

eligible to become parties to the Convention, and its coming into force, duration and revision.

At its third session, the Commission on Human Rights was not able to consider thoroughly the draft Convention prepared by the ad hoc Committee and was therefore not in a position to make any observations concerning its substance. It expressed the opinion that the draft Convention represented an appropriate basis for urgent consideration and decisive action by the Council and the General Assembly (E/800).

The Commission on Narcotic Drugs, at its third session, recommended that the Council ensure that the use of narcotics as an instrument to commit genocide should be covered by the proposed Convention on the Prevention and Punishment of Genocide (E/799).

Because of the pressure of business at its seventh session, the Council decided at its 202nd plenary meeting on August 17, 1948, that the report of the ad hoc Committee on Genocide, which had been referred to the Human Rights Committee of the Council, should be recalled to the plenary session, that in plenary there would be an opportunity for each delegation to make one general statement of position, without other debate or decisions other than a decision to transmit the documents to the General Assembly together with the statements of position.

Statements were made at the 218th and 219th plenary meetings on August 26. Most of the members of the Council spoke in favor of the transmission of the draft Convention prepared by the ad hoc Committee to the General Assembly, and of action being taken upon it in 1948. Various members, while recognizing that there were differences of opinion on certain questions, thought that the Convention should contain the greatest possible proportion of generally accepted principles, since it would then be more likely to be ratified by a large number of governments. Opinions differed on the following matters: provisions constituting measures of incitement to commit genocide as a crime; measures relating to "cultural" genocide; measures for the specific protection of political groups as such, in addition to racial, national and religious groups; and the reference to the establishment of an international jurisdiction.

The Polish and U.S.S.R. representatives supported inclusion of provisions regarding incitement to genocide, and thought it important to add a provision to make punishable propaganda aimed at instigating racial, national or religious hatred; that preparatory acts leading toward genocide, such, for example, as study and research, should be pun-

ishable; and that parties to the Convention should pledge themselves to disband organizations which aimed at instigating racial, national or religious hatred. The United States representative was against the inclusion in the Convention of incitement to commit genocide, as he held this difficult of definition.

The Byelorussian representative thought that special attention should be paid to the prevention of genocide on cultural grounds. The Venezuelan, Polish and Brazilian representatives were in favor of including provisions concerning "cultural" genocide, but thought that it should be more carefully defined; the Polish representative stating that it should be viewed as a preliminary to physical genocide, and the Brazilian representative expressing concern lest imprecise wording should lead to the creation of minorities. The Canadian, French, United States and United Kingdom representatives opposed the inclusion in the Convention of provisions relating to "cultural" genocide, holding that this crime was not on a par with physical genocide and should be dealt with separately, and that too wide a definition of genocide would render the Convention meaningless.

The Venezuelan, Polish, Brazilian and U.S.S.R. representatives opposed the inclusion in the Convention of provisions designed to protect political groups, on the grounds that these did not lend themselves to precise definition and that such provisions might provide a pretext for interference with national measures for internal law and order. The French and United States representatives, on the other hand, attached importance to the inclusion of a provision for protecting political groups.

The Venezuelan representative, supported by the Peruvian representative, was against the establishment of the proposed international tribunal, which he thought might give rise to disputes and differences, necessitate international police action and entail practical difficulties. The U.S.S.R. representative, supported by the Byelorussian representative, opposed the creation of such a court on the ground that it would violate national sovereignty. The Polish representative was against the acceptance in principle of setting up such a tribunal without specifying its juridical competence. As it would involve compulsory jurisdiction, it might result in the violation of national sovereignty and would need substantial means of enforcement. He thought that the Security Council should be the competent organ of the United Nations entitled to deal with the prevention and suppression of genocide and with violations of the Convention. The New Zealand, Brazilian, French and United States repre-