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Statement by the Honorable Mrs. Oswald B. Lord, United States
Representative in the Human Rights Commission on Periodic Reports
on Human Rights.

As we in the United Nations Commission on Human Rights enter our discussion of progress in human rights I believe people throughout the world look to us for candor, for guidance and for hope. Both the United Nations Charter and the Declaration of Human Rights are solidly based on the proposition that the individual has an inherent dignity; that every man and woman has inherent rights which are not rightfully abridged by governments or other individuals. Nevertheless in such times as our own, the desire in many countries for security, for national stability or promotion of national interests crowd in upon the area of rights which are guaranteed to each individual. In other countries such considerations result in failure to carry out in practice what has been declared in theory. In still other countries the interests of the state as a whole have become so overinflated that not even a pretense is made of guaranteeing rights against state power.

In such times it is appropriate, indeed essential, that such a body as this Human Rights Commission represent a counter force by assessing the condition of human rights in order to encourage future progress.

The story of mankind is a story of the struggle for increasing political freedom and economic abundance. In each of the cultures represented at this Commission there have been milestones along the path toward an increasing standard of human rights and freedoms.

People for centuries have yearned for both security and adventure - for peace and freedom. Other bodies of the United Nations are primarily concerned with achieving peaceful relations among nations. It is their task to take up the political disputes which are often at the heart of violations of Human Rights. It is their task to deal with individual violations of Human Rights which may be threats to international peace. We in the Human Rights Commission have the task of setting the goals for which men should aim, and of discovering the techniques to achieve them.

It would be gratifying to all of us here if we could achieve the fundamental freedoms, which the Charter and the Declaration speak of, by passing resolutions, or even by drafting conventions or treaties. But unfortunately peaceful progress toward human rights depends above everything else on changing the beliefs and ideas by which men live. Ideas and beliefs change slowly.

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In the process of promoting progress in Human Rights good laws are essential; but they are not enough. Frequently a community or a country may have good laws, but ruthless administration. It may state the noblest ideals in its legislation but in practice eliminate any defense for individual rights against intrusions by the State.

"Human Rights" are a bundle of relationships starting with personal and family attitudes, spreading to church and social affiliations, to schools, to legal systems and eventually to the basic philosophy of governments. That is why human rights can not be controlled solely by law - nor should they be judged solely by legalisms. The state of human rights in a country is largely effected by what non-governmental organizations do - and by what individual citizens do. We in the United States consider the work of local citizens and non-governmental organizations to be the key part in the process by which we strive for the realization of human rights.

Mr. Chairman, the Commission now has before it the first triennial report on the condition of Human Rights. It is obviously up to governments - my own included - to make available material sufficiently in advance for proper processing. It is regrettable that only ~~32~~ 35 countries have responded to the Secretary-General's request for international³⁵. I would like to suggest, therefore, that the Commission begin discussion of the triennial report this year and finish the debate next year. I shall come back to this suggestion at the end of my statement.

During the three years under consideration there have been a few cases when countries have made great strides forward and others where unhappy strides backward have been taken. For other countries the record is more mixed. Certainly, however, the examples of progress are numerous and encouraging.

The report before us shows that progress can come and it can come rapidly. Thomas Jefferson in 1825 caught the spirit of another time in words which sound very modern. "All eyes are opened or opening to the rights of man. The general spread of science has already laid open to every view the palpable truth that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately by the Grace of God."

It is encouraging in my opinion to note how many countries during the period under review included in their constitution statements of fundamental rights guaranteed to their citizens in keeping with the provisions of the Universal Declaration of Human Rights. Nepal in the Government of Nepal Act of 1951 with the subsequent amendments of 1954 is one striking example. Another is the statement of Fundamental Rights in the Constitution of Pakistan of February 29, 1956.

The Austria Peace Treaty which became a part of municipal law of Austria reaffirmed the principle of equality of all citizens before the law.

On November 18, 1955, His Majesty Mohammed V presented the fundamental statement of policy for the newly independent state of Morocco. He referred expressly to the objective of a democratic regime free from all racial discrimination and inspired by the Universal Declaration of Human Rights."

In the Constitution of the Republic of Korea of July 12, 1948, Chapter II contains 22 articles presenting the "Rights and Duties of Citizens." In clear language is stated the human rights presented in the Universal Declaration.

During the period of the reports before us the Constitution of the Republic of Korea was amended for the second time since its adoption in 1948, to provide, among other things, for popular referendum of certain types of legislation upon a petition of 5,000 qualified voters.

In Denmark a comprehensive Act now empowers the Lower House of the Legislature to appoint a Commissioner to investigate a complaint by an individual concerning official faults or negligence in public duty.

The tremendous increase in communications facilities today has contributed to the danger that rights of privacy will be invaded. In the United States the legality of wire-tapping of telephone conversations was the subject of a far-reaching decision by the United States Supreme Court. The Supreme Court restricted this practice even when carried on by law enforcement officers. An important judicial decision in Switzerland on the secrecy of correspondence supported a magistrate's refusal to divert telegrams and mail of a suspected individual even to the law enforcement authorities. The Federal Court of Justice in the Federal Republic of Germany rules that personal papers of a confidential nature were entitled to the same kind of protection as copyright works, to be published only with the author's permission. And in France the privacy of an individual in a judicial proceeding was protected by an act making it an offense to photograph, broadcast or televise judicial proceedings.

A number of countries took action to establish or extend the right to vote for women. Suffrage was granted to women in Cambodia, Colombia, Ethiopia, Laos and Nicaragua, and extended in Honduras, Peru and Haiti. The right was also established for women in Ghana and Malaya.

The interest of governments in the field of health and social security has shown a tremendous increase in the number of provisions covering benefits for retirement, compensation and insurance.

We see from the report by UNESCO that Article 27, which provides the right to participate freely in the cultural life of the community has been also considerably extended during the three years under review. Italy for example has written into its constitution a provision to protect linguistic minorities. In India any group of citizens having a distinct language, script or culture, has the right to conserve it.

Adult education is a growing concern in many countries. To mention India again, we find that some 75,000 literacy classes have been established with an enrollment of over 600,000. In 1956 the President of Viet Nam called upon the entire population to join in evening courses for workers, with participation by all the country's intellectuals. The State of Israel, reports great emphasis on the teaching of language and fundamental education, as well as vocational and professional education for new immigrants. A number of countries report active efforts to encourage and assist writers through literary funds and also through the purchase of prize winning books for distribution to schools and public libraries. Others report success in bringing books and exhibits to rural areas by mobile libraries.

If I may refer to the United States again, our Constitution sets forth the basic human rights which may not be invaded by governmental authority. These basic rights, generally designated as "civil liberties" or "political rights", include the right to life, liberty, freedom of expression, conscience and assembly, the right to a fair trial and to participate freely in the government. It is the function of the courts, which are independent of the executive and the legislature, to review all alleged violations of these basic rights and the courts decisions, after full and fair hearings, are final. There is of course an appeals system whereby rulings by lower courts may be reviewed by higher courts, all the way up to the United States Supreme Court.

The United States reports to the United Nations Yearbook on Human Rights cite many cases which show how our courts are ever watchful of the rights of the individual. It has always been our belief that civil liberties can be safeguarded for all only when the rights of every individual are safeguarded.

A moment ago I mentioned that there had been examples during the three years under review where events had taken place of fundamental importance for human rights. We in the United States feel that one of these was the unanimous decision in the case of Brown vs. the Board of Education of Topeka handed down May 17, 1954. In this case the United States Supreme Court decided that segregation on the basis of race in all publicly supported schools is unconstitutional because it is inconsistent with the guarantee in the constitution of the "equal protection of the laws".

By this decision the school system in 17 states was declared to be inconsistent with the constitution. The Court recognized that a social change of such a sweeping character would require many adjustments and recognized that time would be needed to implement its decision. But the court said a reasonable start should be made and in 1955 the Supreme Court again stated that the decision should be carried out "with reasonable speed".

Before 1954 all Negro children were attending public schools daily in the 17 southern states as elsewhere. Since 1896 the Court had permitted states to maintain "separate but equal" facilities for Negro and White public schools. What we are now reaching for is something more - something far more subtle and difficult - namely psychological equality.

At the present time the great majority of our schools are fully integrated. In 31 of our 48 states all children have attended the same public schools without distinction because of race, color or creed. In 10 other states integration is progressing and in most cases without commotion, without difficulty, without law suits. In these ten border states almost twenty five percent of the three thousand bi-racial school districts have begun to place Negro and White children in the same classes. In some areas such as the nation's capitol and the State of West Virginia all formerly separate but equal schools have been integrated. In Kentucky, seventy five percent of the State has now integrated schools, with only two incidents of friction in some two hundred counties.

As for higher education, in April 1957, it was estimated that in 1956 there were 196,000 non-white students between the ages of 14 and 34 enrolled in colleges or universities. This represented an increase of about 620 percent over non-white enrollments in 1930. While the 1956 figure includes all non-whites, the vast majority are Negroes. The rate of increase in the number of non-white institutions of higher learning is currently reported to be about 6 times that of the number of white students. In 1951 it was reported that 6 out of every 1000 Negroes of all ages were enrolled in colleges or universities. The percentage would be higher now, but even the 1951 figure is a very large one, and as a matter of fact, it represents the existence of greater opportunities for higher education among the members of a single segment of our population than are offered by almost any other country to all of its people.

We are witnessing today nothing short of a peaceful social revolution. Some say progress has been too swift for orderly adjustments; others say it has been too slow but none would deny that a social revolution is in progress. As the publisher of a Negro Magazine recently said "The Negro has made more progress in the last ten years than any other group of people in the world -- and I cannot think of any major field in which the Negro has not achieved success in the past few years".

In the field of economic, social and cultural development there is a great deal I could report since under the years covered by our study the American people attained a level of well-being surpassing anything known before. President Eisenhower in his annual economic report of January 1957 concerning major economic and social developments during the years 1953-56 pointed out that the enormous productive power of the American economy has made possible the release of more time for creative personal development as well as for the more complete enjoyment of material things. Mr. Eisenhower also said: "Moreover our free economy gives indispensable support to the form of political life that we cherish. There are instructive parallels between our

political and economic institutions. No form of government offers greater opportunity for individual expression, or places heavier reliance on individual leadership and integrity. Similarly no type of economic system offers greater opportunity for individual achievement or places heavier responsibilities on the individual".

Let me refer to certain other facts of American economic life during the period under discussion; facts which have fundamental social significance.

The share of the national income going to wages, salaries, social security benefits and related payments increased during the period from 73.8 percent to 75.8 percent.

A growing proportion of our people own ^{their own} homes: 60 percent of our homes were owned by their occupants in 1956 compared to 55 percent in 1950.

Significant gains were also made in health and life expectancy. Some 116 million persons were covered in 1956 by hospital insurance and 101 million by some insurance against the cost of surgical care.

Social security was extended through a number of acts of Congress. By the end of 1956, 9 out of every 10 workers were covered or eligible for coverage under old age, survivors and disability insurance. In addition private pension plans now cover about 15 million workers.

Mr. Chairman, the developments in many countries to which I have referred represent the open pages of progress in the book of human rights. I wish it were possible for us to limit ourselves only to the frank and honest discussions which these bright pages make possible.

Unfortunately, there are also dark pages of repression in this same book.

It would be cynical and unreal beyond belief if we were to pretend that the spectre of Hungary does not sit silently at this table today. I do not intend here to detail the tragedy hinted at in the report submitted by Hungary or to single out those responsible. The United Nations itself has already done this far more effectively than I could, and the world knows from its report -- as each of us here today knows -- the truth.

Nor do I suggest that tragic Hungary is the only chapter in the annals of human rights which records a sad lack of progress or an even sadder regression in the field of human rights today. Elsewhere there are peoples whose sufferings call out to us-- often mutely --- that they should not be forgotten. And we will certainly not forget them.

Our Commission this year can only begin the discussion of periodic reports. There is too much to be reported, too much to be studied and too much to be discussed for the Commission to complete consideration of this item in one session. I propose, therefore, that we decide to continue our discussion next year. Many governments, including my own, have been slow in submitting information. We would be failing to deal with many replies and would be dealing with others too quickly if we didn't continue our discussion next year.

I began my remarks by referring to the fact that human rights are an organic aspect of all of life's activities, not just matters for laws and courts. To make progress in human rights, we must emphasize what will effect the practices and beliefs by which men live. In future reports the Commission should ask governments increasingly to indicate practices as well as legislation in their replies.

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Mr. Chairman, we have before us examples of progress during three years. Our task is not only to debate what has happened but to note what needs to be done and press ahead. Our task is to seek those places where we can assist in making progress. Our task is to note the progress being made. By so doing we can find light to shine on dark places where human rights are now dimmed.

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