

CURRENT NOTES

IN MEMORIAM: VESPASIAN V. PELLA, 1897-1952

Vespasian V. Pella, scholar, diplomat, teacher and pioneer of international criminal law, died in New York on August 24, 1952. He was born in Bucharest, Rumania on January 17, 1897, and was educated in Rumania and at the *Faculté de Droit* of Paris. Beginning in 1920, he was a professor successively at the Universities of Jassy and Bucharest. He also taught at the *Académie de droit international* in The Hague, and at the *Institut des hautes études internationales* of Paris, Geneva, and most recently, of the French University of New York.

Mr. Pella was a member of the Rumanian National Constituent Assembly from 1922 to 1926, and of the Rumanian Parliament from 1927 to 1928; during the latter period he served as general *rapporteur* on the draft criminal code. He entered his country's diplomatic service with the rank of Minister Plenipotentiary in 1933, and served, among other posts, as Minister to The Netherlands (1936-1939), to the European and International Danube Commissions, and to Switzerland (1943-1944).

He had a long experience of the League of Nations, having been a member of his country's delegations to the League Assemblies from 1925 to 1938; in 1938 he was the Chairman of the Committee on Legal and Constitutional Questions of the Assembly. Among his most distinguished contributions were his services as *rapporteur* of the Diplomatic Conference for the Suppression of Counterfeiting in 1929 and of the Conference for the Suppression of Terrorism and for the Creation of an International Criminal Court in 1937. He also represented his country on many other League of Nations bodies, including the Disarmament Commission from 1932 to 1934. Mr. Pella also participated in the work of the United Nations, having been Rumanian observer in 1947 and 1948. He gave up this position in February, 1948, and thereafter served the United Nations on several occasions as expert in international criminal law.

Mr. Pella engaged in extensive activity in non-official international organizations. He was a permanent member of the Interparliamentary Union, and also was active in the International Bar Association and the International Law Association. He became President of the International Association of Penal Law in 1946, and held the post until his death. He was a member of the American Society of International Law for many years, contributed to this JOURNAL, and participated in the annual meetings of the Society.

Mr. Pella's many publications dealt mainly with various phases of criminal law, and have had a profound influence on the development of inter-

national penal law. Among the most important are *La criminalité collective des Etats et le droit pénal de l'avenir* (1st edition, 1925; 2nd edition, 1926; 3rd edition (in Spanish), 1931); the *Plan d'un code répressif mondial*, in the *Revue internationale de droit pénal* (1935); *La guerre-crime et les criminels de guerre* (1946); and a number of articles on the question of an international criminal court.

Mr. Pella leaves a gap in the world of international law which will be keenly felt. He brought the discipline of scholarship to a new field in which he was the principal pioneer, and whose advancement is in large measure the result of his efforts. His deep sincerity and whole-hearted devotion to the cause of international law won him the esteem of even those who did not share his views. His indefatigable activity and great personal charm will be much missed by his many friends and associates all over the world. Despite the fact that he suffered with exceptional rigor from the recent disturbances of international life, he never lost his hope for a better future and never relaxed in his efforts to attain it.

IVAN S. KEENO

PROGRESS IN DRAFTING TWO COVENANTS ON HUMAN RIGHTS IN THE UNITED NATIONS

The United Nations Commission on Human Rights devoted all of its 1951 session and a major portion of its 1952 session to the drafting and revision of provisions on economic, social and cultural rights which are now set forth in a separate draft of a Covenant on Economic, Social and Cultural Rights.¹

The initial provisions in the draft Covenant on Human Rights prepared in 1947 and revised at sessions of the Commission and its Drafting Committee in 1948, 1949, 1950 and 1952, are now set forth in a draft of a Covenant on Civil and Political Rights. In accordance with the decision of the General Assembly in Paris on February 5, 1952, the Commission on Human Rights is now drafting these two Covenants instead of a single text. The four major reasons which were conducive to the decision of the General Assembly to separate the provisions on civil and political rights into a Covenant on Civil and Political Rights and the provisions on economic, social and cultural rights into a Covenant on Economic, Social and Cultural Rights, were the following:

(1) The separation would enable some countries to ratify one of the covenants at an early date, followed by the ratification of the other cove-

¹ For articles revised at 1952 session of Commission on Human Rights for Covenant on Economic, Social and Cultural Rights and Covenant on Civil and Political Rights, see U.N. Doc. E/2256, Annex I. See also Department of State Bulletin, Vol. 27, No. 680 (July 7, 1952), pp. 20-31. For previous current notes concerning the draft International Covenant on Human Rights, see this JOURNAL, Vol. 42 (1948), p. 879, Vol. 43 (1949), p. 779, and Vol. 45 (1951), p. 170.