



UNITED NATIONS

COMMISSION ON HUMAN RIGHTS

REPORT of the THIRTEENTH SESSION

(1-26 APRIL 1957)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS: TWENTY-FOURTH SESSION

SUPPLEMENT No. 4

GENEVA

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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UNITED NATIONS
ECONOMIC AND SOCIAL COUNCIL
OFFICIAL RECORDS

TWENTY-FOURTH SESSION

SUPPLEMENT No. 4

COMMISSION ON HUMAN RIGHTS
Report of the thirteenth session (1-26 April 1957)

I. ORGANIZATION OF THE SESSION

A. Opening and duration of the session

1. The Commission on Human Rights held its thirteenth session at the European Office of the United Nations, Geneva. The session commenced on 1 April 1957 and ended on 26 April 1957.

2. Mr. René Cassin (France), Chairman of the Commission at its twelfth session, opened the session (547th meeting) with a statement in which he referred to various United Nations activities in the field of human rights. Among the matters he touched upon were the studies undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the organization of seminars on human rights, the adoption in September 1956 of the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, and the proposed convention concerning the abolition of forced labour which is to be examined by the International Labour Conference at its June 1957 session. The statement is summarized in document E/CN.4/SR.547.

B. Representation and attendance

3. The following representatives of member States of the Commission attended:

Mr. Carlos A. Bertomeu (Argentina), member
Mr. Ratnakirti S. S. Gunawardene (Ceylon), member
Mr. Cheng Paonan (China), member
Mr. René Cassin (France), member
Mr. Rajeshwar Dayal (India), member
Mr. Fereydoun Adamiyat (Iran), alternate
Mr. Saadi Ibrahim (Iraq), member¹
Mr. Haim Herman Cohn (Israel), alternate
Mr. Francisco Maria Dominedo (Italy), member
Mr. Edward Rizk (Lebanon), member
Mr. Emilio Calderón Puig (Mexico), alternate
Mr. Erik Colban (Norway), alternate
Mr. F. M. Serrano (Philippines), member
Mrs. Zofia Wasilkowska (Poland), member¹
Mr. Peter P. Mikhailenko (Ukrainian Soviet Socialist Republic), member¹
Mr. P. D. Morosov (Union of Soviet Socialist Republics), member
Sir Samuel Hoare (United Kingdom of Great Britain and Northern Ireland), member

¹ Nomination to be confirmed by the Economic and Social Council.

Mrs. Oswald B. Lord (United States of America), member

4. At the 547th meeting, the representative of the Union of Soviet Socialist Republics, speaking on a point of order, made a statement on the representation of China in the Commission. It was agreed that this statement, together with those made by the representatives of China, India, Poland, and the United States of America on this matter, would be reported in the summary record of the meeting (E/CN.4/SR.547).

5. The following were designated as alternates for the whole session: Mr. Fereydoun Adamiyat (Iran) in place of Mr. Djalal Abdoh; Mr. Haim Herman Cohn (Israel) in place of Mr. Jacob Robinson; Mr. Emilio Calderón Puig (Mexico) in place of Mr. Pablo Campo Ortiz; 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. H. J. Brillantes represented the Philippines during the session.

6. The following were designated as alternates for various parts of the session: Mr. Tsing-chang Liu (China), Mr. Pierre Juvigny (France), Mr. K. V. Padmanabhan and Mr. A. J. Kidwai (India), Mr. Fausto Bacchetti (Italy), Mr. Jerzy Sztucki (Poland), Mr. G. Raymond Gauntlett (United Kingdom), and Mr. David H. Popper and Mr. Warren Hewitt (United States of America).

7. The members of the Commission were accompanied by the following advisers: Mr. Roger Establie (France), Mr. Davodi (Iran), Mr. Monahem Kahany and Miss Naomi Salomon (Israel), Mr. F. Remolador (Philippines), Mr. Mirosław Galczynski and Mr. Jerzy Sztucki (Poland), Mr. Igor D. Bubnov (Ukrainian Soviet Socialist Republic), Mr. Alexandre M. Belonogov (Union of Soviet Socialist Republics), and Mr. David H. Popper and Mr. Warren Hewitt (United States of America).

8. In accordance with a decision of the Commission at its 487th meeting, the Commission on the Status of Women was represented at certain meetings of the session by Mrs. Hélène Lefauchaux (France). Her statements are summarized in documents E/CN.4/SR.566 and 568.

9. On the invitation of the Commission Mr. Charles Ammoun (Lebanon), Special Rapporteur appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to prepare the Study of Discrimination in Education, participated in most of

the meetings of the session when chapter IV of the report of the Sub-Commission, relating to this study was considered. His statements to the Commission are summarized in documents E/CN.4/SR.565, 566 and 568.

10. The following observers of States Members of the United Nations were present at various meetings of the session: Mr. Antonio Patriota (Brazil), Mr. Todor Stoyanov (Bulgaria), Mr. D. Fernando Donoso and Miss Leonora Kracht (Chile), Mr. Pribyslav Pavlik and Mr. Jaromir Strnad (Czechoslovakia), Mr. José Angel Saviñón (Dominican Republic), Mr. Aly Samir Safouat and Mr. Salah Abdel Azim Fahmy (Egypt), Miss Antoinette Lunsingh Meijer (Netherlands), Mr. Zoher Kabbani, Mr. Moukhtar El Wakil and Mr. André Baladi (Syria); Mr. Nazif Cuhruk (Turkey) and Mr. Gustav Vlahov and Mr. Milutin Tapavicki (Yugoslavia).

11. The following representatives of specialized agencies were present at various meetings of the session:

International Labour Organisation: Mr. P. P. Fano, Mr. P. Blamont.

United Nations Educational, Scientific and Cultural Organization: Mr. H. Saba, Mr. J. Behrstock.

World Health Organization: Mr. Paul Bertrand, Miss B. Howell, Dr. J. Bierman.

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

13. The *Council of Europe* was represented at certain meetings by Mr. Hans Wiebriehaus.

14. The following authorized representatives of 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. Herman Patteet

International Federation of Christian Trade Unions: Mr. Georges Eggermann

World Federation of Trade Unions: Mr. Tom L. Drinkwater

World Federation of United Nations Associations: Mrs. Colette Cartier, Mr. Robert S. Smith, Mrs. Beatrice Troupin

World Veterans Federation: Mr. David Heaps, Mr. Paul L. Stocker

CATEGORY B AND REGISTER

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

The Anti-Slavery Society (United Kingdom): Mr. C. W. W. Greenidge

Catholic International Union for Social Service: Miss Anne-Marie Hertoghe

Commission of the Churches on International Affairs: Mr. O. Frederick Nolde, Mr. Elfan Rees

Consultative Council of Jewish Organizations: Mr. Moses Moskowitz

Co-ordinating Board of Jewish Organizations: Mr. Gustav O. Warburg

Fédération internationale libre des déportés et internés de la résistance: Mr. Frederick P. Kammann

Friends World Committee for Consultation: Mr. J. Duncan Wood, Mrs. Katherine Wood

International Association of Penal Law: Mrs. Helene Romniciano

International Catholic Child Bureau: Mr. André Bondu, Miss Renée de Lucy-Fossarieu

International Catholic Film Office: Mr. A. Marcel Chamonin

International Catholic Migration Commission: Mrs. Rachel Rangel de Carvalho

International Committee of the Red Cross: Mr. B. Henri Coursier

International Conference of Catholic Charities: Mrs. H. Beeckmans de Westmeerbeek, Abbé Paul Bouvier, Mr. Antoine Pugin, Mr. Maurice Pugin

International Council of Women: Miss Louise C. A. van Eeghen, Dr. Renée Girod, Mrs. Mabel Jackson Haight

International Federation "Amies de la jeune fille": Mrs. Elsa Berthoud van Werveke, Mrs. Katherine Wood

International Federation of Business and Professional Women: Miss Elisabeth Feller, Miss Constance M. Harris, Mrs. Alice Torriani, Mrs. Alice Wiblè Gaillard

International Federation of Newspaper Publishers (Proprietors) and Editors: Mr. Jacques Bourquin

International Federation of University Women: Miss Renée J. Dubois, Mrs. Marie Fiechter

International Federation of Women Lawyers: Lady Gladys M. Chatterjee, O.B.E., Miss Anna Miraulo, Mrs. Brigitte A. Pfeifer, Mrs. María Luisa Zavattaro Ardizzi

International League for the Rights of Man: Mr. André de Maday

International Movement for Fraternal Union Among Races and Peoples: Mr. Edouard Basse, Miss Georgette Duvillard, Mrs. Anne-Marie Pivot

International Union for Child Welfare: Miss Audrey E. Moser, Mrs. Jeanne-Marie Small

International Union of Family Organizations: Mr. François Delaby

Liaison Committee of Women's International Organizations: Mrs. L. M. de Cazotte, Mrs. Y. Leuba, Mrs. M. Prince

Pax Romana: Mr. Pierre Boal, Rev. Father Linus Grond

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

World Alliance of Young Men's Christian Associations: Mr. Maber T. Doss

World Assembly of Youth: Miss Helen M. Dale

World Association of Girl Guides and Girl Scouts: Mrs. Perle Bugnion-Secretan

World Federation of Catholic Young Women and Girls: Miss Josiane Chevrier, Miss Leone Herren

World Jewish Congress: Mr. Gerhart M. Riegner

World Movement of Mothers: Mrs. Anne-Maria Couvreur, Mrs. Monique de Vaublanc

World Union for Progressive Judaism: Mr. B. Woyda

World Union of Catholic Women's Organizations: Miss Agnes de Kalbermatten, Miss Renée de Lucy-Fossarieu

World's Woman's Christian Temperance Union: Mrs. N. Chaix-Constantin, Mrs. Y. Leuba

World Young Women's Christian Association: Miss Alice Arnold, Miss M. Françoise Ehni, Miss Elisabeth Palmer

15. Mr. John P. Humphrey, Director of the Division of Human Rights, represented the Secretary-General. Mr. Edward Lawson, Mr. Kamleshwar Das and Mr. John G. Male acted as secretaries of the Commission.

C. Election of officers

16. The Commission at its 547th meeting unanimously elected:

Mr. F. M. Serrano (Philippines), *Chairman*
Mr. Erik Colban (Norway), *First Vice-Chairman*
Mr. Ratnakirti S. S. Gunawardene (Ceylon), *Second Vice-Chairman*
Mr. Emilio Calderón Puig (Mexico), *Rapporteur*

D. Meetings, resolutions and documentation

17. The Commission held thirty plenary meetings. The views expressed at those meetings are summarized in documents E/CN.4/SR.547 to 576.

18. In accordance with rule 75 of the rules of procedure of functional commissions of the Economic and Social Council, the Commission granted hearings at various meetings (549th, 555th, 556th, 557th, 560th, 561st, 563rd, 546th, 566th, 569th and 574th meetings) to representatives of the following non-governmental organizations:

Category A: International Federation of Christian Trade Unions (Mr. Georges Eggermann), World Federa-

tion of Trade Unions (Mr. Tom L. Drinkwater), World Veterans Federation (Mr. Paul L. Stocker).

Category B: Agudas Israel World Organization (Chief Rabbi Safran), Catholic International Union for Social Service (Miss Anne-Marie Hertoghe), Consultative Council of Jewish Organizations (Mr. Moses Moskowitz), Co-ordinating Board of Jewish Organizations (Mr. Gustav O. Warburg), International Catholic Child Bureau (Miss Renée de Lucy-Fossarieu), International Federation of University Women (Mrs. Marie Fiechter), International Federation of Women Lawyers (Lady Gladys M. Chatterjee), International Movement for Fraternal Union among Races and Peoples (Miss Georgette Duillard), International Union for Child Welfare (Miss Audrey E. Moser), International Union of Family Organizations (Mr. François Delaby), Pax Romana (Rev. Father Linus Grond), Women's International League for Peace and Freedom (Mrs. Gertrude Baer), World Jewish Congress (Mr. Gerhart M. Riegner), World Movement of Mothers (Mrs. Monique de Vaublanc), World Union for Progressive Judaism (Mr. B. Woyda), World Union of Catholic Women's Organizations (Miss Agnes de Kalbermatten), World Young Women's Christian Association (Miss Alice Arnold).

19. Resolutions I to XII and decisions of the Commission appear under the subject-matters to which they relate. Draft resolutions A to C, submitted for consideration by the Economic and Social Council, are set out in annex I to this report. The financial implications of the resolutions of the Commission will be distributed to the Council in document E/2970/Add.1.

20. Documents before the Commission at its thirteenth session are listed in annex II.

II. AGENDA

21. The provisional agenda (E/CN.4/733) was considered by the Commission at the 547th meeting. It was adopted unanimously.

22. The agenda for the thirteenth session was as follows:

1. Election of officers
2. Adoption of the agenda
3. Study of the right of everyone to be free from arbitrary arrest, detention and exile: report of the Committee (Economic and Social Council resolution 624 B (XXII); E/2844, para. 49)
4. Celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights: report of the Committee (Economic and Social Council resolution 624 C (XXII); E/2844, para. 113)
5. Report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740)
6. Draft Declaration on the Rights of the Child (E/2844, para. 99)
7. Freedom of information (E/2844, para. 163)
8. Right of asylum (E/2844, para. 109)
9. Yearbook on Human Rights (E/2731, para. 28; Economic and Social Council resolution 630 D (XXII))

10. Advisory services in the field of human rights (General Assembly resolution 926 (X); Economic and Social Council resolution 605 (XXI); E/2844, para. 87)

11. Communications (Economic and Social Council resolutions 75 (V), 192 A (VIII), 275 (X) and 454 (XIV))

12. Review of programme and establishment of priorities (Economic and Social Council resolution 630 A (XXII))

13. Report of the thirteenth session of the Commission on Human Rights to the Economic and Social Council

23. At the 547th meeting the Commission agreed to commence with the discussion of item 4, and then to consider item 6. It also agreed to take up item 5 on 10 April 1957, whether or not it had completed consideration of items 4 and 6.

24. At the 554th meeting the Commission decided that it would take up, under item 5, the question of filling a vacancy in the membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities arising out of the death of Mr. Nikolai Petrovich Emelyanov, a member of the Sub-Commission (see E/CN.4/744).

III. CELEBRATION OF THE TENTH ANNIVERSARY OF THE ADOPTION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

25. At its twelfth session the Commission appointed a Committee, consisting of the Member States represented on its Bureau (Chile, France, Pakistan and the Philippines), to prepare plans for the widest possible celebration of the tenth anniversary of the adoption and proclamation by the General Assembly of the Universal Declaration of Human Rights. Such plans were to be prepared in consultation with the Secretary-General, the appropriate authorities of the United Nations Educational, Scientific and Cultural Organization, and other specialized agencies concerned, and interested non-governmental organizations in consultative relationship with the Economic and Social Council (E/2844, para. 113).

26. In resolution 624 C (XXII) the Council noted the Commission's resolution on plans for the celebration of the tenth anniversary of the Universal Declaration of Human Rights, and invited the collaboration in this undertaking of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other specialized agencies and non-governmental organizations concerned.

27. At the 548th to 554th meetings, the Commission examined the report of the Committee (E/CN.4/735). The Commission also had before it a statement of financial implications submitted by the Secretary-General (E/CN.4/735/Add.1).

28. The report contained, in section I, general remarks concerning the celebration of the tenth anniversary of the Universal Declaration of Human Rights and, in section II, a series of recommendations submitted by the Committee for the consideration of the Commission.

29. The Commission took note of the report of the Committee and thanked the members of the Committee for their work. It examined in detail paragraphs 7 and 14 of the Committee's report, and took these paragraphs as basic working texts. Statements on the report were made by members of the Commission. A statement was also made by the representative of the World Federation of Trade Unions. These statements are summarized in documents E/CN.4/SR.448 and 449. At the 554th meeting the Commission adopted a resolution (E/CN.4/745) on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights, to which it annexed plans for the celebration (E/CN.4/L.449) as approved by the Commission at its 550th to 552nd meetings.

A. Consideration of the general remarks of the Committee

30. In section I, paragraph 7, of its report (E/CN.4/735) the Committee submitted the view that the following two main considerations should be borne in mind in planning the celebration of the tenth anniversary of the adoption of the Universal Declaration on Human Rights:

"The celebration should demonstrate to the world the great step forward which the adoption of the Declaration on 10 December 1948 represents. It would therefore be fitting that the celebration should, wherever possible, serve as a vivid illustration of the work

accomplished by the United Nations in defining the rights proclaimed and ensuring respect for them.

"The celebration should also afford an opportunity for making better known the rights and freedoms set forth in the Universal Declaration, for awakening renewed interest in and greater understanding of these rights and freedoms, and thus encouraging increasing respect for them."

31. The Committee pointed out that "such universal co-operation could not attain its true character" without simultaneous action, both nationally and internationally. In the view of the Committee, the principal goal of the celebration would be to reach the widest possible audience through all media of information. To achieve this, the close and active co-operation of international bodies, governments and public services, universities and educational institutions, and non-governmental organizations with all their national affiliates, must be ensured as soon as possible. With this in mind, the Committee expressed the belief that the role of the United Nations should be to make recommendations inviting Governments of States Members of the United Nations, the specialized agencies, and public and private organizations and institutions in each country, to take the measures necessary for co-ordinated action, adapting these to national, regional or local conditions always in conformity with the spirit and letter of the Charter.

32. Some members of the Commission endorsed the views of the Committee without reservation, while others expressed doubts about particular points.

33. With reference to the Committee's suggestion that "the celebration should demonstrate to the world the great step forward which the adoption of the Declaration... represents", some members, while agreeing that the adoption of the Declaration was indeed a great step forward, were of the opinion that the Committee might well have referred at the same time to the fact that much remained to be done before the principles of the Declaration could be fully implemented. They felt that every effort should be exerted to make the celebration realistic and positive, particularly since there is still a certain amount of scepticism regarding the ability of governments to implement the rights set forth in the Declaration; and cautioned against creating the impression that more is being done than is actually the case.

34. Other members of the Commission felt that the celebration should be on as wide a basis as possible, emphasizing the positive achievements of the United Nations in the field of human rights and setting before the nations of the world some directions for further progress. In their view it was just as important not to be too pessimistic as to display too much enthusiasm on such an occasion.

35. Several members of the Commission expressed the opinion that the main emphasis of the celebration should be on the national rather than on the international level, while others felt that suggestions for celebration could best be made by the United Nations and other

international organizations, it being understood that such suggestions would be considered only as a guide which would in no way be mandatory, and that it would be up to the governments and non-governmental organizations concerned to adopt all or some of the measures recommended, or to devise additional ones.

36. It was suggested that the best way to celebrate the anniversary of the adoption of the Declaration would be for the United Nations to complete work on the draft covenants on human rights in time for signature by 10 December 1958, and that the Commission should appeal to the General Assembly to speed up its programme in order that the covenants might be completed not by the end of the thirteenth session, as already envisaged by the General Assembly, but by 10 December 1958. Some members of the Commission warmly supported this proposal, while others considered it to be not very realistic and difficult to achieve.

37. Various members of the Commission put forward additional suggestions for the activities to be undertaken in connexion with the celebration of the tenth anniversary of the Declaration. One suggested the preparation of a legislative history of the drafting and adoption of the Declaration which would clearly show the contribution made by many individual countries to this instrument. Another proposed the publication of a popular volume, summarizing the history of the concept of human rights, and showing not only the achievement in this field but also the obstacles which have been overcome and those which still remain. Still another suggested that a number of prominent individuals who had played a part in the preparation of the Declaration should be invited to participate in the celebration. It was also suggested that a national committee might be constituted in each country to prepare for the celebration; such a committee might be composed of the same persons as had served on the national committee for the celebration of United Nations Day, or of people particularly active in the field of human rights. There was also a suggestion that, on the national level, it might be possible to organize special meetings of the parliaments of Member States to celebrate the tenth anniversary.

38. Several members expressed the view that in any celebration of the anniversary of the adoption of the Declaration, special attention might be drawn to positive achievements since 1948 in line with the principles proclaimed in the Declaration. They referred in particular to the Convention for the Protection of Human Rights and Fundamental Freedoms, prepared under the auspices of the Council of Europe and signed in Rome in 1951, to such instruments as the United Nations Conventions on Refugees, on Stateless Persons, and on the Nationality of Married Women, to the International Labour Organisation conventions in the field of labour relations and trade union rights, and to the drafting of the two International Covenants on Human Rights.

39. With regard to the media to be utilized in connexion with the celebration of the anniversary, a number of suggestions were put forward. The hope was expressed that the United Nations would avoid production of expensive brochures and pamphlets, and would on the contrary spread the news about the Declaration through

existing media of mass communications such as the newspapers, radio, television, and films. Great importance was attached to the part which schools and universities might play in the celebration; it was urged that the co-operation of every educational institution in the world should be sought in order to achieve the objective in view.

40. Finally, it was suggested that Governments might be asked to translate the available materials concerning the Declaration into the languages used within countries and territories under its jurisdiction, in order that these materials might reach the widest possible audience.

41. After consideration of the problem of the procedure to be followed in dealing with the report of the Committee, the Commission decided to examine paragraphs 7 and 14 of the report in detail and to use them as a basis for drafting plans for the celebration of the tenth anniversary of the Declaration.

B. Consideration of paragraph 7 of the Committee's report

42. The Commission first examined the two sub-paragraphs of paragraph 7 of the Committee's report, reproduced in paragraph 30 above.

43. The representative of India proposed that the second sentence of the first sub-paragraph of paragraph 7 should be amended by the addition of the following text: "At the same time, in order to stimulate greater efforts in the field of human rights, the celebration should emphasize the considerable amount of work which remains to be done, and in particular the adoption and ratification of the draft covenants on civil and political rights and the draft covenant on economic, social and cultural rights." Several members supported this suggestion, while others expressed the view that it added little to the recommendation formulated by the Committee, and that it was inappropriate as a part of the plans for a celebration which was to highlight the Declaration.

44. It was further suggested that the word "completion" should be inserted in the Indian amendment before the words "adoption and ratification". However, after other members of the Commission had expressed misgivings about the resulting text, the representative of the United Kingdom proposed that the final clause of the Indian amendment might be altered to read "and in particular the importance of the adoption and ratification of the draft covenants".

45. The representative of France proposed that the first sentence of the first sub-paragraph of paragraph 7 should be amended by the addition of the following clause: "Emphasizing the exceptional nature of this document as distinct from all the constitutional documents of international organizations". After some members had opposed that part of the text which referred to other international documents, the representative of France rephrased his amendment to read: "and its unique character as an international document". Paragraph 7, thus amended, was adopted by the Commission.

C. Consideration of paragraph 14 of the Committee's report

46. The Commission considered the various recommendations submitted by the Committee in paragraph 14

of its report; it adopted these recommendations, and such amendments as were acceptable, as follows:

DISTRIBUTION OF THE TEXT OF THE DECLARATION

47. Recommendation A of the Committee read:

"The Committee considers that the Universal Declaration of Human Rights should be widely disseminated, studied and discussed. To this end the Committee recommends that the Secretary-General, with the co-operation of governments, non-governmental organizations, schools and local authorities initiate a new world-wide distribution of the text of the Declaration in 1958 in as many languages as possible. The Committee hopes that a copy of the Declaration may be made available to the greatest number of people in a language they can understand."

48. The representative of France proposed that the recommendation be amended by the addition, at the end of the second sentence, of the phrase "and presented in an attractive manner". He expressed the hope that the Declaration could be published in such a way that it would make a direct appeal to the man in the street. The amendment was adopted by the Commission.

49. One member of the Commission proposed that in the second sentence of the recommendation, after the words "in 1958", the phrase "together with an explanation of its character", should be added. He explained that in his view a short comment on the character of the Declaration should be prepared by the Secretary-General and circulated, along with the text, in order that it might not be misunderstood. He was afraid that the man in the street, in view of the great difference between the ideals of the Declaration and reality, might think that the United Nations was pouring out useless paper unless it was explained that the provisions of the Declaration were not legally binding on Member States but merely constituted a statement of aims to which all should aspire. It was, however, pointed out that any explanation of the character of the Declaration would have political implications, and that the preparation of such an explanation would put a heavy responsibility on the Secretary-General. The suggestion was made that the problem might be solved if the Economic and Social Council were to appoint a small group to prepare a statement on the character of the Declaration which could be used in any programme of dissemination. However, in the light of the discussion, the proposal was withdrawn.

50. Recommendation A, as amended, was adopted by the Commission.

PUBLICATIONS ON HUMAN RIGHTS

51. Recommendation B of the Committee read:

"The Committee considers that as many publications on human rights as possible should be issued during 1958. These should include books, pamphlets, periodicals and special articles. The co-operation of writers, publishers and non-governmental organizations will be most welcome in this respect.

"The Committee recommends that all specialized agencies should be invited to introduce in their public information activities in 1957 and 1958 the theme of

human rights, particularly when this is appropriate to the work of the agency.

"The Committee considers it important that the work of the United Nations in human rights should be given publicity in 1958. It recommends that the Secretary-General should prepare a commentary on the Declaration, giving its legislative history. Popular essays based on this commentary, and explaining the Declaration to the general public, would also be desirable. The Committee recommends that the Secretary-General issue a new pamphlet on the impact of the Declaration. The work of the Commission on Human Rights and its sub-commissions, and the work of the Commission on the Status of Women, should also be included in publications issued."

52. The representative of the United States of America stated that new publications on human rights would be most useful and appropriate in connexion with the celebration of the tenth anniversary of the Declaration; she expressed the hope, however, that such publications would be made available a full year in advance of the celebration, in order that they could be used extensively by writers and others before 1958. The representative of India proposed that the celebration should be universal in character and not confined to States Members of the United Nations or of the specialized agencies. After discussion, the proposal was adopted by the Commission.

53. Recommendation B was adopted by the Commission.

INTERNATIONAL SEMINAR ON HUMAN RIGHTS

54. Recommendation C of the Committee read:

"The Committee recommends that, as a prelude to the world-wide celebrations on 10 December 1958, the Secretary-General should organize an international seminar on human rights to be held during 1958. The purpose of the seminar would be to bring together, from all parts of the world, outstanding personalities who have been concerned with human rights at the national or international level to exchange their knowledge and experiences. The Committee emphasizes that the participants in the seminar should be drawn from many different walks of life and should be leaders in their particular fields."

55. One member felt that it would be unrealistic to refer to only one seminar on human rights in 1958, and that it would be preferable to refer to seminars in various places, each dedicated to the study of specific aspects of human rights. Another member raised the question whether the seminar, as proposed by the Committee, would really promote respect for human rights, and suggested that the objective envisaged by the Committee could better be attained if the possibility could be explored by the Secretary-General of arranging an international radio link-up of outstanding personalities who have been closely connected with work in the field of human rights. Still another member, while not opposing in principle the idea of convening a seminar as recommended by the Committee, drew attention to the financial estimate submitted by the Secretary-General (E/CN.4/735, Add.1) in which provision was made for twenty participants in the seminar; he pointed out that even if only one outstanding

personality were to be selected from each State Member of the United Nations, there would be more than eighty participants.

56. The representative of the United Kingdom proposed the deletion of recommendation C. His proposal was adopted by the Commission, the representatives of France, Italy and the United States of America registering their abstentions.

57. The representative of Lebanon proposed a new recommendation, to be inserted in the place of recommendation C, requesting the Secretary-General to invite former members of the Commission on Human Rights to participate in the celebration of the tenth anniversary of the Declaration in their own way. After some members of the Commission had expressed doubts about the necessity for such an invitation, it was suggested that the Secretary-General might be requested to remind governments that in the celebration of the tenth anniversary of the Declaration they might explore the possibility of utilizing the services of individuals who had participated in the drafting of the Declaration. It was pointed out that this matter could be dealt with by the addition of a phrase to recommendation E, and the Commission postponed further consideration of the question until it reached that recommendation.

58. A new recommendation was proposed, to be inserted in the place of recommendation C, suggesting the organization in 1958 of international seminars in various regions of the world, in harmony with the general scheme of advisory services in the field of human rights. It was, however, pointed out that the proposal was not necessary, and it was not pressed.

CONFERENCES OF NON-GOVERNMENTAL ORGANIZATIONS ON HUMAN RIGHTS

59. Recommendation D of the Committee read:

"The Committee recommends that non-governmental organizations emphasize human rights at their annual conferences in 1958.

"The Committee suggests also that non-governmental organizations individually, or in groups, should draw up and adopt resolutions reaffirming their support for the Declaration."

60. No amendments to recommendation D were submitted, and the recommendation was adopted by the Commission.

OTHER CONFERENCES AND MEETINGS ON HUMAN RIGHTS

61. Recommendation E of the Committee read:

"The Committee recommends that governments encourage national organizations and institutions to hold national conferences and other meetings on human rights in 1958. The organization of these conferences should be left to the initiative of leading civic or social organizations, but the Committee believes that the conferences should be on a large scale and the representatives drawn from as many different walks of life as possible.

"The Committee also recommends that as many societies and other local groups as possible hold

meetings and discussions on human rights during the year."

62. The representatives of Italy and Lebanon jointly proposed, and the Commission agreed, that the first sentence of the recommendation be amended to read "national conferences, and wherever possible, regional and other meetings, on human rights in 1958".

Recommendation E, thus amended, was adopted by the Commission.

STUDIES OF HUMAN RIGHTS SUBJECTS

63. Recommendation F of the Committee read:

"The Committee recommends that schools and universities, wherever possible, incorporate special studies on human rights in their existing curricula in 1958.

"The Committee suggests that in the schools the meaning of the articles of the Declaration might be taught against the background of the national history of the country concerned and of the country's own achievement of the rights and freedoms which the Declaration proclaims.

"The Committee suggests that universities in various parts of the world should hold seminars on human rights or meetings timed to coincide with the tenth anniversary."

64. In commenting on this recommendation, some members expressed the view that care should be taken to avoid giving students the idea that human rights are fully respected in the world today; it was suggested that it might be necessary for teachers to explain that it will take some time to reach the goals proclaimed in the Declaration. It was pointed out that quick action was necessary if the recommendations of the United Nations concerning school curricula were to be given effect, since school programmes for 1958 are already being prepared.

65. At the suggestion of the representative of Lebanon, the Commission agreed to delete the word "existing" in the first sentence of the recommendation. At the suggestion of the representative of India, the Commission agreed to substitute the phrase, "efforts in promoting the rights" for the phrase "achievement of the rights" in the second sentence of the recommendation.

66. Recommendation F, thus amended, was adopted by the Commission.

HONOURS AND AWARDS

67. Recommendation G of the Committee read:

"The Committee suggests that governments, universities and other institutions might offer special honours or awards in 1958 to persons who had distinguished themselves by their work or studies on human rights."

68. No amendments to recommendation G were submitted, and the recommendation was adopted by the Commission.

ART COMPETITIONS

69. Recommendation H of the Committee read:

"The Committee had hoped for contributions to the celebration from the arts, which have so often served,

and continue to serve, the cause of human rights. The Committee found it impossible, for practical reasons, to recommend the holding of international competitions in all forms of art, but it submits the following suggestions:

"1. That national competitions in literature, music and the plastic arts might be held. Artists, in whatever forms of art may be most representative of the particular national genius, might well be attracted by the idea of producing a work on the theme of human rights and submitting it to a jury;

"2. That an international competition in children's art might be arranged by the Secretary-General, in co-operation with the Director-General of UNESCO. Children of all countries might be asked to make drawings and paintings illustrating one or more of the rights in the Declaration which they themselves would choose. Their contributions would first be judged by a national committee. The contributions then submitted should be limited in number and of identical size. The number of awards to be made will have to be decided, but they would be offered by an international jury and the drawings and paintings selected would be exhibited at the United Nations;

"3. That similar national competitions might be held in which children would write essays or short stories with human rights as their theme."

70. The Commission decided to delete the first two sentences of the recommendation and to substitute therefor the following text: "The Commission submits the following suggestions". Recommendation H, as amended, was adopted by the Commission.

RADIO, TELEVISION AND FILM PROGRAMMES

71. Recommendation I of the Committee read:

"The Committee recommends that the Secretary-General in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, promote national and international radio, television and film programmes in honour of the tenth anniversary.

"The Committee suggests that the possibility be explored of special awards being made for films on human rights at the international film festivals. Similarly, a special television award might be offered for a Human Rights Day programme in 1958".

72. The representative of the United Kingdom proposed, and the Commission agreed, that the first paragraph of the recommendation should be amended by the addition of the following text:

"and that he should explore the possibility of arranging an international radio link-up in which outstanding personalities, who have been concerned with human rights at the national or international level, would participate."

73. The representative of Lebanon suggested, and the Commission agreed, that the second sentence might be qualified by using the term "films connected with human rights" rather than "films on human rights".

74. Recommendation I, thus amended, was adopted by the Commission.

HUMAN RIGHTS STAMPS

75. Recommendation J of the Committee read:

"The Committee recommends that every Government issue national human rights stamps, first-day covers, or special cancellations on 10 December 1958.

"The Committee also recommends that United Nations human rights stamps, first-day covers and special cancellations honouring the tenth anniversary should be issued."

76. No amendments to recommendation J were submitted and the recommendation was adopted by the Commission.

UNICEF GREETING CARDS

77. Recommendation K of the Committee read:

"The Committee suggests that UNICEF greeting cards might illustrate human rights in 1958. It notes that UNICEF has agreed to the Committee's request that it study the possibility of using one or more of the children's drawings or paintings which win the international competition (see H 2. above) on the greeting cards which will be issued in 1959 or 1960."

No amendments to recommendation K were submitted and the recommendation was adopted by the Commission.

OBSERVANCES OF HUMAN RIGHTS DAY 1958

78. Recommendation L of the Committee read:

"The Committee considers it important that the widest possible national and international observances of Human Rights Day in 1958 should be held.

"The Committee recommends that all Governments should make arrangements to hold celebrations on 10 December 1958 in their capitals and principal cities.

"The Committee suggests also that Heads of State or of Government might, on that day, address special messages to the nation, calling, where appropriate, on government agencies and services, and public and private organizations and enterprises, to make new efforts to achieve fuller enjoyment of the rights and freedoms recognized in the Declaration.

"The Committee recommends that the Secretary-General organize an appropriate ceremony at United Nations Headquarters on 10 December 1958. As the General Assembly will be in session on that date, special plenary meetings should be held at which Member States would reaffirm their faith in and pledge their renewed support for the Declaration in a resolution. The Secretary-General of the United Nations and the Directors-General of the specialized agencies should be invited to make special statements at these commemorative meetings.

"The Committee recommends also that the Secretary-General organize appropriate observances at the European and other offices of the United Nations.

"The Committee recommends further that the Directors-General of the specialized agencies be asked to organize observances of 10 December 1958 at their headquarters. The Committee notes that the eleventh General Conference of UNESCO will probably be in

session on 10 December 1958 and arrangements for special sessions of that body might also be made.”

79. The representative of Mexico proposed that the following text be inserted as the third paragraph of the recommendation: “The Commission suggests that parliaments of Member States might hold solemn sessions on 10 December 1958 to celebrate the tenth anniversary of the Declaration.” The amendment was adopted by the Commission.

80. It was suggested that the second and third sentences of the fourth paragraph of the recommendation be deleted. The representative of the United Kingdom suggested alternatively that these sentences might be replaced by the following: “As the General Assembly will be in session on that date, a special plenary meeting might be held at which the General Assembly would reaffirm its faith in, and pledge its renewed support for, the Declaration in a resolution”. The latter suggestion was adopted.

81. The Commission decided to add the words “or their representatives” after the reference to specialized agencies in the final paragraph of the recommendation.

82. The Commission agreed that when making arrangements for the special meeting of the General Assembly on 10 December, the Secretary-General could invite the executive heads of the specialized agencies to associate themselves with this ceremony, possibly by arranging for a statement to be made on behalf of all the agencies by the head of one of them.

83. Recommendation L, as amended, was adopted by the Commission.

84. The Commission decided to substitute the word “Commission” for the word “Committee” whenever it appeared in the recommendations as adopted, and to place the series of recommendations which it had adopted in the form of an annex to its resolution (I, B) on the subject (see para. 107 of this report).

D. Consideration of draft resolutions on the Committee's report

85. The Commission had before it the draft resolution on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights, submitted by the Committee in the annex to its report; and a draft resolution submitted by the United States of America (E/CN.4/L.442). The Commission accepted the latter draft resolution as a basis for further examination of the question.

86. Amendments to the United States draft resolution were submitted by Italy (E/CN.4/L.443), Israel (E/CN.4/L.444), Poland (E/CN.4/L.445) and, jointly, by Ceylon and India (E/CN.4/L.446). Sub-amendments to the Polish amendment were submitted by China (E/CN.4/L.447).

87. The amendment submitted by Italy, expressing the hope that regional inter-governmental organizations concerned would join in the celebration, was unanimously accepted by the Commission.

88. The amendment submitted by Israel (E/CN.4/L.444) was withdrawn in favour of the third paragraph of the joint Ceylon-India amendment.

89. The amendment submitted by Poland (E/CN.4/

L.445) by which the General Assembly was recommended to make, at its twelfth session, such organizational arrangements as it may deem necessary to make possible the completion of work on the draft covenants on human rights by 10 December 1958, and by which all Members of the United Nations would be asked to co-operate closely in such arrangements, gave rise to a difference of opinion in the Commission. While a number of members of the Commission supported the principle underlying the Polish amendment, some felt that there was no reason for the Commission to ask the General Assembly to do something which it had already in fact itself decided to do in resolution 1041 (XI). Others felt that it was not very realistic to expect the General Assembly to be able to conclude its work on the draft covenants in 1958, even though it had itself so decided; and expressed fear that false hopes might be raised by the adoption of the amendment.

90. The sub-amendments (E/CN.4/L.447) submitted by China to the Polish amendment (E/CN.4/L.445) called for the insertion of the words “including measures of implementation” in two places, first after the phrase “completion of work on the draft covenants on human rights” in the first Polish amendment, and secondly after the words “completion of work on the draft covenants on human rights by 10 December 1958”, in the second Polish amendment. In the light of the discussion of the amendments and of the sub-amendments submitted by China, Poland submitted a revised amendment (E/CN.4/L.445/Rev.1).

91. The amendments submitted jointly by Ceylon and India (E/CN.4/L.446), in which reference was made to “all States” rather than to “States Members of the United Nations and of the specialized agencies”, also gave rise to discussion in the Commission. Some members took exception to the reference to “all States” as a violation of the precedents established in the United Nations, while others considered it unwise to invite States which were members neither of the United Nations nor of any specialized agency to participate in the celebration of the Declaration. In reply to these objections, it was pointed out that the General Assembly itself, in resolution 423 (V), had invited all States to adopt 10 December of each year as Human Rights Day, and to observe this day to celebrate the anniversary of the proclamation of the Universal Declaration of Human Rights; and that the Declaration was itself a universal document, intended for all peoples and all nations. It was further pointed out that on a number of previous occasions the United Nations had addressed resolutions and communications to non-member States.

92. In the light of the discussion, the representatives of Ceylon and India submitted a revised version of their amendments (E/CN.4/L.446/Rev.1), incorporating changes which had been suggested by other members of the Commission. Two sub-amendments to this amendment were submitted by China (E/CN.4/L.448). Both sub-amendments called for use of the term “all States Members of the United Nations or of specialized agencies” instead of the term “all States.”

93. Paragraph 1 of the revised Ceylon-India amendments was adopted unanimously.

94. The first sub-amendment (E/CN.4/L.447) submitted by China to the Polish amendment was not put to the vote as the phrase contained therein had already appeared in the revised Polish amendment (E/CN.4/L.445/Rev.1).

95. Paragraph 1 of the revised Polish amendment (E/CN.4/L.445/Rev.1) was adopted by 11 votes in favour to 3 against, with 4 abstentions.

96. Paragraph 2 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was adopted unanimously.

97. The Chinese sub-amendment (E/CN.4/L.448) to paragraph 3 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was not adopted, 9 votes being cast in favour to 9 against.

98. Paragraph 3 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was adopted by 9 votes in favour to 7 against, with 1 abstention.

99. The Chinese sub-amendment (E/CN.4/L.448) to paragraph 4 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was not adopted, receiving 8 votes in favour to 8 against, with one abstention, on a roll-call vote requested by the representative of China. The voting was as follows:

In favour: Argentina, China, France, Mexico, Norway, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Ceylon, India, Iran, Israel, Lebanon, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstention: Iraq.

100. Paragraph 4 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was adopted by 10 votes in favour to 7 against.

101. Paragraph 5 of the revised Ceylon-India amendments (E/CN.4/L.446/Rev.1) was adopted unanimously.

102. The Italian amendment (E/CN.4/L.443) was adopted unanimously.

103. The Chinese sub-amendment (E/CN.4/L.447) to the second paragraph of the Polish amendment (E/CN.4/L.445/Rev.1) was adopted by 7 votes in favour to 5 against, with 3 abstentions.

104. The second paragraph of the Polish amendment (E/CN.4/L.445/Rev.1), as amended, was adopted by 9 votes in favour to 3 against, with 5 abstentions.

105. The United States draft resolution (E/CN.4/L.442), as amended, was adopted by 16 votes in favour and none against, with 1 abstention. The representatives of Argentina, China, India, Israel, Lebanon, Mexico, Norway, the Philippines, the United Kingdom and the United States of America explained their votes; their statements are summarized in document E/CN.4/SR.554.

106. It was understood that the blank space in operative paragraph 6 of the resolution as adopted would be filled in by the Economic and Social Council.

107. The resolution as adopted (E/CN.4/745), reads:

Resolution I

Celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights

A

The Commission on Human Rights

1. *Takes note* of the report of the Committee on the Celebration of the Tenth Anniversary of the Adoption of the Universal Declaration of Human Rights (E/CN.4/735);

2. *Thanks* the Members of the Committee for their work.

B

The Commission on Human Rights

Recommends to the Economic and Social Council the adoption of the following draft resolution:

[*For the text, see annex I, draft resolution A.*]

IV. DRAFT DECLARATION ON THE RIGHTS OF THE CHILD

108. The proceedings at the United Nations regarding the draft Declaration on the Rights of the Child go back to 1946, when the temporary Social Commission stated that the terms of the Declaration of Geneva, adopted by the Assembly of the League of Nations, "should be as binding on the peoples of the world today as they did in 1924" (E/41).

109. The Social Commission at its sixth session, in 1950, adopted a draft Declaration on the Rights of the Child² and transmitted it to the Economic and Social Council with the recommendation that the latter request the Commission on Human Rights to inform the Council of the Commission's observations on the draft with a view to its approval by the General Assembly (E/1678).

110. The Economic and Social Council, on 13 July 1950, adopted resolution 309 C (XI) in which, after noting

the close relationship between the draft Declaration on the Rights of the Child and the Universal Declaration of Human Rights, it requested the Commission on Human Rights to consider the draft declaration, as prepared by the Social Commission, "at the same time as the Universal Declaration of Human Rights", taking into account the relevant summary records of the Council, and to communicate to the Council "its observations on the principles and contents" of the draft declaration.

111. The draft Declaration on the Rights of the Child was first placed on the agenda of the seventh session of the Commission on Human Rights in 1951 (E/CN.4/512), but was not considered by the Commission until the thirteenth session.

A. General debate on the draft Declaration on the Rights of the Child

112. The Commission held a general discussion on the draft Declaration on the Rights of the Child during its

² See *Official Records of the Economic and Social Council, Eleventh Session, Supplement No. 3, annex II, draft resolution IV.*

555th to 558th meetings. It had before it resolution 309 C (XI) of the Council, the records of the discussion in the Council (E/SR.387, and E/AC.7/SR.125-128), the text of the draft declaration prepared by the Social Commission, and certain background information (E/CN.4/512). It also had before it written statements submitted by the World Movement of Mothers (E/CN.4/NGO/70 and Corr.1 and 2), the International Federation of Women Lawyers (E/CN.4/NGO/71), the International Catholic Child Bureau (E/CN.4/NGO/72), the Liaison Committee of Women's International Organizations (E/CN.4/NGO/73) and the International Union of Family Organizations (E/CN.4/NGO/74). The Commission heard oral statements by representatives of the Agudas Israel World Organization, the International Catholic Child Bureau, the International Federation of University Women, the International Union for Child Welfare, the International Union of Family Organizations and the World Movement of Mothers. These statements are summarized in documents E/CN.4/SR.555 to 557.

113. The discussion in the Commission ranged over a wide field. It was the consensus of opinion that the child needed special protection by reason of his physical and mental immaturity. Various points of view were, however, put forward concerning the nature, the principles and the contents of the draft declaration. Opinions were expressed, for example, concerning the desirability of drafting a declaration of principles or the preparation of a legally binding instrument, such as a convention, which would define more precisely the obligations to be undertaken both nationally and internationally. Various paragraphs of the draft were commented upon and suggestions for their re-drafting were made. The question of the responsibility of the State and of the family towards the child, as well as the relationship of the family to the child and parental rights and duties, were discussed. Special emphasis was also placed on the difference which still exists in some countries between the rights of legitimate and illegitimate children. Some members suggested that the first concern of the United Nations, in drafting an instrument of an international character, should be to protect the child from social stigma originating in circumstances alien to his responsibility.

B. Consideration of draft resolution

114. There was general agreement, however, that the Commission could not consider the draft declaration in all its aspects at the thirteenth session. While some opinion was voiced in favour of referring the draft declaration back to the Social Commission for further consideration in the light of the views expressed in the Commission, Ceylon, India, Iran and Mexico submitted a draft resolution (E/CN.4/L.450) by which the Commission would transmit to Governments of Member States the observations made in the Commission, together with the draft declaration, with a view to receiving their comments thereon. The Secretary-General would be

requested to circulate the comments of Governments to the members of the Commission by 31 December 1957, and it was proposed that the Commission should consider the draft declaration further at its next session.

115. The sponsors of the resolution agreed that it would be more appropriate to acquaint the Governments with all the observations made in the Commission by transmitting to them the summary records of the meetings of the Commission, rather than by sending them only the brief account which appears in this report. The sponsors also accepted an amendment proposed by the Philippines, to transmit to Governments, in addition to the summary records, the written statements submitted by non-governmental organizations (see para. 112); and an amendment proposed by the representative of China, to forward also to Governments the records of the discussion in the Social Committee of the eleventh session of the Economic and Social Council. The sponsors further agreed to incorporate in their draft resolution a suggestion, made by the representative of the Union of Soviet Socialist Republics, that Governments should be asked to send in their comments by 1 December 1957 at the latest, so that the Commission might be able to take these comments into account during its further consideration of the question. The representative of Iraq did not press his suggestion that Governments should be asked specifically to formulate their comments on the title, nature and contents of the draft declaration, as it was felt that Governments should be free to comment upon all the proceedings and not only on the suggested topics.

116. At the 558th meeting the Commission unanimously adopted the following resolution (E/CN.4/746):

Resolution II

Draft Declaration on the Rights of the Child

The Commission on Human Rights,

Having held a general discussion on the draft Declaration on the Rights of the Child prepared by the Social Commission (E/CN.4/512),

1. *Transmits* to the Governments of Member States the observations made in the thirteenth session of the Commission on Human Rights (E/CN.4/SR.555-558), together with the written statements submitted by non-governmental organizations (E/CN.4/NGO/70, Corr.1 and 2, E/CN.4/NGO/71 to 74), the draft Declaration, and the records of the discussions in the Social Committee of the eleventh session of the Economic and Social Council (E/AC.7/SR.125-128), with a view to receiving their comments thereon by 1 December 1957 at the latest, so that the Commission may take them into account during its consideration of the question;

2. *Requests* the Secretary-General to circulate the comments of Governments to the members of the Commission by 31 December 1957;

3. *Decides* to consider the draft Declaration further at its next session.

V. STUDY OF THE RIGHT OF EVERYONE TO BE FREE FROM ARBITRARY ARREST, DETENTION AND EXILE

117. At its twelfth session, the Commission appointed a Committee of four of its members, namely Chile, Norway, Pakistan and the Philippines to prepare a study on the right of everyone to be free from arbitrary arrest, detention and exile (E/2844, paragraphs 49 and 82). The Committee was asked to submit a preliminary report to the thirteenth session of the Commission and, if possible, a complete report at the succeeding session.

118. On 1 August 1956 the Economic and Social Council, in resolution 624 B (XXII), approved the subject of the study, invited States Members of the United Nations or of the specialized agencies to furnish information on the subject of the study, and invited the specialized agencies and non-governmental organizations in consultative relationship with the Council to co-operate in carrying out the study.

119. The Committee, at its first meeting on 28 March 1956, elected the representative of the Philippines, Mr. F. M. Serrano, as Chairman Rapporteur. The Chairman Rapporteur submitted a report (E/CN.4/739) to the thirteenth session of the Commission.

120. The report dealt with the collection of material for the study and indicated to what extent information had been forthcoming from Governments, specialized agencies and non-governmental organizations. It also contained certain preliminary observations on the general approach to the study. It was emphasized that the report was purely of a preliminary character. In view of the fact that the subject of the study had not been approved by the Council until 1 August 1956 and the budget estimate by the General Assembly until 21 December 1956, the Committee had not been able to make as much progress as it would have wished. It was hoped that a substantial progress report might be submitted to the Commission at its fourteenth session in 1958.

121. The Commission considered this item of its agenda at the 558th meeting. As proposed by the representative of Lebanon, the Commission elected Argentina and Ceylon as members of the Committee to replace Chile and Pakistan which had ceased to be members on the expiry of their term of office on the Commission.

122. After a brief discussion, during which it was suggested that the Commission should simply take note of the preliminary report of the Committee and defer the substantive discussion until the fourteenth session, when a full report would be available, the Commission adopted by 15 votes in favour to none against, with 3 abstentions, the following resolution proposed by the representative of Mexico (E/CN.4/SR.558):

Resolution III

Study of the Right of Everyone to be free from Arbitrary Arrest, Detention and Exile

The Commission on Human Rights

Takes note of the preliminary report of the Committee appointed to prepare a study on the right of everyone to be free from arbitrary arrest, detention and exile (E/CN.4/739),

Postpones further discussion on this item to its next session.

123. The representatives of Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics wished it to be recorded that their position on the matter was determined by the fact that, in their opinion, the carrying out of so-called studies on the implementation of individual human rights might in fact divert the attention of the United Nations from its principal task in the field of human rights at the present time: the final work on the preparation of the draft International Covenants on Human Rights.

VI. PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

A. Membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

124. At the 554th meeting the Commission received a communication from the delegation of the Union of Soviet Socialist Republics (E/CN.4/744), informing it of the death of Mr. Nikolai Petrovich Emelyanov, a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Commission expressed deep sympathy on the death of Mr. Emelyanov to his family and to the Soviet delegation, and agreed to consider the question of filling the vacancy on the Sub-Commission later in the session. At the 559th meeting the representative of the USSR nominated Mr. Andrei Andronovich Fomin to fill the vacancy created by the death of Mr. Emelyanov (see E/CN.4/744). As there were no other nominations, Mr. Fomin was declared elected to the Sub-Commission, the representative of China recording his abstention.

B. Report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

125. At the 559th to 570th meetings the Commission examined the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740), by chapters, in the following order:

Chapter V: Study of discrimination in the field of employment and occupation;

Chapter VI: Date, duration and agenda of any further conference of non-governmental organizations interested in the eradication of prejudice and discrimination that may be convened;

Chapter VII: Study of discrimination in the matter of religious rights and practices;

Chapter VIII: Study of discrimination in the matter of political rights;

Chapter IX: Advisory services in the field of human rights; application to the prevention of discrimination and the protection of minorities;

Chapter XI: Programme of future work and duration of the Sub-Commission's tenth session; and

Chapter IV: Study of discrimination in education.

The Commissions examined chapter X of the report of the Sub-Commission on communications concerning prevention of discrimination and protection of minorities in connexion with item 11 of the agenda (see chapter XI of this report).

1. STUDY OF DISCRIMINATION IN THE FIELD OF EMPLOYMENT AND OCCUPATION

126. At its ninth session, the Sub-Commission had received and considered the memorandum of the Secretary-General (E/CN.4/Sub.2/178) and the reports VII (1) and VII (2) on discrimination in the field of employment and occupation, prepared by the International Labour Office for the fortieth session in 1957 of the International Labour Conference. The Sub-Commission had expressed its appreciation of the high quality of these documents, had endorsed the general conception and the procedure followed in preparing them, and had recognized in general the validity both of the analysis of the various forms of discrimination in the field of employment and occupation made by the International Labour Organisation and of the principles suggested as a guide for the policy of the authorities. The Sub-Commission, in resolution D, had requested the Commission on Human Rights to recommend the Economic and Social Council to inform the International Labour Organisation of its appreciation of the work already accomplished in this field and of its desire that this work should be continued in the same spirit and in accordance with the same procedure; to transmit to the International Labour Organisation, in time for submission to the International Labour Conference to be held in 1957, the record of the exchange of views in the Sub-Commission on the subject as embodied in the Sub-Commissions' records and reports and, if the Commission considers it advisable, to ask the Council at its twenty-third session for the necessary authority; and to recommend the Council and the Secretary-General to authorize suitable arrangements for the results of the work of the International Labour Conference to be transmitted directly to the Sub-Commission and for the Sub-Commission's work at its 1958 session to be brought to the attention of the International Labour Organisation in time for submission to the International Labour Conference at its session in 1958. The Sub-Commission had further decided to retain the item on the agenda of its tenth session with a view to reaching a conclusion on this problem, in the light, *inter alia*, of the additional work done by the International Labour Organisation in 1957.

127. In the general debate on chapter V, various members of the Commission expressed their views on the reports prepared by the International Labour Organisation. These views are summarized in documents E/CN.4/SR.559 and 560.

128. The Commission also heard statements by the representatives of the World Federation of Trade Unions, the International Federation of University Women, and the International Federation of Women Lawyers. These statements are summarized in document E/CN.4/SR.560.

129. Members of the Commission were unanimous in commending the International Labour Organisation on the manner in which it had conducted the study of discrimination in employment and occupation. They considered the work done in this field to be a model of co-ordination and co-operation, in a common task, between the Economic and Social Council, the International Labour Organisation, the Commission and the Sub-Commission. Members also were in agreement that the United Nations and the specialized agencies should not hesitate to take whatever steps might be appropriate to put an end to discrimination in the field of employment and occupation. Several members stressed the necessity of preparing an international instrument which would express the basic attitude of the United Nations towards discrimination in this field.

130. The debate centred largely on the question whether or not the Commission should put forward a collective view concerning the form which such an instrument should take—i.e., whether it should be a convention, a recommendation, or both. It was pointed out that more than half of the Members of the United Nations had already put themselves on record as favouring the adoption of an international instrument designed to bring about, as quickly as possible, an end to the phenomenon of discrimination in employment and occupation; some of these had favoured the preparation of an international convention, while others had felt that a recommendation would adequately serve the purpose.

131. Members of the Commission who felt that it should make a collective recommendation in favour of a convention pointed out that such an instrument would represent a concrete step forward and would have greater weight than any recommendation. Other members expressed the view that a recommendation by the Commission was unnecessary, since the International Labour Organisation had already consulted Governments on the question and the Commission was not in a position to modify the comments received from the Governments. The suggestion was made that a limited convention, by which States would undertake to abolish discrimination only in respect of government employment, would be appropriate, whereas it might be very difficult for Governments to undertake to put an end to discrimination in private employment by such an instrument.

132. The request of the Sub-Commission, that the record of its exchange of views on the International Labour Office's reports be transmitted to the International Labour Organisation, was supported by most members of the Commission. There was also general support for the Sub-Commission's request that the International Labour Organisation be informed of its appreciation of the work already accomplished relating to discrimination in the field of employment and occupation, and of its view that this work should be continued in the same spirit.

133. A question of procedure arose in the Commission as to whether or not special authorization had to be

obtained from the Economic and Social Council before the views of the Sub-Commission could be transmitted to the International Labour Office. It was agreed that such authorization had already been given to the Secretary-General by the Economic and Social Council in operative paragraph 2 of resolution 545 E (XVIII).

134. A draft resolution, submitted jointly by China, France India, Lebanon, Mexico and the United Kingdom (E/CN.4/L.452), proposed that the Commission request the Secretary-General as authorized by the Council in resolution 545 E (XVIII):

“(a) To transmit to the International Labour Organisation the record of the exchange of views on the report in the Sub-Commission (E/CN.4/740, chapter V and E/CN.4/Sub.2/SR.214 to 216) and in the Commission (E/CN.4/SR.559 and 560);

“(b) To inform the International Labour Organisation of the appreciation of the Commission and the Sub-Commission of the work already accomplished in this field and of their view that this work should be continued in the same spirit and in accordance with the same procedure;

“(c) To make suitable arrangements for the results of the work of the International Labour Conference to be transmitted to the Sub-Commission.

135. It was suggested that a fourth request be added to the resolution which would read:

“(d) To request the Sub-Commission to submit to the Commission its observations on the work of the International Labour Conference.”

The suggestion was not pressed, however, in view of the fact that the Sub-Commission had already decided to retain on the agenda of its tenth session the item, “Study of discrimination in employment and occupation”, with a view to reaching a conclusion on this problem in the light, *inter alia*, of the additional work done by the International Labour Organisation in 1957.

136. The six-Power joint draft resolution was unanimously adopted (E/CN.4/L.452).

137. The resolution, as adopted by the Commission (E/CN.4/747), reads as follows:

Resolution IV

Study of discrimination in the field of employment and occupation

The Commission on Human Rights,

Having considered Chapter V of the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740), in which the Sub-Commission expresses its views on reports VII (1) and VII (2), on discrimination in the field of employment and occupation, prepared by the International Labour Office for the fortieth session of the International Labour Conference,

Requests the Secretary-General, as authorized by the Economic and Social Council in resolution 545 E (XVIII):

(a) To transmit to the International Labour Organisation the record of the exchange of views on the reports in the Commission (E/CN.4/SR.559 and 560) and in the Sub-Commission (E/CN.4/740, Chapter V and E/CN.4/Sub.2/SR.214 to 216);

(b) To inform the International Labour Organisation of the appreciation of the Commission and of the Sub-Commission of the work already accomplished in this field and of their view that this work should be continued in the same spirit and in accordance with the same procedure;

(c) To make suitable arrangements for the results of the work of the International Labour Conference to be transmitted to the Sub-Commission.

2. DATE, DURATION AND AGENDA OF ANY FURTHER CONFERENCE OF NON-GOVERNMENTAL ORGANIZATIONS INTERESTED IN THE ERADICATION OF PREJUDICE AND DISCRIMINATION THAT MAY BE CONVENED

138. As its twelfth session, the Commission had requested the Secretary-General (E/2844, resolution VIII) to invite the non-governmental organizations to state their views on the date, duration, programme, objectives and methods of a further conference of non-governmental organizations interested in the eradication of prejudice and discrimination, and to transmit these views to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and to the Commission, for consideration. At that session, the Commission had before it a joint statement, favouring a further conference in 1958, signed by eighteen non-governmental organizations (E/CN.4/NGO/67). The Secretary-General accordingly had submitted first to the Sub-Commission, and later to the Commission, a report (E/CN.4/Sub.2/180 and Add.1) summarizing the results of his consultations with the non-governmental organizations concerned on the date, duration and agenda of any further conference on this subject that might be convened. The report indicated that twenty-two organizations, in addition to the eighteen which had signed the joint statement referred to above, appeared to express support for the holding of a further conference in 1958, making a total of forty organizations favouring it. Five had expressed the view that there was no urgency about the organization of such a conference, or had suggested that the matter be considered further; and one had opposed the holding of a further conference in 1958.

139. The Sub-Commission, after considering the report of the Secretary-General, had unanimously recommended to the Commission (E/CN.4/740, resolution E), that it request the Economic and Social Council to make arrangements for convening such a conference, if possible during the last week prior to the 1958 summer session of the Council. The Sub-Commission had suggested certain matters which could usefully be taken up by such a conference, and had drawn attention to the importance of adequate preparation and documentation.

140. The Commission examined chapter VI of the Sub-Commission's report, and resolution E, at its 560th to 562nd meetings. It had before it a note in which the Secretary-General stated (E/CN.4/742, para. 8) that he was not convinced of the value of the Sub-Commission's proposal for the holding in 1958 of a second conference of non-governmental organizations interested in the eradication of prejudice and discrimination, believing it unlikely that such a conference could go much beyond the achievements of the conference held in 1955.

141. The Commission heard statements by various members, and by the representatives of the World Veterans Federation, the World Federation of Trade Unions, the World Union of Catholic Women's Organizations, Pax Romana, the World Movement of Mothers, the World Jewish Congress, the International Federation of Women Lawyers, the World Union for Progressive Judaism, the Consultative Council of Jewish Organizations, the Women's International League for Peace and Freedom, and the International Movement for Fraternal Union Among Races and Peoples. These statements are summarized in documents E/CN.4/SR.560 and 561.

142. Members of the Commission were divided on the question whether or not a further conference should be convened by the United Nations in 1958. Those who opposed the holding of such a conference in 1958 pointed out that the ninety-seven non-governmental organizations represented at the first conference had not had the time to put into effect the decisions taken at that conference, and that there was not enough time to prepare for a new conference in 1958. They felt that a second conference, so soon after the first, might result in a mere repetition of the first, which had been somewhat incomplete in their view because of the meagre representation from underdeveloped countries. Further, it appeared to them that the number of non-governmental organizations interested in such a conference in 1958 was not sufficiently large, and that there was no agreement among the non-governmental organizations themselves as to the desirability of convening a conference at that date. By calling such a conference, they said, the United Nations might create, rather than eliminate, disharmony, and if such a conference were to be a failure it would reflect upon the United Nations itself.

143. Those who favoured convening the conference in 1958 expressed the view that government action to eradicate prejudice and discrimination could not produce the necessary results unless supplemented by activity on the non-governmental level; it was very important that non-governmental organizations should have an opportunity of comparing their working methods, particularly as regards their contribution to the studies on discrimination being carried out by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Certain members pointed out that some of the most active organizations were among the forty which favoured an early meeting. The first conference, held in 1955, had unanimously requested the Economic and Social Council to consider the convening of another conference, if possible within two years. They considered that sufficient time was available before 1958 for working out the details of the further conference. In their view it was not for the United Nations to decide how or when the non-governmental organizations should meet, or to prejudge what the results of their meeting might be; the only question to be considered was whether or not the conference should take place under the aegis of the United Nations, and if so on what date. The United Nations would be called upon to provide only the normal conference services, which would not entail any financial implications.

144. A draft resolution on the subject was submitted to the Commission jointly by China, Iraq, Italy, Lebanon,

Norway, the Philippines and the United Kingdom (E/CN.4/L.453). Other members, in commenting on the draft resolution, pointed out that the non-governmental organizations themselves were divided in their views about the holding of a further conference, and that the objectives, agenda, and method of work of such a conference ought, if possible, to be agreed before a final decision on a further conference was taken. After the sponsors had amended their draft resolution to take these views into account, the draft resolution was adopted by 15 votes to 2.

145. The resolution, as adopted by the Commission (E/CN.4/748) reads as follows:

Resolution V

Date, duration, and agenda of any further Conference of Non-governmental Organizations Interested in the Eradication of Prejudice and Discrimination that may be convened

The Commission on Human Rights,

Having considered chapter VI of the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740), and resolution E of the Sub-Commission contained therein,

Recalling resolution 546 (XVIII) of the Economic and Social Council of 3 August 1954,

Noting that forty non-governmental organizations in consultative relationship or status with the Economic and Social Council desire to have a second conference, while others are not in favour of such a conference,

Noting further that the Sub-Commission has recommended the Commission to request the Economic and Social Council to make the necessary arrangements for the holding of a second conference, if possible during the last week prior to the 1958 summer session of the Council,

Considering the statement of the Secretary-General (E/CN.4/742, para. 8) that he is not convinced of the value of the proposal,

1. *Transmits* to the Sub-Commission the records of its discussion on this item (E/CN.4/SR.660 to 662) and of the statements made to the Commission by some non-governmental organizations in consultative relationship or status with the Economic and Social Council, and the opinion of the Secretary-General on this matter;

2. *Invites* the Sub-Commission to consider the matter further at its tenth session in the light of the above-mentioned records and of any further statements which may be submitted to it by non-governmental organizations in consultative relationship or status with the Council and interested in the eradication of prejudice and discrimination, particularly those from Asia, Africa and Latin America, and to report to the Commission on the question of the desirability and advisability of a further conference of non-governmental organizations, and in particular on the following points:

(a) The objects, agenda and methods of work of such a conference;

(b) The date, duration, and place of such a conference;

3. *Invites* non-governmental organizations in consultative status or relationship with the Economic and Social Council, interested in the eradication of prejudice and discrimination, to communicate to the Sub-Commis-

sion in time for consideration at its tenth session any observations they may wish to offer on the above matter.

3. STUDY OF DISCRIMINATION IN THE MATTER OF RELIGIOUS RIGHTS AND PRACTICES

146. At the 563rd meeting, the Commission examined chapter VII of the report of the Sub-Commission, on the study of discrimination in the matter of religious rights and practices (E/CN.4/Sub.2/182). The Commission heard statements by several of its members, and by the representative of the Catholic International Union for Social Service. These statements are summarized in document E/CN.4/SR.563.

147. Members of the Commission agreed that only operative paragraph 4 of resolution F of the Sub-Commission called for action to be taken by the Commission; in this paragraph the Commission had been requested to reiterate, in whatever manner seemed advisable, its requests to Governments and non-governmental organizations to co-operate in replying as soon as possible to the requests for information already addressed to them. It was suggested that the Secretariat might be asked to prepare an appropriate draft resolution for consideration by the Commission. However, the objection was raised that only members of the Commission had the right to submit draft resolutions. Accordingly, the Commission requested its Rapporteur to draft, with the assistance of the Secretariat, an appropriate text which would implement the Sub-Commission's request.

148. At the 576th meeting, the Commission adopted the following resolution (E/CN.4/749):

Resolution VI

Study of discrimination in the matter of religious rights and practices

The Commission on Human Rights,

Having considered chapter VII of the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/749), on the study of discrimination in the matter of religious rights and practices,

Noting that the material required for the study from Governments, the appropriate specialized agencies, the competent non-governmental organizations, and other sources, is not yet complete,

Requests the Secretary-General to invite Governments, the appropriate specialized agencies, and the competent non-governmental organizations, to whom requests for information have already been addressed, to co-operate in the study by replying as soon as possible in order that all relevant material may be available to the Special Rapporteur by 15 August 1957 for use in the preparation of the draft report requested by the Sub-Commission.

4. STUDY OF DISCRIMINATION IN THE MATTER OF POLITICAL RIGHTS

149. At the 563rd meeting the Commission examined chapter VIII of the report of the Sub-Commission, on the study of discrimination in the matter of political rights. No statements were made on the chapter, and the Commission decided that no action on its part was called for at this stage.

5. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS; APPLICATION TO THE PREVENTION OF DISCRIMINATION AND THE PROTECTION OF MINORITIES

150. At the 563rd meeting, the Commission considered chapter IX of the Sub-Commission's report, on the application to the prevention of discrimination and the protection of minorities of advisory services in the field of human rights. In the report, the Sub-Commission had requested (resolution H) the Commission to submit to the Economic and Social Council a draft resolution by which the Council would (1) draw the attention of Governments to the important role which exchange of views and information by means of seminars can play for the purpose of combating discrimination, (2) request the Secretary-General to convene working parties in consultation with Governments with a view to planning and organizing such seminars and (3) express the hope that all Governments would co-operate in achieving the purpose of the resolution. The debate in the Commission (E/CN.4/SR.563) related principally to the request contained in the operative paragraph 2 of the draft resolution.

151. In this connexion the representative of the Secretary-General made the following statement:

"The Secretary-General hopes that the development of techniques and procedures for the preparation of seminars could be left largely to his discretion. While working parties may be desirable and even necessary prior to the experimental seminars at present scheduled, he feels that their necessity and value as a regular procedure may be questionable. The demand on the staff must be taken into account; so must the difficulty of ensuring expert composition of the working parties as well as of the seminars; and the increase in the cost of the project. An alternative procedure would be simply to circulate to participants technical working papers for their comments and suggestions on the basis of which the necessary documentation outlining the procedure and the scope of the seminar could be issued in due course."

152. Some members of the Commission agreed with the view expressed by the Secretary-General, while others supported the draft resolution as prepared by the Sub-Commission. The representative of the United Kingdom proposed that the operative paragraph 2 of the draft resolution be amended in such a way as to preserve for the Secretary-General complete freedom of action. He also suggested that reference should be made in the draft resolution to resolution 926 (X) of the General Assembly, establishing the programme of advisory services in the field of human rights.

153. The draft resolution which had been submitted by the Sub-Commission, thus amended, was unanimously adopted by the Commission, as follows (E/CN.4/750):

Resolution VII

Advisory services in the field of human rights: application to the Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights

Submits to the Economic and Social Council the following draft resolution:

[For the text, see annex I, draft resolution B.]

154. Some members of the Commission, while praising the purpose of the youth seminar to be held in France in the summer of 1957, under the auspices of the World Veterans Federation, to deal with national and international aspects of the fight against discrimination, expressed the view that the activities of particular non-governmental organizations should not be singled out by the Sub-Commission and dealt with in resolutions, as this might be unfair to other non-governmental organizations conducting equally valuable activities.

6. PROGRAMME OF FUTURE WORK AND DURATION OF THE SUB-COMMISSION'S TENTH SESSION

155. At the 564th meeting, the Commission examined chapter XI of the Sub-Commission's report, on the programme of future work and duration of the Sub-Commission's tenth session. The Commission unanimously endorsed the hope expressed by the Sub-Commission that its tenth session would be of at least four weeks' duration, in order that more careful consideration could be given to every item on its agenda.

7. STUDY OF DISCRIMINATION IN EDUCATION

156. At the 565th to 570th meetings, the Commission considered chapter IV of the report of the Sub-Commission, on the study of discrimination in education. In connexion with chapter IV, the Commission had before it the Study of Discrimination in Education (E/CN.4/Sub.2/181 and Corr.1 and Add.1), drawn up by the Sub-Commission's Special Rapporteur, Mr. Charles D. Ammoun. The study had been prepared in accordance with resolution B (E/CN.4/703, para. 97), adopted by the Sub-Commission at its sixth session; resolution III (E/2573, para. 418), adopted by the Commission on Human Rights at its tenth session, resolution B (E/CN.4/721, para. 101), adopted by the Sub-Commission at its eighth session, and resolution IX (E/2844, para. 157), adopted by the Commission at its twelfth session.

157. The Commission also had before it the comments of the Executive Board of the United Nations Educational, Scientific and Cultural Organization on the recommendations of the Sub-Commission regarding the study (E/CN.4/743), as well as the comments (E/CN.4/Sub.2/L.103) on the Special Rapporteur's draft report (E/CN.4/Sub.2/L.92) which UNESCO had submitted to the Sub-Commission at its ninth session.

158. On the invitation of the Commission the Special Rapporteur, Mr. Ammoun, was present and participated in most of the Commission's meetings when the Study, and the relevant chapter of the Sub-Commission's report, were under discussion.

159. In an introductory statement at the 565th meeting, Mr. Ammoun pointed out that the study was a "pilot project" in the series of studies which had been undertaken by the Sub-Commission, and that in a general way it was the first study of its kind undertaken by the United Nations. In preparing it, he had sought to conform in every respect to the terms of reference given him. He had taken into consideration all forms of discrimination condemned by the Universal Declaration of Human Rights, and had given special attention to instances of

discrimination that are typical of general tendencies, and instances where discrimination had been successfully overcome. He had approached his task not in the spirit of a Grand Inquisitor, but as a man of good will endeavouring to establish a basis for constructive action.

160. Mr. Ammoun pointed out that even during the short time that had elapsed since the date of the completion of his study on 10 October 1956, several countries had taken action to eradicate discrimination in education. He expressed the hope that such improvements would continue to occur.

161. A representative of the Commission on the Status of Women, Mrs. Hélène Lefauchaux (France), also participated in the discussion of the study. Her statements are summarized in documents E/CN.4/SR.566 and 568.

162. In addition, the Commission heard statements by representatives of the International Federation of Christian Trade Unions, the World Federation of Trade Unions and the World Young Women's Christian Association. These statements are summarized in documents E/CN.4/SR.566 and 569.

163. The Commission took, as a basis for its work, the three resolutions relating to the study of discrimination in education which had been prepared by the Sub-Commission (E/CN.4/740, paras. 160 to 162, resolutions A, B and C).

General appraisal of the study

164. In resolution A, the Sub-Commission had transmitted the study to the Commission, together with the summary records of the discussion in the Sub-Commission's eighth and ninth sessions (E/CN.4/Sub.2/SR.174 to 188 and 198 to 213). It had unanimously expressed its warm appreciation to the Special Rapporteur for his devoted labours, and had congratulated him on the comprehensive nature of his final study and on the proposals it contained. It had also expressed its gratitude to the staff of the Secretary-General of the United Nations, and to the specialized agencies concerned, particularly UNESCO, for their valuable contributions in the compilation of the study; and the Commission on the Status of Women for its collaboration.

165. Members of the Commission were likewise unanimous in expressing their appreciation to Mr. Ammoun of the valuable and important study which he had prepared. They were particularly impressed by the spirit in which Mr. Ammoun had approached his task, by the tremendous amount of information which he had embodied in the study, and by the impartiality and objectivity with which he had analysed this information. They also recognized the value of the contributions to the study which had been made by the Secretariat, by UNESCO and by the Commission on the Status of Women.

Study of possible measures to be taken, at the international level, to eradicate discrimination in education

166. Resolutions B and C of the Sub-Commission were closely linked; resolution C contained a statement of ten fundamental principles relating to the eradication

of discrimination in education, while resolution B requested the Commission to study three possibilities for attaining the goals set forth in those principles, as follows: that it might be useful and desirable for the Economic and Social Council to prepare an international instrument in which the principles would be set forth; that the United Nations Educational, Scientific and Cultural Organization should be asked to consider the possibility of the drafting and adoption of an appropriate international instrument or instruments for the prevention of discrimination in education; and that it might be desirable to draw the attention of the General Assembly to the necessity of giving these principles due importance in the preparation of the draft International Covenant on Economic, Social and Cultural Rights.

167. Several members of the Commission indicated that they were not in a position to state the views of their Governments on the proposed international measures, since the Sub-Commission's report had been available only for a short time. In their personal opinion, it was essential that the Governments should be consulted on the usefulness, desirability and form of an international instrument in this field before a conclusion could be reached.

168. Members who expressed their views were divided on the question whether an international instrument should be drafted by the Economic and Social Council and, if so, whether it should take the form of a convention, a recommendation, or both. It was pointed out that the provisions of such an instrument would naturally vary in accordance with the nature of the instrument, since few Governments were prepared to bind themselves to general principles unless the permissible limitations were clearly spelled out.

169. With regard to the suggestion that the United Nations Education, Scientific and Cultural Organization should be asked to consider the possibility of drafting and adopting appropriate international instruments for the prevention of discrimination in education, the attention of the Commission was drawn to the relevant observations of the Executive Board of UNESCO (E/CN.4/743, para.8), which read:

"1. An international regulation for the prevention of discrimination in education would require more detailed study;

"2. If, nevertheless, the later studies to be undertaken show international regulation to be desirable in this matter, the preparation of such regulation would fall to UNESCO."

170. Some members of the Commission considered that UNESCO was the appropriate agency to carry on the task of combating discrimination in education. They pointed out that UNESCO had specialized in educational problems since its inception, and that its membership included certain countries not members of the United Nations. They felt that it was only natural that the main share of the task of preparing instruments in this field should fall to UNESCO.

171. On the other hand, the view was expressed that UNESCO had not taken a leading role in the preparation of the study of discrimination in education, and had

adopted an unduly cautious attitude towards the study after it had been completed by the Special Rapporteur. It was stated that the task of eradicating discrimination in education was such an important one that it could be dealt with only by the United Nations as a whole, including the competent specialized agencies and, of course, UNESCO, of which more active participation in this work was expected. The suggestion was made, however, that UNESCO should be afforded a further opportunity to present its views on the eradication of discrimination in education to the Commission.

172. With regard to the possibility that the attention of the General Assembly might be drawn to the necessity of giving the fundamental principles set forth in resolution C due importance in the preparation of the draft International Covenant on Economic, Social and Cultural Rights, members of the Commission were to a large extent in agreement that this alternative could not be given serious consideration. It was pointed out that the General Assembly could not reasonably be expected to introduce into the draft covenant a series of detailed principles dealing exclusively with discrimination in education, since the draft covenant was intentionally general in nature. It was further argued that any attempt to introduce new elements into the draft covenant, at so late a stage, would only result in deferring the preparation of that instrument.

173. The suggestion was made that the views of interested Governments, with respect to the possibility of adopting one or more international instruments designed to eradicate discrimination in education, should be obtained and carefully examined before the Commission took a decision. This suggestion gained wide acceptance in the Commission.

Study of the fundamental principles relating to the eradication of discrimination in education

174. As indicated above, resolution C of the Sub-Commission set forth, in the form of a draft resolution for adoption by the Economic and Social Council, "ten fundamental principles" relating to the eradication of discrimination in education. Paragraph 4 of draft resolution C for the Council reads:

"The Economic and Social Council,

" ...

"4. *Desiring* to elaborate further the principles enunciated in the Universal Declaration of Human Rights,

"I. *Declares* that with a view to eliminating discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, all legislative provisions or administrative measures should be abolished, and all practices opposed, which, for the purpose of discriminating against any group:

"(a) Deprive any person or distinct group of persons of access to education at any level or of any type;

"(b) Irrevocably limit any person or distinct group of persons to education of an inferior standard;

"(c) Establish or maintain separate educational systems or institutions for persons or distinct groups of persons.

"II. *Affirms* that to that end the following principles should be applied:

"(1) Compulsory education prescribed by law should be assured both in law and in fact to every person or distinct group of persons;

"(2) The entrance requirements for admission to scholastic institutions, should, in law and in fact, be the same for all persons or distinct groups of persons;

"(3) No person or distinct group of persons should be compelled to receive the instruction to which they are entitled in establishments which are deliberately maintained at a standard lower than that of other establishments of the same stage or type;

"(4) Respect should be paid to the freedom of parents and when applicable, legal guardians, to choose for their children scholastic institutions other than those established by the public authorities, provided that those institutions conform to such minimum educational standards as may be laid down or approved by the State;

"(5) No person or distinct group of persons should be compelled to receive religious or anti-religious instruction inconsistent with his or their convictions, and respect should be paid to the freedom of parents and, when applicable, legal guardians, to ensure the religious education of their children in conformity with their own convictions;

"(6) In the case of assistance furnished by the public authorities to educational establishments (in the form of grants, tax relief, etc.), no distinction should be made solely on the ground that pupils belong to a distinct group;

"(7) No differences of treatment should be applied by the public authorities as between persons or distinct groups of persons, except on the basis of merit and need, in respect to:

"(a) School fees and expenses;

"(b) Assistance to pupils and students (in the form of educational material, board and lodging, clothing, scholarships or loans, etc.);

"(8) Special measures should be taken to promote the education of the rural population and of indigenous, nomadic and other groups whose needs require special attention;

"(9) The members of a distinct group should not be denied the right to carry on their own educational activities, including the maintenance of schools, using their own language, if any, provided, however, that this right shall not be exercised in a manner which interferes with the development of understanding of the culture and language of the general community and participation in its activities, or undermines the national sovereignty of the State;

"(10) No travel restrictions designed to prevent any person or distinct group of persons, directly or indirectly, from making use of educational facilities offered to him or them abroad, should be imposed."

175. Several members of the Commission expressed their views on these principles. The representative of Italy submitted an amendment (E/CN.4/L.456) and also

amendments were suggested verbally by some members. However, these suggestions were not pressed. The view was generally accepted that the principles, as formulated by the Sub-Commission, should be forwarded to Governments for examination and comment, in the light of which their usefulness, as well as their final form, could be further considered.

176. In view of the general agreement of the Commission that the views of Governments should be obtained before deciding upon a recommendation as to the method of preparation of an international instrument to eradicate discrimination in education, or as to the substantive contents of such an instrument, the remaining operative paragraphs of resolution C were not examined in detail.

Consideration of draft resolution

177. A draft resolution was introduced by the representative of Argentina (E/CN.4/L.457), by which the Commission would request the Secretary-General:

"...to send to States Members of the United Nations and of the specialized agencies, the study on discrimination in education and chapter IV of the Sub-Commission's report, together with the summary records of the Commission's discussion of this chapter (E/CN.4/SR.565-570), with the request that they transmit their comments and suggestions with regard both to the study and to the proposals made by the Sub-Commission in resolutions B and C, before 1 December 1957, so that they may be taken into consideration by the Commission at its fourteenth session."

178. The representative of Argentina, in presenting his proposal, explained that in it he had attempted to echo the general consensus of opinion in the Commission, which was that action on so important a matter could properly be taken only after all the necessary elements were available, including the views of the Governments concerned. Once the Commission was in possession of these elements, it would be able to take appropriate action.

179. The representative of Mexico proposed four amendments (E/CN.4/L.458) to the Argentine draft resolution. The first suggested the insertion of an operative paragraph reading:

"*Reaffirms* its belief in the necessity of eliminating discrimination in education."

The second called for the insertion, after the words "resolutions B and C", of the words, "with particular reference to the principles suggested and their views as to the possibility of adopting an international instrument." The third suggested insertion, after the words "taken into consideration", of the words "by the Sub-Commission at its tenth session and". The fourth proposed the addition of a new operative paragraph reading:

"*Further requests* the Secretary-General to keep in touch with the Director-General of UNESCO with a view to ensuring close collaboration with the Organization in solving the problem of discrimination in education."

180. Other members of the Commission made verbal suggestions for alterations in the text of the draft resolution. On the basis of these suggestions, the representative

of Argentina submitted a revised draft resolution (E/CN.4/L.457/Rev.1), incorporating the text of the Mexican amendments; an additional paragraph to the preamble, suggested by France, concerning the earlier comments and decisions of UNESCO; a statement, also proposed by France, to the effect that the procedure for consulting Governments proposed by the Commission should not prevent the General Assembly from pursuing its discussion of the draft covenant so far as concerned cultural rights; and a new operative paragraph, based on a suggestion by the representative of Poland, reading as follows:

“Requests the Economic and Social Council, . . . to ask the Secretary-General to print and give wide circulation to the Special Rapporteur’s study and UNESCO to prepare, in collaboration with the Special Rapporteur, a brief popular summary of the study, to the end that the summary be published and used, particularly in universities, schools, and other educational institutions, to combat discrimination in education.”

Several issues were raised by members of the Commission in connexion with the revised Argentine proposal.

181. The representative of Lebanon stated that he did not understand why Governments should be asked to comment on the study of discrimination in education, which had been prepared in co-operation with Governments and was already in definitive form. He suggested that Governments might instead be requested to formulate, in the light of the study, their comments on the proposals made by the Sub-Commission in resolutions B and C. The representative of Argentina accepted the suggestion.

182. Some members of the Commission favoured the procedure proposed by the representative of Argentina, which called for the comments of Governments to be sent to the Sub-Commission for consideration at its tenth session in the first instance, and subsequently to the Commission on Human Rights. Others expressed the view that these comments should be sent directly to the Commission without prior reference to the Sub-Commission. In favour of the first procedure, it was argued that it was only normal for the Commission to avail itself of the services of its expert subsidiary body; that it was the Sub-Commission’s right and duty to examine the comments of Governments on its own proposals; and that the Commission would be able to deal with the comments only if they had first been examined and analysed by the Sub-Commission. On the other hand, it was maintained that the Sub-Commission had already fully discharged its duties with respect to the Study of Discrimination in Education, that it might be discouraged to find the question once again on its agenda, and that the compilation and analysis of the Government comments, in time for consideration by the Sub-Commission in January 1958, might prove to be a difficult task for the Secretariat.

183. At the suggestion of the representative of Israel, a separate vote was taken on the question whether the comments of Governments should be placed before the tenth session of the Sub-Commission. It was decided, by 11 votes to 3, with 4 abstentions, that this procedure should be followed. It was understood that the Secretariat would present all Government comments on the subject,

together with its own analysis of them, both to the Sub-Commission and to the Commission.

184. In connexion with the final operative paragraph of the draft resolution, suggested by the representative of Poland (see para. 180 above), the question was raised whether explicit approval by the Economic and Social Council for printing the study on discrimination in education was required. The representative of the Secretary-General indicated that inasmuch as funds for the purpose had already been approved by the General Assembly, a request in the name of the Commission might be considered sufficient.

185. Several members of the Commission urged immediate printing and wide circulation of the study. They pointed out that printing of the study would facilitate its distribution, and would represent an important concrete step forward in the fight against discrimination in education.

186. The request to the United Nations Educational, Scientific and Cultural Organization to prepare, in collaboration with the Special Rapporteur, a brief popular summary of the study, gave rise to some discussion. On this suggestion, which had originally been put forward by the Sub-Commission in operative paragraph 2 of resolution C, the Executive Board of UNESCO had made the following comment (E/CN.4/743, para. 14):

“The Executive Board considers that, should the Economic and Social Council so recommend, UNESCO would, so far as its funds would allow, prepare and publish a booklet designed for the general public, making use of the information given in the study by the Special Rapporteur.”

187. The view was put forward that a booklet prepared by UNESCO, “making use of information given in the study by the Special Rapporteur”, would not serve the purpose which members of the Commission had in mind. The hope was expressed that a brief popular summary of the study could be prepared by the Special Rapporteur himself, in full and close co-operation with UNESCO. The summary might then be published, in the name of the Special Rapporteur, by UNESCO.

188. In the light of the discussion, the representative of Argentina accepted several amendments to his draft resolution, submitted verbally by various members of the Commission.

189. The draft resolution, as amended, was adopted unanimously by the Commission, as follows (E/CN.4/752):

Resolution VIII

Study of discrimination in education

The Commission on Human Rights,

Having considered chapter IV of the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740), in connexion with the study of discrimination in education (E/CN.4/Sub.2/181 and Corr.1 and Add.1), prepared by the Sub-Commission’s Special Rapporteur,

1. *Expresses* to the Special Rapporteur, Mr. Charles D. Ammoun, its appreciation of his valuable and important study;

2. *Notes with appreciation* the comments already made by the United Nations Educational, Scientific and Cultural Organization on the matters in question as well as the decision of the Executive Board of UNESCO to continue at subsequent sessions its consideration of the problems arising from the Special Rapporteur's study;

3. *Reaffirms* its belief in the necessity of eliminating discrimination in education.

B

The Commission on Human Rights,

Considering that the proposals submitted by the Sub-Commission with regard to this study, embodied in resolutions B and C of chapter IV of the report of its ninth session, deserve careful study and consideration by Governments, without prejudice to the further examination by the General Assembly of the draft Covenant on Economic, Social and Cultural Rights,

1. *Requests* the Secretary-General to send to States Members of the United Nations and of the specialized agencies the study on discrimination in education and chapter IV of the report of the Sub-Commission's ninth session, together with the summary records of the

Commission's discussion of this chapter (E/CN.4/SR.565-570), with the request that they formulate, in the light of the Special Rapporteur's study, their comments and suggestions with regard to the proposals made by the Sub-Commission in resolutions B and C, with particular reference to the principles suggested, and their views as to the possibility of adopting one or more international instruments, and transmit them before 1 December 1957, so that they may be taken into consideration by the Sub-Commission as its tenth session and by the Commission at its fourteenth session;

2. *Requests* the Secretary-General also to keep in touch with the Director-General of UNESCO with a view to ensuring close collaboration with that Organization in solving the problem of discrimination in education;

3. *Further requests* the Secretary-General to print and give wide circulation to the Special Rapporteur's study, and UNESCO to prepare, in collaboration with the Special Rapporteur, a brief popular summary of the study, to the end that the summary be published and used, particularly in universities, schools and other educational institutions, to combat discrimination in education.

VII. FREEDOM OF INFORMATION

190. At its twelfth session, the Commission, at the suggestion of the representative of India, decided to place on the agenda of its thirteenth session the following item (E/2844, para. 163):

"Review of the progress made in the field of freedom of information and consideration of measures for the effective promotion of that right, with such recommendations as may be necessary."

191. The Secretary-General submitted to the Commission's thirteenth session an historical note (E/CN.4/732), outlining the activities of the United Nations and of the specialized agencies in the field of freedom of information. The note described the measures and techniques that had been used by the United Nations in studying problems of freedom of information, and surveyed the results and progress achieved. The Commission also had before it a written statement by the International League for the Rights of Man (E/CN.4/NGO/76, para. 1).

192. The Commission discussed the question of freedom of information at its 564th and 571st meetings.

193. The representative of India proposed (E/CN.4/L.455/Rev.1) that the Commission should establish a committee, consisting of representatives of a number of countries, members of the Commission, for the purpose of examining and reviewing, between the thirteenth and fourteenth sessions of the Commission, recommendations and decisions on the subject of freedom of information already made in various organs of the United Nations, and the work done in this field by the specialized agencies, and where necessary, taking steps with a view to bringing those recommendations and decisions to the attention of the new Members of the United Nations. The Committee would report to the Commission on Human Rights, at its fourteenth session, on action which should be taken to implement the recommendations and decisions regarding

freedom of information, including those relating to underdeveloped areas. The Secretary-General would be asked to give all necessary assistance to the Committee, and the hope would be expressed that the specialized agencies concerned, especially the United Nations Educational, Scientific and Cultural Organization, would co-operate with it. Finally, the Commission would decide to place the question of freedom of information on the agenda of its fourteenth session.

194. At the 571st meeting, the representative of Ceylon proposed that the Committee should consist of France, India, Lebanon, Mexico and Poland.

195. During the Commission's general discussion of the item, several members examined in detail the progress, or what some described as the lack of progress, of the United Nations in working out solutions to the wide range of problems which admittedly remained to be solved in the matter of freedom of information. Members also referred to the difficulties which had been encountered in completing work on the conventions originally prepared in 1948 by the United Nations Conference on Freedom of Information, especially the draft Convention on Freedom of Information (E/CONF.6/79),³ still before the General Assembly. It was also noted that the Convention on the International Right of Correction, opened for signature by the General Assembly at the conclusion of its seventh session, had not yet come into effect (resolution 630 (VII), annex).

196. There was a general feeling on the part of many members that after ten years of study and analysis, not forgetting the many recommendations and decisions on the part of various United Nations bodies, the time had

³ See *United Nations Conference on Freedom of Information*, held at Geneva, Switzerland, from 23 March to 21 April 1948, *Final Act* (United Nations publication, Sales No.: 1948.XIV.2.)

come for some practical action, such as that taken by or in agreement with UNESCO for the purpose of improving the professional training of journalists and facilitating the international dissemination of information. It was also emphasized that whatever course of action was recommended by the Commission, it should not prejudice or jeopardize the possibility of success of important projects of which the United Nations was currently seized, such as the conventions, especially that on freedom of information, and the plans for the development of media of information in under-developed countries.

197. In addition, a number of members, while agreeing that the Commission had over-all responsibility as regards this fundamental human right, expressed their basic pessimism concerning the possibility of achieving results in what had proved to be a most complicated and controversial field of endeavour.

198. Regret was expressed by one member that the United Nations' approach to freedom of information had neglected certain aspects of it which had earlier been the subject of unanimous agreement, in particular the questions of war propaganda and of false and distorted reports.

199. During the discussion of the revised Indian draft resolution (E/CN.4/L.455/Rev.1), members sought information concerning various aspects of the proposal, or offered suggestions aimed at clarifying the aims, objects and jurisdiction of the proposed committee. As a result of this exchange of opinions the following views emerged:

(a) The committee was in no sense intended as a technical organ, or as replacing the defunct Sub-Commission on Freedom of Information and of the Press;

(b) It would meet at United Nations Headquarters for the purpose, as made clear in the Indian proposal, of surveying the body of work accomplished by the United Nations and the specialized agencies and submitting to the Commission's fourteenth session its recommendations as to what might be done next;

(c) The Committee was not intended to be a permanent or semi-permanent body;

(d) It would not trespass on the prerogatives of other organs of the United Nations;

(e) It would make recommendations aimed at having the work which had been done in freedom of information, including recommendations and decisions of United Nations bodies, brought to the attention not only of new Members of the United Nations, but of all Member States.

200. The representative of India accepted various oral suggestions by the representatives of China, Israel and the United Kingdom, aimed at clarifying the functions of the committee along the above lines.

201. In answer to a question, the representative of the Secretary-General stated that, on the assumptions that the committee would meet at Headquarters and that its members would not have to make a special journey there, he could foresee no financial implications. The substantive work could be absorbed by the Secretariat.

202. At the Commission's 571st meeting, the representative of France proposed adding to the terms of reference of the committee a provision that it should also report on "all other concrete steps aimed at developing information

media and improving the utilization of such media." He later substituted for this wording a formula which had been suggested and later withdrawn by the representative of Israel, to the effect that the committee should report to the Commission on Human Rights on what action should be taken "to develop information media and to improve their utilization".

203. The representative of the United Kingdom objected to the French proposal on the ground that it would give the committee a competence it should not have, and the possibility of making broad recommendations in regard to a problem which was being studied, at that very moment, by the Economic and Social Council. The Commission, however, approved the French proposal by 8 votes to none, with 8 abstentions.

204. The Indian proposal, thus amended, including the proposal of Ceylon regarding the composition of the committee (see para. 194), was approved by the Commission, the United Kingdom abstaining.

205. The text of the resolution as adopted by the Commission (E/CN.4/751) reads:

Resolution IX

Freedom of information

The Commission on Human Rights,

Taking note of the Secretary-General's historical survey (E/CN.4/732) of the work done by the United Nations in the field of freedom of information,

Considering that since the expiration of the mandate of the Sub-Commission on Freedom of Information and of the Press, and of the Rapporteur on matters relating to freedom of information, there does not exist any special technical organ of the United Nations to keep the recommendations and decisions of the United Nations under review with a view to their implementation,

Conscious that to submit proposals, recommendations and reports to the Economic and Social Council regarding the promotion of freedom of information is among the terms of reference of the Commission on Human Rights as established by resolution 1/5 of the first session and resolution 2/9 of the second session of the Economic and Social Council,

1. *Decides* to appoint a Committee, consisting of the representatives of France, India, Lebanon, Mexico and Poland, which shall meet at United Nations Headquarters between the thirteenth and fourteenth sessions of the Commission for the purpose of:

(a) Examining and reviewing the recommendations and decisions on the subject of freedom of information already made in the various organs of the United Nations and the work done in this field by the specialized agencies, particularly UNESCO, and, where necessary, recommending what steps should be taken with a view to bringing those recommendations and decisions, and the work already accomplished, to the attention of Members of the United Nations, and particularly the new Members;

(b) Reporting to the Commission on Human Rights at its fourteenth session, what action should be undertaken to develop information media and to improve their utilization, and to promote the widest possible implementation of the above-mentioned recommendations and

decisions, including those relating to under-developed countries and territories;

2. *Requests* the Secretary-General to give all necessary assistance and facilities to the Committee and expresses

the hope that the specialized agencies concerned, particularly UNESCO, will co-operate with it in its work;

3. *Decides* to place the question of freedom of information on the agenda of its fourteenth session.

VIII. RIGHT OF ASYLUM

206. At its twelfth session, the Commission decided to place the question of the right of asylum on the agenda of its thirteenth session (E/2844, paras. 108–112). It requested the Secretary-General to prepare an historical analysis of previous discussions in the United Nations on this subject. In document E/CN.4/713, submitted to the Commission at its eleventh session, previous action by the Commission on the right of asylum, and the main decisions and discussions on the question, were outlined chronologically. A supplement to that document was presented in document E/CN.4/738 and Corr.2, in which the debates and decisions in the United Nations relating to the right of asylum were analysed under subject headings and some additional material was included. Briefly it may be noted that the right of asylum, as such, was discussed mainly during the preparation of the Universal Declaration of Human Rights and the draft Covenant on Civil and Political Rights. Article 14 of the Declaration deals with this right. Proposals to include a provision on the draft covenant on civil and political rights were discussed in connexion with the article on expulsion of aliens, but were rejected by the Commission on Human Rights in 1952. The International Law Commission, in 1949 and 1950, had brief discussions on the right of asylum, when selecting topics for codification and preparing the draft Declaration on the Rights and Duties of States. Much that has been done by the United Nations concerning refugees has a bearing on the right of asylum. In particular, attention may be drawn to the following instruments: the Constitution of the International Refugee Organization (resolution 62 (I) of the General Assembly), the Statute establishing an Office of the High Commissioner for Refugees (resolution 428 (V) of the General Assembly); the Convention relating to the Status of Refugees of 28 July 1951 (A/CONF.2/108,⁴ annex, articles 31, 32, and 33) and the Convention relating to the Status of Stateless Persons of 28 September 1954 (E/CONF.17/5/Rev.1,⁵ article 31 and resolution IV). The repatriation of prisoners of war, in relation to the right of asylum, was discussed in connexion with the Korean Armistice Agreement.

207. The Commission discussed the right of asylum at its 564th and 572nd to 575th meetings. At the 564th meeting statements were made by the representatives of the Coordinating Board of Jewish Organizations, which had earlier submitted a written statement (E/CN.4/NGO/69), and the World Jewish Congress. A written statement was also submitted by the International League for the Rights of Man (E/CN.4/NGO/76, para. 2). The

⁴ United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons held at Geneva, Switzerland, from 2 to 25 July 1951, *Final Act and Convention relating to the Status of Refugees* (United Nations publication, Sales No.: 1951.IV.4).

⁵ United Nations Conference on the Status of Stateless Persons, *Final Act and Convention on the Status of Stateless Persons* (United Nations publication, Sales No.: 1956.XIV.1).

oral statements are summarized in document E/CN.4/SR.564.

208. The representative of France submitted the following draft declaration on the right of asylum (E/CN.4/L.454 and Rev.1).

1. Responsibility for granting asylum to persons requesting it shall lie with the international community as represented by the United Nations.

2. Every person whose life, physical integrity or liberty is threatened, in violation of the principles of the Universal Declaration of Human Rights, shall be regarded as entitled to seek asylum.

3. By granting asylum in accordance with articles 1 and 2, a State shall incur no international responsibility. Asylum granted by such a State shall be respected by all other States.

4. (a) Irrespective of any action taken by particular States, the United Nations shall, in a spirit of international solidarity, consult with States as to the most effective means of providing help and assistance for the persons referred to in article 2.

(b) Other States shall examine, in a like spirit of solidarity, appropriate measures to lighten the burden of countries of first asylum, including admission to their territory of a certain number of persons first granted asylum in another State.

5. No one shall be subjected to measures, such as expulsion, return or rejection at the frontier, which would result in compelling him to return to or remain in a territory where his life, physical integrity or liberty would be threatened, in violation of the principles of the Universal Declaration of Human Rights.

This principle shall not apply in the case of persons whom there are reasonable grounds for regarding as a danger to the security of the receiving country or who, having been convicted by a final judgement of a particularly serious crime, constitute a danger to the community of that country.

209. The representative of Israel submitted the following amendments to the draft declaration (E/CN.4/L.459):

“1. Article 2 should be numbered 2 (a), and the following sub-article should be added:

“(b) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the Purposes and Principles of the United Nations.”

“2. Article 4 should be redrafted as follows:

“Independently of the action taken by any individual States, the United Nations shall consult with States:

“(a) As to the most effective means of providing help and assistance for the persons referred to in article 2 (a);

“(b) As to measures to be taken, in a spirit of international solidarity, to lighten the burden assumed by States granting asylum.”

“3. In article 5, in the first line, the words ‘no one’ should be replaced by the words ‘no person entitled to seek asylum’.”

210. The sponsor of the draft declaration stated that although article 14 of the Universal Declaration of Human Rights recognized the right of everyone to seek and enjoy asylum from persecution, the laws of only a few countries recognized any obligation to grant asylum. Attempts to make the principles of article 14 legally binding, by introducing them into the draft covenants, had been unsuccessful. However, between a binding legal agreement and makeshift arrangements, there was room for some intermediate measures such as the proposed declaration. The draft declaration was in no way intended to force on Member States the obligation to grant asylum. It was well known that in this question, as on the question of nationality, States were jealous of their sovereignty. On the other hand, the draft declaration mentioned the international community, represented by the United Nations, which had clearly a fundamental duty in that field, for States belonging to the United Nations could not ignore the fate of people who were compelled to seek asylum. Besides, the States adjacent to the country of origin of those seeking asylum could not be made solely responsible for receiving and absorbing them, nor could States acting independently impose any responsibility on other, distant, States. The draft declaration therefore envisaged practical measures, based on the highest humanitarian considerations, to ease the task of countries wishing to aid the persecuted and to help human beings who had been driven from their homes in complete destitution. While he was fully aware that it would not be possible for the Commission to consider the draft declaration at its present session, it seemed advisable to obtain from Governments, specialized agencies, and the United Nations High Commissioner for Refugees, their comments on the draft. Accordingly he submitted a draft resolution (E/CN.4/L.460) to that effect.

211. There was a general feeling that some further action in connexion with the right of asylum was desirable, but opinions differed on the exact nature of such action. A number of members supported the idea of a declaration, and thought that the draft submitted by the representative of France might serve as a useful basis for discussion. Some members were of the view that a declaration which did not go beyond the provisions of the Universal Declaration of Human Rights would only serve to cast reflection upon the Declaration and might even have adverse effects upon it. It seemed better to contemplate some measures of a specific nature which would bind States. In this connexion a suggestion was made that, notwithstanding the failure of past efforts by the Commission to include an article on the right of asylum in the draft covenants on human rights, a recommendation might be made to the General Assembly to include such a provision in one of the draft covenants; the recommendation might also indicate the broad lines on which the provision might be drafted. Other members felt that this would serve little purpose, as it was evident from the

proposals made in connexion with the draft covenants that they were too general in nature and therefore were open to varying interpretations by States. This would not in fact result in any greater obligations being undertaken by States than those enjoined upon them by the Universal Declaration of Human Rights. On the other hand, there might be merit in having a declaration which encouraged States to take some action, albeit of a modest nature, but which by bringing the international community and the United Nations into the picture might lead to beneficial results.

212. A number of comments were made in connexion with the draft declaration on the right of asylum submitted by France (E/CN.4/L.454/Rev.1) and the amendments of Israel (E/CN.4/L.459). Some members were of the view, for example, that the French draft declaration went beyond the provisions of the Universal Declaration of Human Rights and that it was desirable to amend it in the manner proposed by the representative of Israel. The Israel amendments were supported on the ground that they would encourage greater activity in this field by placing more responsibility on international co-operation and consultation between the United Nations and States. Some members felt that under the present circumstances, and taking into account the attitude of States towards the problem of granting asylum, it would be better to restrict the draft declaration to the best practices which prevailed among States rather than to attempt to lay down any far-reaching international responsibility or to insist upon international action where such action was not likely to meet with any universal response. Another opinion expressed on the draft declaration was that there was no need at all to publish a declaration on the right of asylum, since the Universal Declaration on Human Rights already included appropriate provisions, and that an effective procedure would be to include in the draft covenants on human rights a special article dealing with the right of asylum as had, for instance, been suggested by the delegation of the USSR in 1952. It was also pointed out that the French draft declaration confused the question of the right of asylum with that of refugees, which was not under consideration by the Commission. Suggestions were also made that there should be a preamble to the draft resolution.

213. As regards the French draft resolution (E/CN.4/L.460), which would refer the proposed draft declaration to Governments for comments, the opinion was expressed that this draft resolution should be purely of a procedural nature and should not include any expression of opinion or take any position on the substance of the right of asylum. In the light of suggestions made by several members, particularly the representatives of China, India, the Philippines and the United Kingdom, the representative of France twice revised his draft resolution. While the second revised draft resolution (E/CN.4/L.460/Rev.2) was acceptable to a majority of the members of the Commission, certain members objected to the proposed procedure on the ground that a draft declaration was being sent to Governments in the name of the Commission on Human Rights even though it was not acceptable to all the members of the Commission and without there having been any substantive debate in the Commission

on the proposal. It was suggested that the Commission should re-emphasize the importance of the subject-matter and adjourn further discussion until 1958 when Governments could be presented with a more considered view on the whole question of the right of asylum. The representative of India suggested that the comments of the International Law Commission might also be asked in the matter. He did not press his suggestion after it had been pointed out that a request for the comments of the International Law Commission would have to be made through the Economic and Social Council, and that it was unlikely that that Commission would be in a position to submit any comments before the next session of the Commission on Human Rights.

214. At the 575th meeting, the Commission proceeded to vote on the second revised draft resolution of the representative of France. A separate vote was taken on the words "in the absence of a convention" in the fifth paragraph of the preamble of the draft resolution which read: "Believing that the Governments should be consulted on the question whether, in the absence of a convention, a United Nations declaration laying down these principles would not in itself be of value." The words in question were rejected by 7 votes to 4, with 4 abstentions. The draft resolution, as amended, was adopted by 12 votes to 2, with 1 abstention, as follows:

Resolution X

Right of asylum

The Commission on Human Rights,

Considering that, in the period that has elapsed since the adoption of the Universal Declaration of Human Rights, article 14 of which proclaims the right of asylum, the Commission has not been able to incorporate this

right in the draft International Covenants on Human Rights,

Noting that the Conventions of 28 July 1951 relating to the Status of Refugees and of 28 September 1954 relating to the Status of Stateless Persons have aims of an allied though different nature,

Observing that the practical implementation of the right of asylum still remains a pressing necessity,

Convinced therefore of the importance of drawing the attention of the United Nations, its Member States, and public opinion to the principles which should govern the actual grant of asylum,

Believing that the Governments should be consulted on the question whether a United Nations declaration laying down these principles would not in itself be of value,

1. *Takes note* of the preliminary draft declaration submitted by France (E/CN.4/L.454/Rev.1) at the thirteenth session;

2. *Requests* the Secretary-General to communicate that document, (E/CN.4/L.454/Rev.1), the proposed amendments (E/CN.4/L.459) thereto, the memoranda by the Secretary-General (E/CN.4/713 and 738), and the summary records (E/CN.4/SR.560 and 572 to 575) of the Commission's discussions at its thirteenth session to the Governments of States Members of the United Nations and of the specialized agencies, and to the United Nations High Commissioner for Refugees, with the request that they send him their comments thereon by 31 December 1957;

3. *Decides* to keep the question of the right of asylum on its agenda with a view to considering it further at its next session.

IX. YEARBOOK ON HUMAN RIGHTS

215. The item on the *Yearbook on Human Rights* was placed on the agenda of the session pursuant to a decision of the Commission at its eleventh session (E/2731, paragraph 28).

216. At that session, the Commission adopted a resolution on the *Yearbook on Human Rights* in which it decided *inter alia* that the yearbooks for 1955 and 1956, respectively, were to include statements of Governments concerning the application and, so far as necessary, the evolution of the rights set forth in article 9 and in article 25, paragraph 2, of the Universal Declaration of Human Rights; that the *Yearbook* was to include bibliographical material on human rights; and that the Secretary-General should study the possibility of publishing the *Yearbook* in as many official languages of the United Nations as possible with a view to ensuring a wider circulation.

217. The Secretary-General reported (E/CN.4/737, paras. 2 and 3) that up to the end of January 1957 statements on article 9 of the Universal Declaration of Human Rights had been received from fifty-six Governments, and that they would appear in the *Yearbook* for 1955, which, following the usual operating timetable of the *Yearbook*,

would be published in the first half of 1958. As regards statements on article 25, paragraph 2, of the Declaration, Governments had been requested to furnish statements for publication in the *Yearbook* for 1956.

218. The Commission was also informed (E/CN.4/737, paras. 4 to 7) that after considering the question of including bibliographical material on human rights in the *Yearbook* at its twentieth and twenty-second sessions, the Economic and Social Council had, by resolution 630 D (XXII), invited States Members of the United Nations and correspondents of the *Yearbook on Human Rights* as well as the specialized agencies, as appropriate, to furnish the Secretary-General with titles of significant current publications in the human rights field. The Council requested the Secretary-General to include these titles, as appropriate, in the *Yearbook*. The Secretary-General had issued the invitations mentioned in the Council's resolution, and some bibliographical contributions had been received.

219. A statement on the financial implications of publishing the *Yearbook* in official languages other than English and French was furnished in document E/CN.4/737/Add.1.

220. The Secretary-General suggested (E/CN.4/737, para. 9) that the item on the *Yearbook* might be postponed to the fourteenth session of the Commission, as the *Yearbook* for 1955, containing the statements on article 9 of the Universal Declaration of Human Rights, would not be available to the Commission at its thirteenth session. Subsequently, the Secretary-General submitted to the Commission certain observations concerning the *Yearbook* (E/CN.4/742, para. 3 to 6), based upon Economic and Social Council resolutions 402 B (XIII) and 630 A I (XXII), on the work programme of the Council and establishment of priorities, and General Assembly resolution 789 (VIII), on control and limitation of documents. These observations were as follows:

“At its twenty-second session, the Council considered the proposals of the Commission on Human Rights on annual reports and on studies of specific rights or groups of rights, and the Secretary-General in his observations on the Council’s work programme included comments on these proposals. He remarked at the time that the adoption of new arrangements for reporting on Human Rights might make it appropriate to give consideration to the future form and content of the *Yearbook on Human Rights*, but intimated that some experience should first be gained of the new reporting system. He would, however, like the Commission to consider at this session a specific suggestion which relates to the earlier request of the Commission for the inclusion of a new feature in the yearbooks of 1955 and 1956 (scheduled for publication in 1958 and 1959).

“As provided in the Commission’s report (noted by the Council in its resolution 586 A (XX)), these yearbooks should include, in addition to their traditional contents, sections containing statements furnished by Governments on, respectively, the right to be free from arbitrary arrest, detention and exile, and the right of motherhood and childhood to special care and of all children to the same social protection, whether born in or out of wedlock. This should be considered in the light of the action taken subsequently by the Commission at its twelfth session and by the Council at its twenty-second session on studies of specific rights. The Council, in resolution 624 B II (XXII), approved the Commission’s proposal to deal in its first special study with the same right which would form the subject of the special feature of the 1955 *Yearbook*, i.e., the right of freedom from arbitrary arrest, detention or exile. Governments were accordingly invited by the Council, pursuant to resolution 624 B I (XXII), to include in their contribution to the first periodic report on Human Rights a special section on protection against arbitrary arrest, detention or exile unless they had already submitted a statement on that subject for the 1955 *Yearbook*.

“The response by Governments to the invitation to contribute statements for this new section of the *Yearbook* has been most heartening; so far fifty-six statements have been received. The number and the length of these statements, however, do present the Secretary-General with the problem of keeping the *Yearbook* within reasonable limits. The statements received so far would require 280 pages to print. The

Secretary-General will endeavour to reduce the size of the regular compilation of the *Yearbook* from about 500 to 400 pages. Even so, the inclusion of these statements would result in a volume of some 680 pages, which the Secretary-General feels would be contrary to the wishes of the Council, expressed in its resolution 303 H (XI), for a *Yearbook* produced in a form which is easy to handle and at a moderate price.

“The Secretary-General suggests therefore that the Commission may wish, in the light of the above, to recommend to the Council to continue the *Yearbook* in its present form, for the time being. It may be recalled that the special committee charged to study arbitrary arrest, detention and exile, having received the statements submitted by Governments for the 1955 *Yearbook*, found them “extremely valuable” and stated that “they will be studied and analysed . . . with utmost care.”⁶ Consequently the statements submitted by Governments will be fully utilized outside of the *Yearbook*; they will constitute a major contribution on the Commission’s first special study and their essential elements will be covered in that study.”

221. The Commission discussed the item at its 573rd and 575th meetings. During the discussion it was suggested that further consideration of the item should be postponed to the next session, at which time the full results of the implementation of the resolution of the Commission’s eleventh session would be reflected in the *Yearbook* for 1955. The Commission would then be in a better position to decide whether to continue the special feature of including statements from Governments on particular rights or groups of rights. Some members pointed out that the special feature had a value of its own, particularly as it would furnish a picture of the position of the particular group of rights on a world-wide basis, and thereby provide information which could not be found elsewhere. It would be particularly unfortunate to take any precipitate step to reverse a decision already taken, even if there were weighty arguments on financial grounds for doing so, when the response of Governments in contributing statements had been so enthusiastic.

222. At the same time, a number of members thought that it was desirable to review the publication of the *Yearbook* in the light of the Secretary-General’s comments and the programme of the Commission relating to triennial reports and studies of specific rights or groups of rights. While such a task could not be undertaken by the Commission at the thirteenth session, it was suggested that a thorough study of the matter, in all its aspects, should be made before the fourteenth session. The representatives of France, Israel and the United Kingdom proposed (E/CN.4/L.461) that, without affecting the publication of the *Yearbook* for 1955 on the basis of previous decisions of the Commission and the Council, a Committee should be appointed to undertake such a study and to report to the fourteenth session of the Commission.

223. At the 575th meeting, the Commission unanimously adopted the draft resolution proposed by France, Israel and the United Kingdom, as orally revised by the sponsors, in the following form:

⁶ E/CN.4/739, para. 5.

Yearbook on Human Rights

The Commission on Human Rights,

Noting the memoranda of the Secretary-General on the *Yearbook on Human Rights* (E/CN.4/737 and Add.1) and on the review of programme and establishment of priorities (E/CN.4/742),

Considering that the material before it does not warrant at present any reconsideration or review of resolution I, adopted by the Commission at its eleventh session (E/2731, paragraph 28),

1. Appoints a Committee consisting of representatives of . . . to convene at Headquarters and to consider, in the light of the above-mentioned memoranda of the Secretary-

General, what measures should be taken to keep the *Yearbook* within reasonable proportions, with particular regard to the possibility of relating the *Yearbook* to the triannual reports and studies under Economic and Social Council resolution 624 B (XXII), and to report to the Commission at its fourteenth session;

2. Requests the Secretary-General to publish the *Yearbook* for 1955 as at present envisaged, if possible, before the fourteenth session of the Commission.

224. The Commission, on the proposal of the representative of the Union of Soviet Socialist Republics, agreed to leave it to the Chairman to designate five members of the Commission to serve on the Committee. At the 576th meeting, the Chairman announced that the Committee would be composed of the representatives of France, India, Israel, Mexico and the United Kingdom.

X. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

225. The Commission considered this item at its 573rd and 574th meetings. It had before it a report by the Secretary-General (E/CN.4/736 and Add.1) describing the activities which had taken place, under the authority of General Assembly resolution 926 (X), pursuant to the resolutions on advisory services which the Commission had adopted at its twelfth session (E/2844, chapter III, section C), which the Commission on the Status of Women had adopted at its tenth session (E/2850, chapter X) and which the Economic and Social Council had adopted at its twenty-first session (resolution 605 (XXI)). The Commission heard statements by several of its members and by the representatives of the International Federation of Christian Trade Unions and the International Federation of Women Lawyers. These statements are summarized in documents E/CN.4/SR.573 and 574. A written statement was submitted by the International League for the Rights of Man (E/CN.4/NGO/76, para. 3).

226. The Secretary-General's report stated, among other things, that he had convened an expert working group in Bangkok in October 1956 for the purpose of organizing a seminar in 1957 on the subject of civic responsibilities and increased participation of Asian women in public life. This seminar, which will be regional (Asian), will be held in Thailand in August 1957. In addition, during 1957, two expert working groups will be organized. One will meet in Chile, preparatory to a seminar in Latin America in 1958 on the subject of the protection of human rights by criminal law and procedure. The other will meet in Manila in May 1957, at the invitation of the Philippines, which has offered to be host to a seminar on a similar subject in 1958.

227. The representative of the Secretary-General made

an oral statement concerning further recent developments, and making suggestions relating to the organization of seminars and the pace of development of the programme.

228. During the Commission's brief discussion of the item, one member raised a point concerning the financial contribution made by Governments whose representatives attended seminars on human rights subjects, expressing the view that participating Governments should pay the cost of their representatives' travel and subsistence, which should not automatically be a charge against the United Nations. On the other hand, doubt was expressed as to whether a seminar programme could be operated successfully unless the United Nations contributed largely to such expenses. The host country assumed obligations, and the United Nations also should undertake certain expenditures, such as the travel and subsistence of participants.

229. At the 574th meeting, the representative of the Secretary-General explained the current procedures for allocating the costs involved in seminars, stating that under established technical assistance practices, budgets normally included payment by the United Nations of the expenses of a minimum group of participants. Support was then expressed for the methods which had been employed so far in carrying forward the programme, including the organization of expert working groups. The member of the Commission who had criticized these methods at the previous meeting said that, after some further research into the matter, he was satisfied that the principle that some contribution could be made by the United Nations towards travel and living expenses of participants had been generally accepted by Governments, including his own.

XI. COMMUNICATIONS

230. A part of the 575th meeting was held in private to receive, under item 11 of the Commission's agenda, a confidential list of communications (HR/Communications List No. 7) and observations from Governments (HR/Communications Nos. 85-100), submitted by the Secretary

General in accordance with Economic and Social Council resolutions 75 (V), 192 A (VIII), 275 B (X) and 454 (XIV). A non-confidential list of communications (E/CN.4/CR.26 and Corr.1), dealing with the principles involved in the promotion of universal respect for, and observance

of, human rights, had already been circulated. The non-confidential list contained summaries of five communications received during the period 1 January to 31 December 1956. The confidential list contained summaries of, or references to, 2,321 communications received during the period 1 January to 31 December 1956. A written statement was also submitted by the International League for the Rights of Man (E/CN.4/NGO/76, para. 4).

231. Several members voiced the opinion that the procedure for the handling of communications was not only unsatisfactory, but tended to give the impression that the Commission had some power to take action on communications, which was not the case. Reference was made in this connexion to the views of certain members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/740, paragraph 257). It was suggested that in future false hopes should not be raised by placing an item on the agenda of the Commission when all that it could do was to take note of the distribution of the lists of communications. It seemed preferable either to abolish the holding of such a meeting or to try to improve the procedure.

232. The representative of the Philippines recalled the proposal which had been made by his delegation at the twelfth session of the Commission (E/2844, paras. 168 and 169), and suggested that a small committee might be appointed to study the communications objectively, without passing any judgment on their substance, and to report thereon to the Commission. The representative of

Israel suggested that a small committee, composed of the Chairman and the two Vice-Chairmen, should be set up to consider what amendments the Commission on Human Rights might propose to Economic and Social Council resolution 75 (V), as amended, in order to make the handling of communications more satisfactory. Other members emphasized that the Economic and Social Council had clearly delimited the competence of the Commission, and that efforts to change the present procedure which had been made in various organs in the past had not met with any success. In the view of some members, the position could only be changed when Governments were willing to undertake binding obligations, such as under the proposed covenants on human rights. Meanwhile, the lists should be regarded as furnishing to the members of the Commission information which might be useful to them in the Commission's work.

233. None of the suggestions made were pressed because it was felt that they would require a more thorough discussion than was possible at the thirteenth session. It was agreed, however, that the procedure for the handling of communications could be studied further at the fourteenth session of the Commission, with such priority as might be decided upon at that session.

234. The Commission decided, by 12 votes to none, with 4 abstentions, to take note of the distribution of the lists of communications. It also agreed, without objection, to make public the summary record of the meeting (E/CN.4/SR.575).

XII. REVIEW OF PROGRAMME AND ESTABLISHMENT OF PRIORITIES

235. At the 575th meeting, in accordance with Economic and Social Council resolution 630 A I (XXII), the Commission examined item 12 of its agenda (Review of programme and establishment of priorities). By this resolution the Council had recommended to its functional commissions "to pay special attention to further concentration of their activities on major economic, social and human rights problems, as may be appropriate, and to the more efficient co-ordination of the said activities, and to include a special section thereon in their next reports to the Council".

236. The Commission had before it a memorandum by the Secretary-General (E/CN.4/734), setting out the decisions of the Economic and Social Council on the recommendations of the twelfth session of the Commission relating to periodic reports and studies of specific rights or groups of rights, and action taken thereon. It also had before it a note by the Secretary-General (E/CN.4/742), which included a number of suggestions made in the spirit of the Council's resolution. These suggestions related in particular to the *Yearbook on Human Rights* (E/CN.4/742, paras. 3-6), to the study of discrimination in the matter of religious rights and practices (E/CN.4/742, para. 7), and to the question of a further conference of non-governmental organizations interested in the eradication of prejudice and discrimination (E/CN.4/742, para. 8). All of the suggestions made in this note had been considered under other items on the agenda (see paras. 215-223, 146-147 and 138-145 respectively of this report).

237. The representative of Ceylon proposed that the Commission should consider, either immediately or at a later session, the question of "violation of human rights in Algeria". In his view, this matter was within the competence of the Commission. He referred to the action which had been taken by the General Assembly at its eleventh session with regard to item 60 of its agenda (Interim measures, pending entry into force of the covenants on human rights, to be taken with respect to violations of human rights set forth in the Charter of the United Nations and the Universal Declaration of Human Rights). The General Assembly, he pointed out, had transmitted to the Commission, in resolution 1041 (XI) the official records and other documents relating to this question.

238. The representative of France questioned the competence of the Commission to deal with the item which had been suggested; he expressed the view that the action taken by the General Assembly had neither referred to the Commission for consideration the Greek proposal which the General Assembly had discussed but not adopted under item 60 of its agenda, nor modified in any way the terms of Economic and Social Council resolution 75 (V), which laid down a procedure denying the Commission any power to deal with complaints concerning violations of human rights. The Chairman ruled that if the proposal of the representative of Ceylon had been brought before the Commission as a complaint, it was out of order, but that if it had been put forward solely

as a suggestion for a new agenda item, either for the current or for a future session, there could be no objection to it since the Commission was fully competent to decide upon its agenda. He further ruled that if a new agenda item was being suggested, the representative of Ceylon had the right to present factual information indicating the need for such an item. The Commission also heard statements on the question by the representatives of India, Iran, Italy and the United Kingdom; these statements are summarized in document E/CN.4/SR.575. The French representative argued that the item could not be included in the Commission's agenda until a vote had been taken on the Commission's competence.

239. The representative of the USSR proposed adjournment of the debate on the question of the competence of the Commission. His proposal was adopted by 3 votes to none, with 13 abstentions.

240. The representative of China drew the attention of the Commission to an ordinance affecting persons of Chinese nationality living in Viet-Nam which he characterized as discriminatory and inadmissible from the point of view of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of international law. He expressed the hope that the Commission and its Sub-Commission on Prevention of Discrimination and Protection of Minorities would, at later sessions, take into account the need for further studies to be made with respect to discriminatory nationality laws, particularly those having unlimited retroactivity and providing for compulsory naturalization.

241. The representative of the Philippines drew the attention of the Commission to what he considered to be a gap in the present text of the draft covenants on human rights, which did not include any provision

relating to the right of property. He recalled that at the tenth session the Commission had adjourned discussion of various proposals on this subject without taking any decision, and suggested that at the fourteenth session the Commission might take up the matter again and examine it in detail. It was pointed out by the representative of India that the delegation of the Philippines was free to bring up this question in the General Assembly when the draft international covenants were being examined. The representative of the Philippines, on this understanding, did not press his suggestion that the matter should be considered further by the Commission.

242. The representative of France drew attention to a statement submitted to the Commission by the United Kingdom Anti-Slavery Society, a non-governmental organization in category B consultative status (E/CN.4/NGO/75). In this communication the Anti-Slavery Society drew the attention of the Commission to the fact that none of the Contracting States to the Slavery Convention of 1926, for which the United Nations had assumed responsibility in 1955, had submitted information to the United Nations under article 7 of the Convention. The representative of France therefore suggested that the Commission include an item on the agenda of its fourteenth session entitled "Implementation of article 7 of the 1926 Slavery Convention". It was suggested that the representative of France might wish, at a later date, to exercise his right, under paragraph 3 of rule 6 of the rules of procedure, to propose an item for inclusion on the agenda. The representative of France then gave notice that he reserved the right to propose formally, at the appropriate time, that the item which he had suggested be included on the agenda of the Commission's fourteenth session.

XIII. PLACE OF MEETING OF THE NEXT SESSION OF THE COMMISSION

243. At the 576th meeting, the representative of Mexico submitted a draft resolution concerning the place of meeting of the next session of the Commission (E/CN.4/L.462), in which he proposed that arrangements should be made for the Commission, as an exceptional measure, to meet at Paris in 1958. He explained that in his view the Commission should be directly associated with the celebration of the tenth anniversary of the Universal Declaration of Human Rights, which was adopted at Paris in 1948.

244. After the representative of Mexico had accepted various drafting amendments suggested orally by other members of the Commission, his proposal was adopted without objection, the representative of the United King-

dom registering his abstention. The resolution, as adopted, reads as follows:

Resolution XII

Place of meeting of the next session of the Commission

The Commission on Human Rights,

Desiring to be directly associated with the celebration of the adoption, at Paris on 10 December 1948, of the Universal Declaration of Human Rights by the General Assembly of the United Nations,

Recommends the Economic and Social Council to decide that the Commission on Human Rights shall, as an exceptional measure, meet for its fourteenth session at Paris in 1958.

XIV. ADOPTION OF THE REPORT OF THE THIRTEENTH SESSION OF THE COMMISSION TO THE ECONOMIC AND SOCIAL COUNCIL

245. The Commission considered the draft report of its thirteenth session (E/CN.4/L.451 and Add.1 to 6) at its 576th meeting and adopted it unanimously.

ANNEXES

ANNEX I

Draft resolutions for action by the Economic and Social Council^a

A

CELEBRATION OF THE TENTH ANNIVERSARY OF THE ADOPTION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS^b

The Economic and Social Council,

Recalling resolution 624 C (XXII), in which it noted the resolution of the Commission on Human Rights on plans for the widest possible celebration of the tenth anniversary of the Universal Declaration of Human Rights and invited the collaboration in this undertaking of the United Nations Educational, Scientific and Cultural Organization and other specialized agencies and non-governmental organizations concerned,

Recalling also resolution 423 (V) of the General Assembly, inviting all States to adopt 10 December of each year as Human Rights Day and to celebrate on that day the proclamation of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948, to exert increasing efforts in this field of human progress, and to report annually through the Secretary-General concerning the observance of Human Rights Day,

Recognizing the significance of the Universal Declaration of Human Rights in promoting an understanding of human rights and fundamental freedoms,

Deeply convinced that devotion to the lofty principles set forth in the Universal Declaration of Human Rights would be manifested in the best way by further concrete steps in the field of the protection of human rights and especially by the completion of work on the draft International Covenants on Human Rights, including the measures of implementation,

1. Urges all States to join in celebrating the tenth anniversary of the Universal Declaration of Human Rights, which will fall on 10 December 1958, making such use as they may consider appropriate of the plans annexed to this resolution, and invites them to include information on their celebrations in the report which they submit regularly under General Assembly resolution 423 (V);

2. Recommends all States to set up national committees for the purpose of carrying out the objects of this resolution;

3. Invites the specialized agencies to co-operate in this celebration, taking into account the plans annexed to this resolution, with a view to strengthening support for their objectives through wider understanding of the Universal Declaration of Human Rights and the relation of the Declaration to their programmes and activities;

4. Invites non-governmental organizations in consultative status to promote the celebration of this anniversary in co-operation with their various national and local affiliates;

5. Expresses the hope that regional inter-governmental organizations concerned will also join in the celebration;

^a The financial implications of these draft resolutions will be issued as document E/2970/Add.1.

^b See para. 107, resolution I B and paras. 25 to 107 of the present report.

^c It was understood that the Economic and Social Council would designate the members of the Committee.

6. Requests the Secretary-General, in co-operation with a committee consisting of representatives of . . .^c and in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Directors-General of the other specialized agencies, to make the necessary arrangements to give effect to the recommendations of the Commission on Human Rights;

7. Expresses the desire that the General Assembly take appropriate measures in order that its decision contained in resolution 1041 (XI), concerning the completion of the work on the draft International Covenants on Human Rights may be carried out by 10 December 1958, including measures of implementation, as the most fitting homage to the Universal Declaration of Human Rights;

8. Appeals to all Members of the United Nations to co-operate closely to this end.

ANNEX

Plans for the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights, approved by the Commission on Human Rights at its thirteenth session

I. GENERAL

The Commission judged that two main considerations should be borne in mind in planning the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights:

(a) The celebration should demonstrate to the world the great step which the adoption of the Declaration on 10 December 1948 represents, and its unique character as an international document. It would therefore be fitting that the celebration should, wherever possible, serve as a vivid illustration of the work accomplished by the United Nations in defining the rights proclaimed and ensuring respect for them. At the same time, in order to stimulate greater efforts in the field of human rights, the celebration should emphasize the considerable amount of work which yet remains to be done, in particular the importance of the adoption and ratification of the draft covenants on civil and political rights and on economic, social and cultural rights;

(b) The celebration should also afford an opportunity for making better known the rights and freedoms set forth in the Universal Declaration, for awakening renewed interest in, and greater understanding of, these rights and freedoms, and thus encouraging increasing respect for them.

II. RECOMMENDATIONS

The recommendations submitted by the Commission are as follows:

A. Distribution of the text of the Universal Declaration of Human Rights

The Commission considers that the Universal Declaration of Human Rights should be widely disseminated, studied, and discussed. To this end the Commission recommends that the Secretary-General, with the co-operation of Governments, non-governmental organizations, schools and local authorities, initiate a new world-wide

distribution of the text of the Declaration in 1958 in as many languages as possible and presented in an attractive manner. The Commission hopes that a copy of the Declaration may be made available to the greatest number of people in a language they can understand.

B. Publications on human rights

The Commission considers that as many publications on human rights as possible should be issued during 1958. These should include books, pamphlets, periodicals and special articles. The co-operation of writers, publishers and non-governmental organizations will be most welcome in this respect.

The Commission recommends that all specialized agencies should be invited to introduce, in their public information activities in 1957 and 1958, the theme of human rights, particularly when this is appropriate to the work of the agency.

The Commission considers it important that the work of the United Nations in the field of human rights should be given publicity in 1958. It recommends that the Secretary-General should prepare a commentary on the Universal Declaration of Human Rights, giving its legislative history. Popular essays based on this commentary, and explaining the Declaration to the general public, would also be desirable. The Commission recommends that the Secretary-General issue a new pamphlet on the impact of the Declaration. The work of the Commission on Human Rights and its Sub-Commission, and the work of the Commission on the Status of Women, should also be included in publications issued.

C. Conference of non-governmental organizations on human rights

The Commission recommends that non-governmental organizations emphasize human rights at their annual conferences in 1958.

The Commission suggests also that non-governmental organizations, individually, or in groups, should draw up and adopt resolutions reaffirming their support for the Universal Declaration of Human Rights.

D. Other conferences and meetings on human rights

The Commission recommends that governments encourage national organizations and institutions to hold national, and whenever possible regional, conferences and other meetings on human rights in 1958. The organization of these conferences should be left to the initiative of leading civic or social organizations, but the Commission believes that the conferences should be on a large scale and the representatives drawn from as many different walks of life as possible.

The Commission also recommends that as many societies and other local groups as possible should hold meetings and discussions on human rights during the year.

E. Studies of human rights subjects

The Commission recommends that schools and universities, wherever possible, should incorporate special studies on human rights in their curricula for 1958.

The Commission suggests that in the schools, the meaning of the articles of the Universal Declaration of Human Rights might be taught against the background of the national history of the country concerned and of the country's own efforts in promoting the rights and freedoms which the Declaration proclaims.

The Commission suggests that universities in various parts of the world should hold seminars on human rights, or meetings timed to coincide with the tenth anniversary of the adoption of the Universal Declaration of Human Rights.

F. Honours and awards

The Commission suggests that Governments, universities and other institutions might offer special honours or awards in 1958 to persons who have distinguished themselves by their work or studies on human rights.

G. Art competitions

The Commission submits the following suggestions:

1. That national competitions in literature, music and the plastic arts might be held. Artists, in whatever forms of art may be most representative of the particular national genius, might well be attracted by the idea of producing a work on the theme of human rights and submitting it to a jury;

2. That an international competition in children's art might be arranged by the Secretary-General, in co-operation with the Director General of the United Nations Educational, Scientific and Cultural Organization. Children of all countries might be asked to make drawings and paintings illustrating one or more of the rights in the Declaration, which they themselves would choose. Their contributions would first be judged by a national committee. The contributions then submitted should be limited in number and of identical size. The number of awards to be made will have to be decided, but they would be offered by an international jury and the drawings and paintings selected would be exhibited at the United Nations;

3. That similar national competitions might be held in which children would write essays or short stories with human rights as their theme.

H. Radio, television and film programmes

The Commission recommends that the Secretary-General, in co-operation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, promote national and international radio, television and film programmes in honour of the tenth anniversary, and that he should explore the possibility of arranging an international radio link-up in which outstanding personalities, who have been concerned with human rights at the national or international level, would participate.

The Commission suggests that the possibility be explored of special awards being made for films connected with human rights at the international film festivals. Similarly, a special television award might be offered for a Human Rights Day programme in 1958.

I. Human rights stamps

The Commission recommends that every Government issue national human rights stamps, first-day covers, or special cancellations on 10 December 1958.

The Commission also recommends that United Nations human rights stamps, first-day covers, and special cancellations honouring the tenth anniversary, should be issued.

J. UNICEF greeting cards

The Commission suggests that UNICEF greeting cards might illustrate human rights in 1958. It notes that UNICEF has agreed to a request that it study the possibility of using one or more of the children's drawings or paintings which win the international competition (see para. 2 above) on the greeting cards which will be issued in 1959 or 1960.

K. Observances of Human Rights Day, 1958

The Commission considers it important that the widest possible national and international observances of Human Rights Day in 1958 should be held.

The Commission recommends that all Governments should make arrangements to hold celebrations on 10 December 1958 in their capitals and principal cities.

The Commission suggests that parliaments of Member States might hold solemn sessions on 10 December 1958 to celebrate the anniversary of the adoption of the Universal Declaration of Human Rights.

The Commission suggests also that Heads of State or of Governments might, on that day, address special messages to the nation, calling, where appropriate, on government agencies and services, and public and private organizations and enterprises, to make new

efforts to achieve fuller enjoyment of the rights and freedoms recognized in the Universal Declaration of Human Rights.

The Commission recommends that the Secretary-General organize an appropriate ceremony at United Nations Headquarters on 10 December 1958. As the General Assembly will be in session on that date, a special plenary meeting might be held at which the General Assembly would reaffirm its faith in, and pledge its renewed support for, the Universal Declaration of Human Rights in a resolution.

The Commission recommends also that the Secretary-General organize appropriate observances at the European and other offices of the United Nations.

The Commission recommends further that the Directors-General of the specialized agencies be asked to organize observances of 10 December 1958 at their respective headquarters. The Commission notes that the eleventh General Conference of the United Nations Educational, Scientific and Cultural Organization will probably be in session on 10 December 1958; arrangements for special sessions of that body might also be made.

B

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS: APPLICATIONS TO THE PREVENTION OF DISCRIMINATION AND THE PROTECTION OF MINORITIES^a

The Economic and Social Council,

Recalling resolution 926 (X) of the General Assembly on advisory services in the field of human rights,

Recalling also resolution F of the eighth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and resolution III of the twelfth session of the Commission on Human Rights on the same subject,

Recalling also its resolution 605 (XXI) on this subject,

1. *Draws the attention* of Governments to the important role which exchange of views and information by means of seminars can play for the purpose of combating discrimination;

2. *Invites* the Secretary-General, on the basis of requests received from Governments, to consider the advisability of convening working parties with a view to planning and organizing such seminars; and

3. *Expresses the hope* that all Governments will co-operate in achieving the purpose of this resolution.

C

REPORT OF THE COMMISSION ON HUMAN RIGHTS ON ITS THIRTEENTH SESSION

The Economic and Social Council

Takes note of the report of the Commission on Human Rights on its thirteenth session (E/2970).

^a See para. 153 of resolution VII and paras. 150 to 153 of the present report.

ANNEX II

List of documents before the Commission at its thirteenth session

1. DOCUMENTS ISSUED IN THE GENERAL SERIES			
E/CN.4/512	Memorandum by the Secretary-General on the draft Declaration on the Rights of the Child	E/CN.4/738 and Corr.2	Memorandum by the Secretary-General on the right of asylum
E/CN.4/713	Memorandum by the Secretary-General on activities of various organs of the United Nations in connexion with the right of asylum	E/CN.4/739	Preliminary report of the Committee on the Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile
E/CN.4/732	Note by the Secretary-General on freedom of information	E/CN.4/740	Report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights
E/CN.4/733	Note by the Secretary-General on the provisional agenda for the thirteenth session of the Commission on Human Rights	E/CN.4/741	Note by the Secretary-General on interim measures, pending entry into force of the covenants on human rights, to be taken with respect to violations of the human rights set forth in the Charter of the United Nations and the Universal Declaration of Human Rights
E/CN.4/734	Note by the Secretary-General on periodic reports on human rights and studies of specific rights or groups of rights	E/CN.4/742	Note by the Secretary-General on review of programme and establishment of priorities
E/CN.4/735	Report of the Committee on the tenth anniversary of the Universal Declaration of Human Rights	E/CN.4/743	Comments of the Executive Board of UNESCO for the United Nations Commission on Human Rights, on the recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities regarding the study of discrimination in education
E/CN.4/735 Add.1	Financial implications of the Committee on the tenth anniversary of the Universal Declaration of Human Rights	E/CN.4/744	Note by the Secretary-General on the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of
E/CN.4/736 and Add.1	Report by the Secretary-General on advisory services in the field of human rights		
E/CN.4/737	Note by the Secretary-General on the <i>Yearbook on Human Rights</i>		
E/CN.4/737/Add.1	Estimate of cost of publishing the <i>Yearbook on Human Rights</i> in official languages other than English and French		

E/CN.4/745	Minorities: (nomination for membership to the Sub-Commission)	E/CN.4/Sub 2/181 and Corr.1 and Add.1	Study of discrimination in education presented to the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities by the Special Rapporteur (Mr. Charles D. Ammoun)
	Text of resolution adopted by the Commission on celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights		
E/CN.4/746	Text of resolution adopted by the Commission on the draft Declaration on the Rights of the Child	E/CN.4/L.442	2. DOCUMENTS ISSUED IN THE LIMITED SERIES United States of America: draft resolution on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights
E/CN.4/747	Text of resolution adopted by the Commission on the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities: (study of discrimination in the field of employment and occupation)	E/CN.4/L.443	Italy: amendment to the draft resolution on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights submitted by the United States of America (E/CN.4/L.442)
E/CN.4/748	Text of resolution adopted by the Commission on the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities: (date, duration and agenda of any further conference of non-governmental organizations interested in the eradication of prejudice and discrimination that may be convened)	E/CN.4/L.444	Israel: amendment to the draft resolution on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights submitted by the United States of America (E/CN.4/L.442)
E/CN.4/749	Text of resolution adopted by the Commission on the report of the ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities: (study of discrimination in the matter of religious rights and practices)	E/CN.4/L.445 and Rev.1	Poland: amendment of the draft resolution on the celebration of the tenth anniversary of the adoption of the Universal Declaration of Human Rights submitted by the United States of America (E/CN.4/L.442)
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