had changed, and there was today no State which could remain indifferent when confronted with propaganda campaigns containing an incitement to violence.

France, for one, certainly could not, for it lay in a danger area, and as a result of much painful experience had been led somewhat to modify its conception of freedom, though still remaining profoundly devoted to the principle itself. Other countries not so directly threatened might not perhaps be in the same position.

He fully appreciated the considerations that had guided the authors of the Polish amendment, for Poland had repeatedly been the victim of propaganda inciting to violence. Nevertheless, he felt that it would be difficult to extend to the international sphere conceptions that had their birth in national experience. Moreover, the Polish text involved the danger of permitting an unduly large number of restrictions on the freedom of expression.

The Chilean amendment came closer to meeting the problem and, were he to follow his personal inclination, he would support it. But he felt that in matters of legislation the emotions should not be allowed to sway the judgment. Mention had been made of the horrors of the gas chambers in Nazi Germany. No one could be more ready than he to support a text prohibiting incitement to hatred, for such horrors had cruelly affected him through his own family. But he felt that no good would come on the international level of supporting a text which, although its usefulness in certain areas was evident, could not be applied universally. Those were the reasons why the French delegation would abstain from voting on the Chilean amendment, but would vote for the draft article submitted by the Sub-Commission.

Mr. DRUTO (Poland) said that the discussion clearly revealed the seriousness of the problem. Despite the Australian representative's explanations, for which he was grateful, he was not convinced by the arguments that the criterion of anti-social effect must be applied in legislation of the kind envisaged by the proposed article. Surely manifestations of racial exclusiveness, hatred and contempt were intrinsically anti-social? He also failed to see how his amendment could possibly be regarded as having any relationship with censorship in any form.

He had been surprised to hear the French representative imply that his amendment had perhaps been prompted by a spirit of vengeance. He would have thought that it was clear that it was not linked with specifically Polish ideas, but represented the aspirations and hopes of all progressive peoples and governments. Nor was he able to follow the Uruguayan representative's arguments about the possibility of misinterpretation and of consequences contrary to the aims which the proposal had in view. It was surely a generally accepted principle that the freedom of each individual ended where his neighbour's freedom began, and it was essential to ensure freedom by forestalling all types of compulsion arising out of hatred and contempt. Hatred was a very clear notion, and the merit of his amendment was that it referred to the

sources of incitement to violence. He was convinced that the Sub-Commission's text would be improved by the addition of the clause "particularly of such a nature", since the word "particularly" would lay emphasis on the fact that all manifestations of racial exclusiveness, hatred and contempt must be forbidden. Thus his amendment was both wider and more precise than the Chilean.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that the discussion had borne witness to a desire for peace that augured well for the future. As the representative of a country whose victims were to be counted by the million, he could not but feel moved by the French representative's mention of a family tragedy due to the war. With regard to the question of substance, however, the French representative, like the Australian and United Kingdom representatives, had revealed the inconsistency of the legal arguments he had invoked.

He (Mr. Morosov) had been somewhat shocked to hear the representative of the United Kingdom say that "Mein Kampf" circulated freely in that country. It was also surprising that the same representative should have mentioned the Italo-Abyssinian War in illustration of his argument, since Abyssinia had been a martyr of Fascist aggression, and that aggression had been assisted by the policies of non-interference which certain countries had followed. Arguments of that sort were legally unfounded and politically untenable.

He failed to understand why the Polish and Chilean amendments should be contested. The former offered the correct solution to the problem, and the latter, though less complete, was based on the same principle. One of the merits of the Polish amendment was that it took past experience into account. It had frequently been argued in the past that evil should be attacked at its root, and he could do no better than refer to section 7 of Article 59 of the Soviet Penal Code, whereby propaganda which tended to foment racial hatred was punishable by law.

Mr. MELOVSKI (Yugoslavia) thought it necessary to reiterate his delegation's view that to prohibit all propaganda that constituted an incitement to violence would be a valuable contribution to international peace. For that reason his delegation had come out strongly in favour of the article proposed by the Sub-Commission.

It was with some surprise that he had heard certain delegations claim that there was no point in having such an article in the covenant, on the ground that their national laws were based on the principles which it stated and, further, that

such an article might restrict freedom of expression. It was probably necessary to have been a victim of such propaganda, as the people of Yugoslavia had been, to appreciate the importance of an article which, in his opinion, should figure in all relevant international instruments. Although the inclusion of such an article in the draft covenant was obviously not the sole means of combating propaganda constituting an incitement to violence and hatred, such action would nevertheless represent a big step towards the achievement of the objectives of the United Nations Charter. His delegation would support the Chilean amendment, as a welcome addition that would fill a gap in the Sub-Commission's draft article, for which his delegation would also vote.

Sir Abdur RAHMAN (Pakistan) thought that agreement existed on the basic provisions of the article. In reply to the Australian representative, he would point out that it must be recognized that the criminal code represented only the minimum standards in any country. Social offences such as lying were not yet indictable because society had not yet developed that far. As to the question whether propaganda in one country inciting to violence against another was covered by the provision, surely that was its whole object. As to a point raised by the United Kingdom representative, prohibition must be understood to include punishment, but was not to be taken as being anticipatory or involving censorship. On that point the United Kingdom representative's objection was baseless.

As for the Polish amendment, the concept of hostility embraced the ideas of exclusiveness, hatred and contempt, and as used in the original text endowed the article with greater force. The second part of the Polish amendment was unacceptable because any qualification of the vital phrase "that constitutes an incitement to violence" would change the whole sense of the article. He agreed with the United Kingdom representative that it would be extremely dangerous to confer on governments the very wide powers which would follow from the addition of the word "hatred". The Sub-Commission's article was drafted lucidly, and should be left as it stood.

Mr. HOARE (United Kingdom) regretted that his casual observation that to the best of his belief Hitler's "Mein Kampf" had not been banned in the United Kingdom should have shocked the Soviet Union representative. It was clear that the latter had no conception of what was meant in the United Kingdom by freedom of speech. That being so, it was less difficult to comprehend his inability to

understand how the British people could have successfully fought Hitler unaided for a considerable and highly critical period of the war and at the same time allowed "Mein Kampf" to circulate throughout the country. He would only say that the United Kingdom would maintain and fight for its conception of liberty as resolutely as it had fought against Hitler.

Mr. FORTEZA (Uruguay), clarifying his earlier observations, said that whereas the Chilean amendment filled a vacuum, he feared that the Polish amendment would lead to confusion, for the addition of the words "exclusiveness" and "contempt" would not only lead to misunderstanding, but also to difficulties of interpretation in Spanish. The representative of Pakistan was perfectly right in saying that the word "hostility" covered the three notions of exclusiveness, hatred and contempt.

The CHAIRMAN put the Polish amendment (E/CN.4/L.269) to the vote in two parts.

The first part, consisting of the substitution of the words "national or racial exclusiveness, hatred and contempt or religious hostility" for the words "national, racial or religious hostility", was rejected by 9 votes to 3, with 5 abstentions.

The second part, consisting of the substitution of the words "particularly of such a nature as to constitute" for the words "that constitutes", was rejected by 11 votes to 3, with 3 abstentions.

The CHAIRMAN put to the vote the Chilean amendment (E/CN.4/L.270), seeking to insert the words "hatred and" after the words "that constitutes an incitement to".

The Chilean amendment was adopted by 8 votes to 5, with 4 abstentions.

At the request of Mr. DRUTO (Poland), the vote on the article, as amended, was taken by roll-call.

The representative of Pakistan, having been drawn by lot by the Chairman, was called upon to vote first. The result of the voting was as follows:

In favour: Pakistan, Philippines, Poland, Ukrainian Soviet Socialist Republic,
Union of Soviet Socialist Republics, Uruguay, Yugoslavia, Chile, Egypt,
France, India.

Against: United Kingdom, United States of America, Australia.

Abstained: Sweden, Belgium, China.

The additional article proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/2256, page 54) was adopted, as amended, by 11 votes to 3, with 3 abstentions.

Mr. HALPERN (United States of America), explaining his vote, said that the Sub-Commission's original text would not have been opposed by his delegation. The Chilean amendment, however, by admitting the possibility of government censorship, might lead to the destruction of certain fundamental freedoms. He had therefore voted against the article as amended.

Mr. WHITLAM (Australia) explained that he had voted against the article for substantially the same reasons as those given by the United States representative.

Mr. HOARE (United Kingdom) said he had voted against the article with the Chilean amendment, because if the word "hatred" was an alternative it was open to the objections which he had already made and which the United States representative had expressed, while if it was an addition, it modified in an entirely new way the conception of incitement to violence well known to the law of his own and many other countries.

Sir Abdur RAHMAN (Pakistan) said that having taken the word "and" to mean incitement to both hatred and violence conjunctively, he had voted for the article as amended.

Mr. CHENG FAONAN (China) explained that he had abstained from voting on the Chilean amendment on the ground that it would have conferred excessive authority on governments; and the adoption of that amendment had led him to abstain from voting on the article as a whole. He would have voted for the Sub-Commission's original text.

Mr. MOROSOV (Union of Soviet Socialist Republics) said that he had voted for the article as a whole, even though, with the Chilean amendment adopted but the Polish amendment rejected, it was still incomplete.

2. PROGRAMME OF WORK

The CHAIRMAN informed the Commission that, in accordance with Economic and Social Council resolution 75 (V), as amended by resolutions 192 A (VIII) and 275 B (X), the Secretary-General had prepared lists of communications received on the subject of human rights and of replies from certain governments. The non-confidential lists of communications dealing with the principles involved in the

promotion of universal respect for and observance of human rights had already been circulated as documents E/CN.4/CR.22 and E/CN.4/CR.22/Add.1. Under the terms of the resolution, confidential lists of communications and replies from governments could only be distributed in private meeting. He therefore suggested that, before the ordinary public meeting to be held at 9.30 p.m. on Monday, the Commission should meet in private at 3 p.m. to receive the confidential lists of communications and the replies from governments.

It was so agreed.

Mrs. LORD (United States of America), speaking on a point of procedure, requested an opportunity of presenting her delegation's three draft resolutions on Annual Reports, Advisory Services and Specific Aspects of Human Rights. Those resolutions were closely related both to particular items on the agenda of the present session and to the future work of the Commission and of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and she suggested that a short time be allowed for their consideration after the additional articles had been disposed of. She very much hoped that some action might be taken on her draft resolutions before the Sub-Commission started work.

After some discussion as to the order of procedure, in which Mr. CASSIN (France), Mr. MOROSOV (Union of Soviet Socialist Republics), Mrs. LORD (United States of America) and the CHAIRMAN took part, Mr. MOROSOV (Union of Soviet Socialist Republics) said that he was still not clear what was intended. If it was proposed to adopt a completely new procedure, deferring further consideration of item 3 of the agenda, which, judging by previous experience, should not now take long to complete, he could not agree without fuller justification for the change. The question was not merely one of procedure, but impinged upon the fundamental issue of the task given to the Commission by the General Assembly. He considered that the United States draft resolutions should be taken up only after the remaining articles of both draft covenants had been finally disposed of.

Mr. CHENG PAONAN (China) recalled the suggestion made by the Chinese delegation at the fourteenth session of the Economic and Social Council that the Commission should hold two sessions in 1953, one for drafting the two covenants, and the other to dispose of other items, some of which had been on the agenda for

years. The Commission was well behind its time-table, for it had still to dispose of articles 53 to 59 of Part IV and the nine articles of Part V of the covenants, not to speak of the final clauses and the Federal State Clause, which was likely to give rise to lengthy discussion. Even if the Sub-Commission's reports were not discussed, it was unlikely that the Commission would be able to finish all its work. As he understood it, the United States suggestion was that, after disposing of the remaining additional article, submitted by the Commission on the Status of Women, the Commission should turn to item 7 of its agenda and the examination of the United States draft resolutions. That would be followed by discussion of the reports of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and the Commission would then turn to Part IV of the draft covenants after which, if time allowed, it could deal with Part V and the remaining clauses. If such was indeed the United States suggestion, he supported it. The Commission, after all, was master of its own procedure.

Mrs. LORD (United States of America) confirmed that the Chinese representative had accurately interpreted her intentions.

The CHAIRMAN said that he had had it in mind for some time to suggest a modification of the programme for the remainder of the session. Part V of the draft covenants had been drawn up by a Working Group in which the specialized agencies had participated fully, and was therefore in a condition to be sent forward to the Economic and Social Council as it stood. The questions raised by the articles on Federal States and reservations were political and, as such, really outside the Commission's province. He suggested, therefore, that those articles too should be sent to the Council with a request that it consider them, on those grounds. If his suggestion were adopted, there would remain only the draft article on the right to own property which the French delegation had proposed be inserted in the draft covenant on economic, social and cultural rights, and the Commission might take up forthwith items 7 and 11 of its agenda, which were related, and also item 4.

Further discussion of the programme of work was deferred.

The meeting rose at 6.15 p.m.