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Eighth Session

MINUTE RECORD OF THE THIRD EIGHTEENTH MEETING

Held at Headquarters, New York,
on Monday, 17 May 1952, at 2.45 p.m.

CONTENTS:

Draft international covenants on human rights and measures of implementation (E/17/2; E/CN.4/L.50/Rev.1, E/CN.4/L.75, E/CN.4/L.110, E/CN.4/L.111, E/CN.4/L.115, E/CN.4/L.119, E/CN.4/L.122/Rev.1, E/CN.4/L.165) (continued)

<u>Chairman:</u>	Mr. KILIK	Lebanon
<u>Reporteur:</u>	Mr. WHITMAN	Australia
<u>Members:</u>	Mr. HILDT	Belgium
	Mrs. FIJUELOA)	Chile
	Mr. JANTA GONZ)	
	Mr. CHENG TAOHUAN	China
	ASHI Bey	Egypt
	Mr. JUVIGNY	France
	Mr. KAPRIZIDIS	Greece
	Mr. RAJAN	India

Members (continued)

Mr. WAHED	Pakistan
Mr. POZYTHENKI	Poland
Mrs. ROJCEL	Sweden
Mr. KOVALSKO	Ukrainian Soviet Socialist Republic
Mr. LOMOV	Union of Soviet Socialist Republics
Mr. IDAGE	United Kingdom of Great Britain and Northern Ireland
Mrs. ROOSEVELT	United States of America
Mr. BRACCO	Uruguay
Mr. JEVRSIJEVIC	Yugoslavia

Also present:

Miss HILL	Commission on the Status of Women
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Representative of a specialized agency:

Mr. PICKFORD	International Labour Organisation (ILO)
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Representatives of non-governmental organizations:

Category A:

Miss JANTER	International Confederation of Free Trade Unions (ICFTU)
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Category B
and register:

Mr. HOLDS	Commission of the Churches on International Affairs
Mrs. MAJAJIA	International Association of Penal Law
Mrs. CANTER)	International Council of Women
Mrs. FARBER)	
Miss HUBB	International Federation of University Women
Miss JANTER	International Union of Catholic Women's Leagues
Miss PHILLIPS	Liaison Committee of Women's International Organizations
Mr. JAGGY	World Jewish Congress
Mrs. FARBER)	World Union for Progressive Judaism
Mrs. POLITSIN)	

Secretary:

Secretariats:

Mr. LBN	Representative of the Secretary-General
Mr. MBI	Secretaries of the Commission
(Also KVICB.F)	

DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS AND MEASURES OF IMPLEMENTATION
(E/1972; E/CH.4/L.50/Rev.1, E/CH.4/L.78, E/CH.4/L.110, E/CH.4/L.111,
E/CH.4/L.112, E/CH.4/L.113, E/CH.4/L.162/Rev.1, E/CH.4/L.163) (continued)

The CHAIRMAN invited the Commission to resume consideration of article 7 of the draft covenant.

Mrs. MCCORMICK (United States of America) felt that only paragraph 1 of the USSR amendment (E/CH.4/L.50/Rev.1), into which the Lebanese sub-amendment (E/CH.4/L.110) had not been incorporated, should be included in article 27. The other paragraphs of the USSR amendment were debatable; some, such as paragraph 2, were merely a repetition of provisions already contained in the covenant; others, particularly paragraph 3, reproduced with less clarity the provisions of paragraph 1; others still, as in the case of paragraph 4, restricted trade union rights; finally, there were some, particularly paragraph 6, which certain Governments, including the United States, could not accept.

It was, moreover, inadvisable to include in the covenant a provision for the right to strike. Trade unions should protect the interests of their members but a strike should be viewed only as a form of protest when negotiations between employers and employees were interrupted; it should not be considered a medium to which trade unions could have recourse before entering into negotiations. She would therefore vote against paragraph 5 of the USSR amendment (E/CH.4/L.50/Rev.1), the Yugoslav amendment (E/CH.4/L.78) and the Uruguayan amendment (E/CH.4/L.113).

She protested against the USSR representative's attack on the representative of the International Confederation of Free Trade Unions. The Confederation consisted of trade unions which defended the interests of the workers and which, in the United States, were deservedly held in esteem. She was, moreover, surprised that the USSR representative, in his criticism of the United States Government, should have referred to a bill not yet

/adopted

adopted by Congress and which, as such, was not open to criticism in the way that an enacted law was.

Mr. JUVIGNY (France) said that it was not for the Commission to determine whether or not the action of certain persons mentioned by the USSR representative, who had read the communication from the confederated trade unions of Mironov, constituted protection of professional interests. Whenever a communication of that kind impugned France in respect of the freedom of trade unions, the French Government followed the principle of accepting international supervision of trade union rights through the Commission d'investigation et de conciliation existant de liberte syndicale, set up by the ILO in collaboration with the Economic and Social Council. In any event, the representative of a country which, in order to prevent the international implementation of human rights, sought shelter behind a serious conception of national sovereignty inconsistent with the development of international institutions was not qualified to pose as an accuser.

The French delegation agreed with the substance of article 27 of the draft covenant and supported the Latvian sub-amendment (E/CN.4/L.110) which gave the article the same juridical value as the article relating to the right of association.

The method proposed by the Yugoslav representative (E/CN.4/L.73) which restricted the exercise of trade union rights to wage earners could be applied in some countries but was unacceptable on an international level since that right should be expressly and generally recognized in the covenant.

With regard to the USSR amendment (E/CN.4/L.50/Rev.1), which had already been criticized by a number of representatives, he reminded the Commission that in the opinion of the French delegation consideration of questions within the competence of the specialized agencies should be left to them to deal with. In connexion with trade union rights, more particularly, a convention had been concluded under the auspices of the ILO and ratified by a number of States. Some elements of the USSR amendment had been taken from that convention and the question arose as to the action to be taken on provisions to which reference had not been made. The Commission should not attempt to take the place of the ILO by wishing to draft, in a few days, provisions which technical experts had been studying for years.

/In the

In the matter of the right to strike, the French delegation would not object a priori to the enunciation of that right in the covenant since it was recognized in the Constitution of the French Republic and had proved to be one of the most effective methods in the campaign to emancipate workers. The value of the covenant should, however, be worldwide; the right to strike had not been mentioned in the Universal Declaration of Human Rights and it had been revealed in the course of the debate that serious differences existed among delegations as to the nature of that right. Moreover, generally speaking a right was not really safeguarded unless governed by regulations and yet many trade unions were opposed to regulation of the right to strike. The Uruguayan amendment (E/CN.4/L.119) represented an attempt to reconcile the rights of workers with the vital interests of the community but failed to protect either the one or the other. It made no mention of arbitration and enabled a State to restrict the right to strike in the case of public services. In view of the fact that the notion of public service was a rather flexible one, a provision of that nature might either enable a State which had a wrong conception of public services to prevent almost completely the exercise of the right to strike or, on the contrary, to hazard the interests of the community where the notion of public services was confined to State administrations. Moreover, the text would be a retrograde step for certain States where the right to strike was denied only to certain categories of officials or workers whose services were absolutely indispensable to the life of the nation. It would therefore seem impossible to state so important and variable a right in a few lines. If the majority of the Commission decided in favour of the insertion of that right in the covenant, a very general formula should be adopted, similar, for instance, to the wording in the French Constitution to the effect that the right to strike was exercised within the scope of the laws governing it.

The CHAIRMAN read out the list of speakers and declared the list closed.

Mr. KOVALENKO (Ukrainian Soviet Socialist Republic) said that his delegation supported the Soviet Union amendment (E/CN.4/L.50/Rev.1) and more particularly the basic principle enunciated in paragraph 1 and the non-discrimination clause which appeared in paragraph 2 and was of particular importance in relation to trade union rights. It further considered it essential to provide for State sanction of the right to strike and was opposed to any provision which would limit the scope of that right. The fact was that in some capitalist countries a campaign against the economic and social rights of workers began by an attack against the freedom of trade unions and more particularly against the right to strike.

/Rosa amakura

Some speakers had alleged that paragraph 4 of the USSR amendment was superfluous. He felt, on the contrary, that it was essential to state that trade union organizations should be protected from interference by the public authorities and mentioned in that connexion the threats being made in the United States against some trade unionists. He considered it surprising that some representatives should have claimed that the enumeration of the various trade union rights would, in fact, be restrictive. It was particularly surprising, when it was being proposed to have the right to strike recognized in the covenant, to hear the French representative state that sanction of that right would be tantamount to its restriction. Finally, the bill at present before the United States Congress, to which reference had been made by the USSR representative, was evidence of the campaign that was at present being waged against the freedom of trade unions in the United States.

Mr. JEVICHOVIC (Yugoslavia) said that the Lebanese sub-amendment (E/CH.4/L.111), in which specific reference was made to the obligation of States in the matter of trade union rights, improved the wording of article 27. The Yugoslav delegation, however, did not consider the sub-amendment to be completely satisfactory; the economic and social interests to which it referred did not actually accord with economic and social rights since some interests might run counter to the rights of the individual.

Replying to the representative of France, he said that his delegation had no intention of restricting the enjoyment of trade union rights to any particular category of persons, although economic and social rights should be granted to those who were particularly in need of them, as was the case with workers. However, he would agree to replace the words "all wage earners" by the word "everyone" in his amendment (E/CH.4/L.73). On the other hand, he preferred to maintain the phrase on the protection of economic and social rights. Conditions for workers had certainly improved a great deal since the middle of the nineteenth century but, even so, the improvements which had been brought about by action of the workers' unions were not commensurate with the growth in the forces of production.

The Uruguayan amendment (E/CH.4/L.110) was interesting, but he could not accept it, since it might be misinterpreted in such a way as to run counter to the interests of trade unions. If the majority of the Commission supported that amendment, he would abstain from voting.

/Mr. JUSTA CRUZ

Mr. SANTA CRUZ (Chile) introduced the revised version of his amendment (E/CH.4/L.162/Rev.1) to the USSR amendment (E/CH.4/L.59/Rev.1). His proposal was that the non-discrimination clause should be inserted in paragraph 1 rather than in paragraph 2 of the USSR amendment and that paragraphs 3 and 4 should be replaced by paragraphs 3 and 4 of his own text, which contained all the essential provisions to ensure the free exercise of trade union rights. At the same time, paragraph 4 of his text introduced a new idea in stating that trade union organizations would not be liable to be dissolved or suspended by administrative authority. Those two paragraphs were practically identical with the wording of the Convention on Freedom of Association concluded in 1948 under the auspices of the ILO, a Convention which had been signed by more than forty countries and approved by the General Assembly.

His delegation would vote in favour of paragraph 5 of the USSR amendment but requested that paragraph 6 should be put to the vote in parts. He would support the idea that trade unions should participate in the framing of economic and social policy in enterprises, but he felt that, at the regional and national levels, the participation of trade unions should be ensured through the normal democratic channels provided for by the Constitution of each State. As for paragraphs 7 and 8 of the USSR amendment, he considered them unnecessary since the rights they mentioned were already covered implicitly by paragraph 1.

Mr. WHITLAW (Australia) said that his delegation was in favour of the original text of article 27. Even at the risk of appearing reactionary, it would prefer a general statement of principle and was opposed to the excessive detail of some of the amendments. On the other hand, it considered that the reference to article 16, dealing with the right of association, was of the utmost importance. The restrictions provided for in article 16 were essential. If the Commission drafted a separate covenant on social and cultural rights and decided not to keep the reference to article 16, it should not lose sight of the possible limitations when article 32 was considered.

/His delegation

His delegation had no intention of restricting the action of trade union organizations. In Australia they had every freedom and enjoyed the highest prestige, but it was quite inconceivable that they should not be subject to the laws of the country. He endorsed the criticisms of the USSR amendment (E/CH.4/L.50/Rev.1) expressed by the delegations of Egypt, France and Lebanon. He also agreed with the Chilean representative that certain parts of the USSR amendment represented an unnecessary repetition of points already dealt with in the ILO conventions. That criticism, however, could also be levelled at points 3 and 4 of the Chilean amendment (E/CH.4/L.102/Rev.1). Once again he reiterated his objection to the repetition of the non-discrimination clause in article 27, since it already appeared in the text of article 1, as adopted by the Commission.

The Uruguayan amendment (E/CH.4/L.114) had been only criticized by the French representative. Conciliation could be a very complicated matter and it would be difficult to determine exactly when negotiations had actually broken down, since they should really continue as long as the strike lasted.

The Yugoslav amendment (E/CH.4/L.78) also had the defect of going into too many details, particularly in its reference to the right to strike. Before making States unconditionally guarantee the right to strike it should be remembered that events often made it essential to restrict the right in certain respects. In any event, the ILO was to prepare a special convention on the right to strike and that was the body really competent to lay down the provisions for that right.

The Lebanese amendment (E/CH.4/L.111) seemed to be the best of the proposals submitted and, subject to the reservations it had already made, his delegation was prepared to support that amendment, provided that the word "guaranteed" was replaced by the word "ensured".

Mrs. ROEHL (Sweden) said that the right of association, with the restrictions provided for in article 16, was one of the most important of the civil and political rights. The right recognized in article 27 was a logical consequence of the right of association and should be subject to the same
/restrictions

restrictions. Her delegation favoured the original version of article 27 but felt that the Lebanese amendment (E/CN.4/L.111) came sufficiently close to the original text. As for the right to strike, there were many measures, such as collective bargaining, which might be applied for the protection of the economic and social interests of the workers; the right to strike was only one of them. Consequently, it was one of the measures of implementation of trade union rights and, as such, it had no place in the covenant.

Mr. ECARD (United Kingdom) said that the representative of Lebanon had improved his amendment (E/CN.4/L.111) by agreeing to replace the word "guarantee" by the word "ensure". He fully agreed with the views expressed by the Egyptian delegation on the USSR amendment (E/CN.4/L.50/Rev.1). The Chilean representative had been quite right in criticising the USSR amendment on the grounds that it overlapped onto questions which came within the province of the ILO, but he did not seem to have realized that the same criticism applied to paragraphs 3 and 4 of his own amendment, which were, therefore, unnecessary. As for the non-discrimination clause, which the Chilean delegation wished to move into paragraph 1 of the USSR amendment, it was also unnecessary, in view of the provisions of article 1.

The right to strike mentioned in paragraph 5 of the USSR amendment came within the competence of the ILO. Paragraph 6 of the amendment expressed an important idea but it would have to be applied with the utmost caution. The participation by trade union organizations in the framing of economic and social policies in enterprises might in itself be very risky if such participation was not restricted and regulated, or if the trade unions attempted to impose on the enterprises general ideas going beyond actual labour problems. To prescribe that there must be participation of trade union organizations in the framing of such policies at the national level would be equally dangerous for the reasons given by the Chilean representative; in fact most democratic countries had worked out their own methods by which the views of trade union organizations on such matters could be ascertained.

/With regard

With regard to the Yugoslav amendment (E/CN.4/L.78), the French delegation had been quite justified in its criticism and there was no reason why the right to joint trade union organizations should be restricted to wage earners. Professors and men, such as doctors, who did not regard themselves as wage earners, might want to form professional associations and they should be entitled to do so in protection of their interests. The Yugoslav representative had objected to the expression "economic and social interests" although it was far wider in scope than the expression "economic and social rights". The use of the latter expression would impose an unfortunate restriction on the action of trade union organizations and, in that respect, the original text of article 27 was better.

With regard to the Uruguayan amendment (E/CN.4/L.118), he first questioned the wisdom of deleting the reference to article 16 which appeared in the original text of article 27. Naturally there was a technical difficulty involved in keeping a reference to an article which appeared in a different covenant. In effect, however, the parties to the covenant on economic, social and cultural rights would merely be accepting certain restrictions provided for in another covenant on human rights and they could do so whether or not they had also adhered to the other covenant. The Commission had considered the provisions of article 16 to be necessary with regard to the right of association of which the right to form and join trade unions was a particular example. The limitations provided for in article 32 were not quite the same as those mentioned in paragraph 2 of article 16 and, in any event, as the fate of article 32 had still not been settled, his delegation would hesitate to adopt article 27 unless it could be certain that adequate provision was made for the essential restrictions to trade union rights. He therefore proposed that the reference to article 16 should be maintained in article 27.

The right to strike was certainly an important means of ensuring the protection of the economic and social interests of the workers but it represented a last resource, since there were now many other means which had been worked out as part of the general conception of collective bargaining and to which trade unions ordinarily resorted. The USSR amendment emphasized the right to strike without mentioning all the other possible measures. The definition of that right and the adoption of rules to govern it came within the competence of the ILO. The Uruguayan representative had tried to define certain limitations of

/the right

the right to strike, but while his general conception was sound the criteria he proposed would be difficult to apply, since no one could state precisely when attempts at conciliation had been exhausted or, in the case of unauthorized strikes, how conciliation was to be applied. The restrictions proposed by the Uruguayan delegation were, on analysis, either too rigid or too vague.

In the final analysis, he still favoured the original text of article 27. However, he would be prepared to accept the Lebanese amendment (E/CN.4/L.111) if it maintained the clause "in conformity with article 16".

Mr. BRACCO (Uruguay) was prepared to accept the French representative's suggestion that his amendment (E/CN.4/L.118) should also provide for arbitration. On the other hand, he could not agree with the Indian representative who recognized the right to strike only as an exception.

He would vote in favour of paragraph 1 of the USSR amendment (E/CN.4/L.50/Rev.1) with the addition of the non-discrimination clause, as proposed by the Chilean representative. He would also vote in favour of paragraphs 3 and 4 of the Chilean amendment (E/CN.4/L.162/Rev.1), the wording of which had already been adopted by the ILO and endorsed by the General Assembly.

Since paragraphs 7 and 8 of the USSR amendment repeated the ideas expressed in paragraph 1 he would abstain from voting on them.

He would vote in favour of the Yugoslav amendment (E/CN.4/L.78) provided that the words "all wage earners" were replaced by the word "everyone".

Mr. MOROZOV (Union of Soviet Socialist Republics) objected to the submission by the United Kingdom representative of an oral sub-amendment when the time-limit for such amendments had already expired. Furthermore that amendment could not be put to the vote since it referred to article 16 of the draft covenant which the Commission had not yet discussed.

Mrs. ROOSEVELT (United States of America) announced that her delegation would vote against both parts of the Chilean amendment (E/CN.4/L.162/Rev.1).

/Mr. SAKIA CRUZ

Mr. SANTA CRUZ (Chile) pointed out that the two articles from the ILO Convention referred to in part II of his amendment were, with another article which the Lebanese amendment (E/CN.4/L.111) reproduced in rather better words, the most important articles in the Convention. In the Chilean amendment the words "workers and employers" had been replaced by the words "trade union", since article 27 was concerned with trade union rights.

The CHAIRMAN said that it would be difficult to put the United Kingdom oral sub-amendment to the vote; an article in the covenant on economic, social and cultural rights could not refer back to an article in the covenant on civil and political rights, the General Assembly having decided that the two covenants should be separate instruments. In addition, the Commission had not yet considered article 16 to which the United Kingdom sub-amendment referred.

Mr. EGARE (United Kingdom) withdrew his oral amendment but felt that it was unfortunate that the idea contained in article 16 could not be used in article 27.

The CHAIRMAN pointed out that the Commission could consider that question when it studied article 32.

He invited the Commission to vote on the USSR amendment (E/CN.4/L.50/Rev.1) paragraph by paragraph, with the relative amendments thereto, beginning with part I of the Chilean amendment (E/CN.4/L.152/Rev.1).

Part I of the Chilean amendment was rejected by 13 votes to 8.

The CHAIRMAN put to the vote paragraph 1 of the USSR amendment which was the same as the Lebanese amendment (E/CN.4/L.111) to the Yugoslav amendment (E/CN.4/L.78), the word "guarantee" being replaced by the word "ensure".

Paragraph 1 of the USSR amendment was adopted unanimously.

The CHAIRMAN put to the vote paragraph 2 of the USSR amendment.

Paragraph 2 of the USSR amendment was rejected by 11 votes to 5, with 2 abstentions.

/Mr. SANTA CRUZ

Mr. SAETA CRUZ (Chile) asked for part II of his amendment (E/CN.4/L.162/Rev.1) replacing paragraphs 3 and 4 of the USSR amendment to be put to the vote as a whole.

Part II of the Chilean amendment was rejected by 9 votes to 7, with 2 abstentions.

The CHAIRMAN put to the vote paragraph 3 of the USSR amendment.

Paragraph 3 of the USSR amendment was rejected by 11 votes to 5, with 2 abstentions.

The CHAIRMAN put to the vote paragraph 4 of the USSR amendment.

Paragraph 4 of the USSR amendment was rejected by 11 votes to 4, with 3 abstentions.

Mr. MOROZOV (Union of Soviet Socialist Republics) asked for a separate vote on two sentences in the Uruguayan amendment (E/CN.4/L.118) to paragraph 5 of the USSR amendment.

The first sentence of the Uruguayan amendment was rejected by 8 votes to 4, with 6 abstentions.

The CHAIRMAN put to the vote the second sentence of the Uruguayan amendment (E/CN.4/L.118).

The second sentence of the Uruguayan amendment was rejected by 8 votes to 3, with 7 abstentions.

Mr. MOROZOV (Union of Soviet Socialist Republics) asked for a vote by roll-call on paragraph 5 of the USSR amendment.

A vote was taken by roll-call.

<u>In favour:</u>	Chile, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.
<u>Against:</u>	Australia, Belgium, China, Egypt, France, Greece, India, Lebanon, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.
<u>Abstaining:</u>	Pakistan.

Paragraph 5 of the USSR amendment was rejected by 11 votes to 6, with 1 abstention.

/In accordance

In accordance with the Chilean representative's request, the CHAIRMAN put to the vote the first part of paragraph 6 of the USSR amendment up to the word "enterprise".

The first part of paragraph 6 of the USSR amendment was rejected by 10 votes to 4, with 4 abstentions.

Mr. MOROZOV (Union of Soviet Socialist Republics) said that, in the light of that vote, there was no point in voting on the rest of paragraph 6 of the USSR amendment.

The CHAIRMAN put to the vote paragraph 7 of the USSR amendment.

Paragraph 7 of the USSR amendment was rejected by 11 votes to 4, with 3 abstentions.

Mr. MOROZOV (Union of Soviet Socialist Republics) asked for a vote by roll-call on paragraph 8 of the USSR amendment.

A vote was taken by roll-call.

In favour: Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Belgium, China, Egypt, France, Greece, Lebanon, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Chile, India, Pakistan, Uruguay.

Paragraph 8 of the USSR amendment was rejected by 10 votes to 4, with 4 abstentions.

The CHAIRMAN put to the vote paragraph 1 of the USSR amendment (E/CN.4/L.50/Rev.1) which would constitute the whole text to replace article 27 of the draft covenant.

The whole text to replace article 27 was adopted by 12 votes to 2, with 4 abstentions.

Mr. KAPSANBELIS

Mr. KAJSAJELIS (Greece) explained that he had voted ^{only} in favour of the text originally proposed by Lebanon (E/CN.4/L.111), incorporated in the USSR amendment, because his delegation considered that all the other texts before the Commission either repeated the provisions of other articles, were not sufficiently forthright or were out of place in the covenant.

Mr. HOWRE (United Kingdom) said that although he had voted in favour of paragraph 1 of the USSR amendment embodying the Lebanese proposal and of the whole of the article adopted by the Commission, he reserved his delegation's right to raise again the possibility of inserting a reference to article 16 of the draft covenant.

Mr. RAJAN (India) explained that while he had been favourably disposed to the ideas expressed in the Chilean amendment (E/CN.4/L.162/Rev.1), his delegation had voted against part I of that amendment because the non-discrimination clause was already included in article 1 of the covenant and against part II because it merely reproduced the articles of an ILO Convention which could not appropriately be included in the covenant.

The CHAIRMAN, speaking as the representative of Lebanon, said that he had voted against the various paragraphs of the USSR amendment (E/CN.4/L.50/Rev.1), with the exception of paragraph 1, and against the Chilean and Uruguayan amendments not because his delegation was against the principles in those amendments but because it felt that the article in question was not the proper place to proclaim those principles. He was glad that paragraph 1 of the USSR amendment, embodying the text of the Lebanese amendment (E/CN.4/L.111) to the Yugoslav amendment (E/CN.4/L.46) had been adopted.

AMRI Bey (Egypt) explained that he had voted against various texts solely for formal reasons and not because his delegation was opposed to the ideas expressed in them.

Mr. HJROZOV (Union of Soviet Socialist Republics) pointed out that the text adopted by the Commission was preferable to the former article 27, which had referred to article 16, thus restricting the right in question. Nevertheless,

/he had

he had abstained from voting on the whole of the text adopted by the Commission since it was incomplete, the fundamental provisions of the USSR amendment, particularly those relating to the right to strike, having been rejected.

His delegation would continue to work for the improvement of the text of article 27 and, indeed, of the covenant as a whole.

Mr. JUVIGHI (France) explained that his delegation was not in any way opposed to the substance of certain proposals against which it had voted but that it had rejected them for the reasons he had already explained. In particular, he had voted against part II of the Chilean amendment (E/CN.4/L.162) and parts of the USSR proposal because his delegation considered that an extract from the ILO Convention could not properly be included in the covenant, especially in an incomplete form.

The CHAIRMAN announced that the Commission had concluded its consideration of article 27 of the draft covenant and would turn next to article 31.

The meeting rose at 5.30 p.m.