

**ECONOMIC
AND
SOCIAL COUNCIL**

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ET SOCIAL**

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ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS OF THE ECONOMIC AND SOCIAL COUNCIL

SUMMARY RECORD OF MEETINGS

Fifth meeting held on Thursday, 2 May 1946, at 3 P.M.

Chairman: Mrs. Franklin D. Roosevelt

The Commission continued its discussion of the number of members of the full Commission on Human Rights (Item 9, Agenda).

M. CASSIN said that as two members of the Commission seemed to prefer the number of eighteen members for the full Commission, he would withdraw his suggestion of twenty-one and would now suggest eighteen, at least for the beginning.

The CHAIRMAN pointed out that, considering that the Economic and Social Council consists of governmental representatives, while it was the consensus of opinion of the members of the nuclear Commission on Human Rights that the members of the full Commission on Human Rights should be nominated by governments but appointed by the Economic and Social Council, it might not be wise to choose the same number of members, namely eighteen, as the Economic and Social Council.

Dr. HSIA stated his preference for twenty-one members, as absentees would be a greater factor in a commission of individual experts than in a body of governmental representatives.

Mr. NEOGI stated his preference for eighteen, but offered to vote for twenty-one if the majority voted for that number.

Mr. BRKISH and Mr. KRIUKOV suggested that the number eighteen be decided upon.

M. CASSIN (acting as Chairman during a short absence of the Chairman) suggested that as there was no unanimity among the members about the number of members to be suggested for the full Commission, and as there exists a definite relationship between members and corresponding members, it might be wise to consider the question of corresponding members before reaching a definite decision on the number of members.

Dr. HSIA, while agreeing that a difference of two or three members might not be important, stated that it would be advisable not to have the same number of members as the Economic and Social Council. A commission of twenty-one would certainly not be too large, especially as this Commission has decisions to make which are important for the whole world and the opinions, views, and feelings of many different peoples should be represented.

M. CASSIN (acting as Chairman) then asked Mr. Kriukov whether he would accept the number twenty-one if the majority seemed to favour that number. (Mrs. Roosevelt returned to assume the Chairmanship.)

Mr. KRIUKOV answered that while this question involved no important principles, he still considered eighteen a more convenient number; moreover, the majority were in favour of that number, and he therefore, suggested that the question be referred to the Economic and Social Council if a unanimous agreement could not be reached by the Commission.

M. LAUGIER, Assistant Secretary-General, while stating his personal preference for twenty-one, suggested that the figure eighteen be chosen, as it was always possible for the Commission to call in outside experts for advice.

The CHAIRMAN noted that four out of five members preferred the number eighteen for the full Commission, and asked that no vote be taken for the present, but that the Secretariat prepare for the next meeting a memorandum stating the "the majority opinion is in favour of a membership of eighteen for the full Commission on Human Rights, with the possibility of calling on experts for their opinion on specific subjects".

The CHAIRMAN then announced that the United States Delegation is preparing a memorandum on the definitive composition of commissions, which, she hoped, could be in the hands of Commission members by Monday.

Term of Office

The CHAIRMAN recalled that the Commission had, during its former meetings, informally discussed a one-year term with re-eligibility and a three-year term with re-eligibility, members initially to be appointed one-third for one year, one-third for two years, and one-third for three years. She asked whether the members of the Commission had meant to indicate that the one-third of the members appointed each year should be new members.

M. CASSIN proposed that a one-year term would be too short and would not give members a chance to be of real service to the Commission and that a three-year term was most desirable. As to re-eligibility, M. Cassin pointed out that the Commission faced a different problem than would be the case if members were to be State representatives. He favoured re-eligibility and renewal by one-third. He suggested that one-third of the members whose term expired each year should be new members, i.e., if the number of members suggested is eighteen, and six would come up for re-appointment, two of the six would be new members.

The CHAIRMAN referred to the Charter of the United Nations, Chapter X, Article 61, on the composition of the Economic and Social Council.

Mr. NEOGI questioned whether the nuclear Commission should at this time discuss the term of office for the full Commission. He pointed out that the Economic and Social Council had named all Commissions for one year only and that the one exception, the Commission on Narcotic Drugs, should not be considered as a guide, as this Commission was an executive body which had simply taken over the functions so far carried out by a similar body of the League.

Mr. NEOGI agreed that one year would not be sufficient to accomplish any task the Commission on Human Rights might have to carry out, but that the nuclear Commission should not make any recommendations as to term of office before it had discussed the work assigned to the Commission on Human Rights.

The CHAIRMAN explained to Mr. Neogi that the nuclear Commission had been appointed for one year because its work was expected to be accomplished quickly, and that the nuclear Commission on Human Rights has the right to recommend any term of office for the full Commission, with due consideration, of course, to the work to be accomplished by the full Commission. While the nuclear Commission has the obligation to make recommendations, the Economic and Social Council has the authority to accept these recommendations or refuse them.

Dr. HSIA, Mr. BRKISH, and Mr. KRIUKOV stated their preference for a three-year term (first appointment to be made in three classes) with the possibility of re-eligibility.

After Mr. NEOGI had withdrawn his objections, the Chairman announced that virtual agreement had been reached on a three-year term for members on the Commission on Human Rights, one-third of the members to be named initially for one year, one-third for two years, and one-third for three years. She asked the members whether the provision that two new members should be appointed each year, should be included in the recommendation.

After a second reading of the provisions in the Charter of the United Nations for the composition of the Economic and Social Council, Dr. Hsia proposed that re-eligibility should not be qualified, and Mr. Neogi expressed his belief that each member should be re-eligible and there should not be "any compulsory introduction of new blood". Mr. Brkish, Mr. Kriukov, and M. Cassin agreed.

Frequency of Meetings

The Chairman reminded the members that it had been suggested by M. Laugier that the Commission might want to hold two, three, or four sessions annually, but pointed out that it would be difficult to make recommendations concerning this question before it is known what work the Commission has to perform. It would, therefore, seem better to leave the number of sessions open.

M. CASSIN suggested that while it might be impossible to fix periodic meetings for the full Commission, it might be possible to say that the Commission should meet at least twice a year; moreover, that these meetings should take place long enough before the meetings of the General Assembly to give the Economic and Social Council time to study the Commission's recommendation and prepare its own recommendations to the Assembly. The duration of the sessions, in M. Cassin's opinion, would depend on the task of the Commission and the frequency of the Meetings. If the Commission only prepares proposals and drafts resolutions two short sessions might be enough. If it has the obligation of supervision, more frequent and longer sessions would be necessary.

Mr. BRKISH agreed with M. Cassin that the Commission on Human Rights should not hold more sessions than the Economic and Social Council, and definitely not more than three annually.

The CHAIRMAN suggested that the question should not be decided immediately, and the meeting was adjourned at 4:35.
