
COMMISSION ON HUMAN RIGHTS
THIRD SESSION

STATEMENT

MADE BY THE USSR DELEGATION IN THE COMMISSION ON HUMAN RIGHTS ON
18 MAY 1948 WITH REGARD TO THE DRAFTS AND PROPOSALS ON IMPLEMENTATION

The Soviet delegation has studied the drafts and implementation proposals presented to the Commission on Human Rights, in particular, those submitted by the United States, China, France, Australia and the Working Committee set up by the Commission at its second session. It notes that all these drafts and proposals interpret implementation to mean not a system of measures for ensuring that human rights are implemented and guaranteed in every country by the State and society, but rather, a system of international methods of pressure to be exercised through special organs established for this purpose (e.g. an international court, international committee or a United Nations public prosecutor, etc.), and intended to force individual States to take particular steps connected with execution of the Convention on Human Rights.

It is clear, therefore, that such "implementation" may become a means of interfering in the internal affairs of a State party to the Convention, and of undermining the sovereignty and independence of particular States.

The implementation plan entails the establishment of various international instances in which communications and complaints with regard to the violation of human rights, from both States and Governments and private individuals or associations of such individuals, would be considered. It thus conflicts with the whole system of international public law regulating the relations between States. In addition the plan, if it is adopted, will have the effect of transforming a dispute between a private individual or group of individuals and their State or Government into an international dispute, thereby substantially enlarging the area of international differences, frictions and incidents, unnecessarily burdening and aggravating international relations and undermining the foundations of peace.

Furthermore, the transference to a special committee, special international court or even, as contemplated in some implementation plans

/to the Commission

to the Commission on Human Rights of the prerogative conferred upon the General Assembly and the Economic and Social Council of making recommendations to States on questions of human rights would upset the powers as established by the Charter and the distribution of those powers as between the main and auxiliary organs of the United Nations, and would, further encourage interference in the internal affairs of Members of the United Nations which is contrary to the Charter.

Since what is required is an international document calculated to serve the purpose of maintaining and strengthening international peace and developing good neighbourly relations between nations, the Soviet delegation disapproves of all the drafts and proposals on implementation presented to the Commission and considers them unsatisfactory.