

1514th meeting

Wednesday, 4 December 1974, at 11 a.m.

Chairman: Mr. Milan ŠAHOVIĆ (Yugoslavia)

A/C.6/SR.1514

Letter dated 7 October 1974 from the Chairman of the Second Committee to the President of the General Assembly concerning Chapter VI, section A.6, of the report of the Economic and Social Council (*concluded*)* (A/9603, A/C.6/431, A/C.6/L.1005)

1. The CHAIRMAN recalled that the Chairman of the Second Committee had addressed to the Sixth Committee, through the President of the General Assembly, a communication dated 7 October 1974, in which the Sixth Committee was requested to give its views on the wording of the draft agreement between the United Nations and the World Intellectual Property Organization (see A/9603, annex IV). The draft agreement had been considered and approved by the Economic and Social Council on 31 July 1974 (see resolution 1890 (LVII)). The Council had recommended to the General Assembly that it should approve the draft at the current session. The draft would be considered by the Second Committee as soon as it received the Sixth Committee's views on the wording of the agreement. At its 1490th meeting, on 1 November 1974, the Sixth Committee had set up a Working Group, presided over by the representative of Tunisia, which had been instructed to consider the draft agreement in the light of the communication from the Chairman of the Second Committee.

2. Mr. GANA (Tunisia), introducing the report of the Working Group (A/C.6/L.1005), said that the Group had considered the draft agreement article by article from the standpoint of wording, with the help of the competent language experts of the Secretariat. The Working Group had agreed that certain changes should be made in the wording of the English, French, Russian and Spanish texts of the draft agreement, and those changes were set forth in annex I of its report. The Working Group had also recommended that the Secretariat should be asked to bring the Arabic and Chinese texts into line with the other versions. The Working Group's report was the result of the unanimous agreement of all its members. There was, however, one point which the Working Group had considered and on which it recommended that no change should be made in the text of the proposed agreement. It concerned the last sentence of article 3 (b), which read: "Written statements presented by the Organization shall be

distributed by the Secretariat of the United Nations to the members of the above-mentioned bodies, in accordance with the relevant rules of procedure." The Secretariat had informed the Working Group that the rules of procedure of the United Nations bodies concerned appeared to contain no specific rules concerning the distribution of written communications emanating from specialized agencies. The Working Group had not reached an agreement as to whether it was necessary to amend the sentence in question. However, the Secretariat could draw that question to the attention of the Economic and Social Council for consideration by the latter in the context of the review it was to undertake, in 1975, of the agreements between the United Nations and the specialized agencies.

3. Mrs. D'HAUSSY (France) agreed that the French version of article 3 of the draft agreement raised certain difficulties. Whereas the French text of annex IV of the report of the Economic and Social Council (A/9603) referred to "les dispositions pertinentes du règlement intérieur", the French text of the annex to Economic and Social Council resolution 1890 (LVII) referred to "les dispositions des règlements intérieurs pertinents". The Working Group, having been asked to decide which version should be adopted and corresponded to the English text, had not taken a decision because it concerned a question of substance. The Second Committee should therefore be consulted on the subject. Moreover, as the French delegation had proposed another version for article 11 of the draft agreement and as that proposal had not been accepted, it maintained its reservations on that point.

4. Mr. PARRY (United Kingdom) observed that, although the United Kingdom was one of the sponsors of Economic and Social Council resolution 1890 (LVII) embodying the draft agreement, it recognised that the draft agreement, which represented a compromise, was not entirely satisfactory. His delegation agreed with the French representative's views on the wording of article 11 and drew attention to his own delegation's comments on the subject appearing in the summary record of the 1918th meeting of the Council and in document E/5535.

5. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee approved the changes recommended by the Working Group in the English,

* Resumed from the 1490th meeting.

French, Russian and Spanish versions of the draft agreement. As recommended by the Working Group, the Sixth Committee would also request the Secretariat to take the necessary steps to ensure that the Arabic and Chinese texts of the draft agreement were in conformity with the other language versions.

6. With regard to the comment made by the Chairman of the Working Group concerning the last sentence of article 3 (b) of the draft agreement, the Sixth Committee could ask the Secretariat to draw the attention of the Economic and Social Council to the question so that the latter could study it in the context of its review, in 1975, of the agreements between the United Nations and the specialized agencies.

7. If there was no objection, he would send a letter to the Chairman of the Second Committee, through the President of the General Assembly,¹ with the Working Group's report in which were indicated the changes in the wording of the draft agreement recommended by the Sixth Committee.

It was so decided.

AGENDA ITEM 94

Report of the Committee on Relations with the Host Country (continued) (A/C.6/429, A/C.6/432)

8. Mr. ALARCON (Cuba) said that his delegation had already had an opportunity, at the twenty-sixth session (1286th meeting), to refer to the situation adversely affecting the normal functioning of missions in New York, and that it had at that time mentioned acts of provocation and hostility directed against the Cuban Mission. Certain events had been described in the report of the Committee on Relations with the Host Country (A/9626) but the incidents had not ceased and nothing had been done to apprehend the perpetrators.

9. His delegation had examined that Committee's report and approved, as a whole, of the recommendations it contained. However, he thought that that Committee should not content itself with meeting only when the need was felt to deal with specific questions, but should meet more regularly to consider the different aspects of the questions that fell within its competence.

10. In addition, he wished to mention a particular incident of which the Cuban Mission had recently been the target and which was dealt with in two documents, namely, a letter addressed to the Secretary-General by the Permanent Representative of Cuba to the United Nations (A/C.6/429) denouncing the act of provocation in question and a note verbale addressed to the Secretary-General by the Permanent Representative of the United States of America to the United Nations (A/C.6/432) refuting the allegations of the Cuban delegation. In that connexion, he observed that a regrettable error had appeared in the French text of the penultimate paragraph of document A/C.6/429 and he asked that a corrigendum be issued in that language. The Permanent Representative of Cuba had been referring to the authorities of the United States and not the United Nations. Describing the incident in question, he recalled

that in October 1974, a group of persons had gathered in front of the door giving entrance to the premises of the Permanent Mission and had remained there for about one hour in a provocative manner, but the local authorities had not for one moment intervened. It was only after the Secretary-General had been informed of the incident that the group had dispersed. He drew the attention of the members of the Committee to the note verbale from the Permanent Representative of the United States of America which made it clear, on the one hand, that the demonstration had indeed taken place outside the Cuban Mission and, on the other hand, that the host country gave official approval to activities which were unjustifiable under international law and violated domestic legislation. In his note verbale, the Permanent Representative of the United States spoke of a "press conference"; however, it was unusual to convene a press conference on the sidewalk. The United States authorities appeared to find it normal that access to a mission should be blocked for one hour by a "press conference" and certain electoral activities. While acknowledging the facts, they tried to justify them by arguing that such activities were completely legitimate and they thus confirmed the Cuban delegation in its conviction that they were unconcerned about the obligations incumbent on them. That situation proved that the host country did not offer the necessary conditions for the normal functioning of missions and, consequently, of the United Nations itself.

11. Mr. ROSENSTOCK (United States of America) assured the Committee that his delegation would give due consideration to the statements made during the examination of the report of the Committee on Relations with the Host Country. Even though only a small number of delegations had experienced problems, his delegation wished to explain the steps taken to eliminate them.

12. Although the problem of security of missions affected only a small number of diplomats, his delegation recognized that it was potentially most serious. Since the establishment of the Committee on Relations with the Host Country, the number of incidents had been considerably reduced. Indeed, while a number of diplomats had recently been victims of acts of violence in various countries involving serious injury and even death, the efforts undertaken by the United States had prevented any such incident in New York and diplomats enjoyed relative peace and tranquillity there. The United States would continue to take all appropriate measures to ensure that no mission would have any cause for complaint or reason for apprehension.

13. It had been suggested that little effort had been made to apprehend the perpetrators of incidents. One or two delegations had even said that no one had been arrested or prosecuted. That was not the case and, the year before, his delegation had submitted a document² refuting that charge. In fact, the competent authorities had made a number of arrests and had obtained convictions. In the past few months, more than 15 persons had been arrested, two convicted and a number of cases were currently before the courts. Moreover, he wished to stress the fact that federal legislation was being applied, contrary to the allegations of certain delegations.

¹ Subsequently circulated as document A/C.2/293.

² A/C.6/424.

14. Furthermore, the United States was proud of the freedom of speech and assembly granted to all its citizens, including those accused of crimes. He would not go into details of the matter since his delegation had submitted to the Committee on Relations with the Host Country document A/AC.154/36 on the legal system of his country. He wished, however, to make it clear that complaints were not required for serious crimes under local law and were not required at all under Federal law. All that was required was sufficient evidence to establish that the accused was guilty. In the event that the diplomat was the only witness to the act in question, he would have to appear in court because the accused had the fundamental right to face his accuser and was presumed innocent until his guilt was proven. There was no question of a diplomat waiving his immunity when he appeared as a witness in a criminal case, although, pursuant to section 14 of the Convention on Privileges and Immunities of the United Nations (General Assembly resolution 22 A (I)), a Member was under a duty to waive the immunity of its representative in any case where the immunity would impede the course of justice. His delegation was certain that all members of the diplomatic community were aware of the efforts made by the United States to punish the perpetrators of incidents.

15. Furthermore, several delegations had commented on the question of parking space. Some had even suggested that diplomats, under international law, had the right to reserved parking spaces. There was no convention that could lead to such a conclusion. There was no usage, much less any custom, relating to the matter. Nevertheless, the competent authorities were striving to provide as many reserved spaces as possible. Some delegations had also raised the question of the towing away of vehicles. For a brief period, the local authorities had, on their own, towed away illegally parked diplomatic vehicles and the word "illegally" should be stressed. That practice had been terminated and diplomatic cars were no longer being towed away unless they presented a serious hazard. For example, fire hydrants must be accessible and ambulances and fire trucks must be able to move about freely in the city. With respect to violations, he was surprised that diplomats, who were expected to obey the law, complained at being notified when they committed violations, and it should be noted that the administrative procedure in such cases had been considerably simplified.

16. One delegation had complained that its diplomatic pouch had been opened on two occasions. Those incidents had been thoroughly investigated and, in order that they might not be repeated, he suggested that, instead of paper envelopes, the more resistant and traditional canvas bags might be used.

17. Turning to another aspect of the relationship between the host country and the members of the diplomatic community, he referred to the case of the diplomats who had neglected to pay their bills and who, in the dead of winter, moved out of houses and left windows and doors open without giving notice to the owners whose houses they had ruined. Those were isolated incidents and he would not dwell upon them, but they did not contribute to improving relations between diplomats and the local community.

18. On that subject, a series of seminars had been organized at the Ralph Bunche Institute of the United Nations with a view to studying the question of the treatment of diplomats by the information media and a number of other topics of interest to the diplomatic community. His delegation hoped that the Office of Public Information would assist in making the problems of diplomats known to the larger community.

19. Owing to lack of time, he had not mentioned the numerous acts of hospitality offered by the New York community, the services provided by the New York City Commission for the United Nations and for the Consular Corps or the Travel Programme for Foreign Diplomats. His delegation had not sponsored those activities, but it was none the less proud of them and hoped that they would contribute to making the stay of the guests of the United States as pleasant and interesting as possible. His delegation would continue to co-operate with the diplomatic community in solving its problems and the United States would do its utmost to be the best possible host.

20. Mr. BAROODY (Saudi Arabia) said that since the construction of the Headquarters buildings, many demonstrations had been held in their immediate vicinity, sometimes blocking the streets leading to them. Those situations created a danger, due to the excitement generated by such activities. Some people had been injured, others simply feared the hostile crowds and the functioning of the Organization had thus been impeded.

21. Respecting the tradition of freedom of speech prevailing in the Anglo-Saxon countries and referring to the example of Hyde Park Corner in London, he asked the United States delegation whether it would be possible to provide a place expressly reserved for demonstrations, regardless of whether they were favourable or hostile to the United Nations.

AGENDA ITEM 95

Need to consider suggestions regarding the review of the Charter of the United Nations' report of the Secretary-General (*continued*) (A/9739, A/C.6/L.1001, L.1002)

22. Mr. MALIK (Union of Soviet Socialist Republics) recalled that his country had already stated its position of principle on the item at earlier sessions of the General Assembly and also when the question of its inclusion in the agenda had been considered by the General Committee of the twenty-ninth session at its 218th meeting. His delegation had thus repeatedly stressed that the Charter was a vital document for the strengthening of friendly relations between States. It reflected the facts of international life, and particularly the fact that States were required to co-operate despite the differences separating their economic and social systems. His country had always been in favour of increasing the effectiveness and authority of the United Nations on the basis of the provisions of the Charter and in observance of them. That idea had been stressed in the historic programme of peace of the twenty-fourth Congress of the Communist Party of the Soviet Union. It was important to use the means provided by the United Nations to eliminate aggression and lawlessness from the international arena, reduce international tension and promote

co-operation between States on the basis of the principles set forth in the Charter.

23. All the attempts which were made to undermine the foundations of the Charter ran the risk of dooming the efforts made by peace-loving States to strengthen international peace and security and improve the climate of relations between States. Since the very inception of the United Nations, the forces of reaction and imperialism had not ceased their attempts to destroy the legal system established by the Charter. Those manoeuvres had met with the opposition of the USSR and of all countries which sincerely wished to prevent a return to the dark hours of the cold war. The States which were struggling to establish the necessary conditions for the creation of a lasting peace were in favour of observance of the principles of the Charter, and against any change. Experience showed that the attempt to review that fundamental instrument had the support of the reactionary forces. It should surprise no one to find Maoists in that camp who asserted the need to control the so-called "power of the super-Powers" and to adapt the United Nations to the changes which had taken place in the world. Such a position was purely opportunist and aimed at altering the Charter according to changes prepared in Peking, since it was perfectly clear that China did not intend to renounce its own rights and privileges as a permanent member of the Security Council.

24. Clearly, the attempts to review the Charter would not solve the problems of the contemporary world. The fundamental purpose of that instrument was to strengthen international peace and security. For 30 years, co-operation between States with different economic and social systems had been able to develop on the basis of the Charter and in respect for its provisions. The USSR was wholly in favour of increasing the effectiveness and authority of the United Nations, on the basis of that vital instrument for the strengthening of peace and the development of friendly relations between States. He emphasized that only co-operation between capitalism and socialism on the basis of the principles of the Charter had brought about the victory over fascism and militarism. His country had contributed to that victory and paid a heavy price to save the world from that scourge. That victory had brought liberty to the peoples of the world and made possible the adoption of the Charter of the United Nations. The President of Zambia, Mr. Kaunda, had been quite right to emphasize recently that without the victory of the Soviet Union over fascism, the Soviet people would have been enslaved and the peoples of Africa would have remained in slavery. It was for such reasons that the Charter was so valuable to all. The attempts to undermine it were in fact a threat to the whole structure built upon it: the principle of the sovereign equality of States, the right to self-determination of peoples, the renunciation of the threat or use of force, the principle of the peaceful settlement of disputes and the principle of non-interference in the internal affairs of States. The main task envisaged by the authors of the Charter, namely, to save succeeding generations from the scourge of war and to maintain international peace and security, remained imperative in the contemporary world. The Charter, which the USSR had helped to draft, had become the charter of peaceful coexistence between States; the United Nations, which had emanated from it, had been

helping for almost 30 years to strengthen peace and prevent the outbreak of a new world war.

25. The considerable increase in the membership of the United Nations since its creation proved, if need be, that the Charter on which the Organization was based met the needs of the modern world in the domain of international relations. Every State, upon joining the United Nations, declared that it recognized the Charter without restrictions and undertook to observe its provisions and entertain good-neighbourly relations with other States. The proposals for a review of that instrument raised the question whether certain States had become Members with the sole intention of employing the Trojan horse stratagem to destroy the Organization from within, and pull out the corner-stone without worrying about causing the total collapse of the institution, which indeed was perhaps their ultimate aim.

26. The position expressed by the delegations of the Philippines and Colombia at the 1512th meeting was well known. Those countries had already begun their efforts even before there had been time for the original situation to change, and the course of events had, strangely enough, not made them change their minds. The United Nations was fortunate, however, in that the majority of Member States did not share their views.

27. They were doubtless aware that no serious criticism could be levelled against the Charter, whose effectiveness was in no way affected by changes in the international situation. The changes which had occurred would rather indicate that the evolution of the international community confirmed the value of the purposes and principles of the Charter. It was as a result of such favourable changes that the United Nations had been able to progress towards the settlement of important political questions upon whose solution the fate of the world depended: peaceful co-operation with respect for the sovereign equality of all States, regardless of their social and economic systems, the extent of their territory or the size of their population; universal collective security; the limitation followed by the cessation of the arms race and, ultimately, by complete disarmament. It was true that some of those problems were still not yet completely settled, but the fault lay exclusively with the Member States and not with the Charter. It was not because of the Charter that it had not yet been possible to hold an international conference on disarmament: it was because two Member States were opposed to it. It was not because of the Charter that the Security Council had still not been able to consider the question of the prohibition of the use of atomic weapons: the responsibility lay with China, which had voted against the consideration of that question, siding with Fascist Portugal and racist South Africa. It was not because of the Charter that there had thus far been no agreement to reduce annual expenditure on arms by 10 per cent in order to assist the developing countries: the fault lay with China and the three other States which had not accepted that suggestion in the Security Council. Nor was it because of the Charter that Israel behaved like an aggressor and that South Africa maintained its racist régime. The Charter could not be held responsible for the tragedy of the Cypriot people. One could therefore say that it was not a review of the Charter that was imperative but a review by certain Member States, and particularly by China, of their position regarding

international peace and security and disarmament. Since it had been a Member of the United Nations, China had taken no positive initiative in any field. It was concerned only with anti-Sovietism, and many Members of the United Nations were growing weary of its attitude. China criticized, condemned and rejected every suggestion. When confronted with a constructive proposal, particularly if it originated from the USSR, China voted with its feet by leaving the room, or placed its hands under the table and declared that it would not participate in the vote.

28. Everyone knew that various United Nations documents reflected the changes in the international situation and the progressive trends which were apparent throughout the world. From a political and practical viewpoint, those different documents supplemented the Charter. Such was the case with the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, or the Definition of Aggression (General Assembly resolutions 1514 (XV), 2625 (XXV), annex, and 3314 (XXIX), annex), to quote only a few examples. All those decisions had led to the elaboration, on the basis of the text of the Charter, of a set of principles and international rules. If the very foundation of the United Nations was allowed to be destroyed, the result would undoubtedly be the destruction of those super-structures and the annihilation of 30 years of work.

29. It was idle to claim that the Charter had aged and had to be renovated. In point of fact, it was on the basis of that instrument that the peace-loving forces had succeeded in changing the course of international relations and bringing about the liberation of Africa, Asia and Latin America. Such success did not militate in favour of a review but rather argued in favour of retaining the text as it stood. Indeed, that was one of the arguments adduced by Cuba in its observations communicated to the Secretary-General in compliance with General Assembly resolution 2697 (XXV).³ That country stressed that the deep divisions which could be noted within the General Assembly on certain issues fundamental for the international community would become even deeper if attempts were made to reconcile them through a review of the Charter, particularly in view of the fact that the need for that exercise was expressed in so general and imprecise a way that it might well cause the downfall of the United Nations. No one could forget, moreover, that the success of the national liberation movements would certainly not have been possible without the recognition of the principles of self-determination and equality of all without distinction as to race, sex, or religion. Moreover, without the efforts of the peace-loving forces and particularly the countries of the socialist community, on the basis of the Charter, the abolition of colonialism and the admission to the United Nations of the new States which had emerged as a result would not have taken place.

30. Those who advocated a review of the Charter also emphasized that the membership of the United Nations had more than doubled since 1946 and that it was important that the new Members should be allowed to express their

views in a revised Charter. Obviously, that argument was not valid since, on the contrary, the increase in the membership reflected not the defects but the advantages seen by States in that instrument. The recognition by States of the authority of the purposes and principles proclaimed in the Charter must not be an opportunity to assail the basic provisions of a universally accepted text.

31. It was surprising that a small number of Member States had been advocating a review of the Charter for a number of years, while most Member States were realistic enough to reject their proposals. At the present time, there was a flurry of activity among the advocates of review. When one studied their position, one saw, however, that they were seeking not to strengthen the role of the United Nations and to guarantee international peace and security, but to defend individual or group interests. Today, the world was divided into two major groups, the socialist countries and the capitalist countries. Those who favoured a review of the Charter no longer sought to change the balance of power but to obtain a sweeping change in the nature of the activities of all United Nations organs and, in particular, of the Security Council. Thus, as the French Government had indicated in its observations communicated to the Secretary-General in compliance with resolution 2697 (XXV),⁴ by calling in question a universally accepted whole might destroy that whole, unless new and effective provisions were adopted. Those who wanted a review of the Charter were advocating not minor drafting changes but a transformation in the activities of the United Nations, whose main task was to strengthen peace and security in the world and to solve major economic and social problems. To comply with their suggestions would be tantamount to reducing the United Nations to the status of an ordinary specialized agency. Without international peace and security, there could be no more economic and social development, particularly since many States were devoting huge sums to the arms race.

32. Those who advocated a review of the Charter claimed that it placed greater stress on peace than on justice, since it had been drawn up immediately after the Second World War. That was by no means a defect: if justice was to prevail, the United Nations must first guarantee peace. That trend, moreover, had not prevented it from solving many problems relating to justice in matters such as decolonization and economic and social development.

33. The advocates of a review of the Charter claimed that the United Nations had not responded to the aspirations of mankind and that, in consequence, the structure of the Charter must be altered. Although it was true that the United Nations had on occasion lacked effectiveness, that was solely because certain Member States had contravened the Charter or bypassed its provisions. It was not in the Charter that the causes of present-day tension and conflicts should be sought, but in the attitude of the States which pursued policies of aggression and annexation and repressed the struggles of the national liberation movements. Both Israel and South Africa acted in a manner contrary to the Charter and scorned the decisions of the United Nations; they were avowed enemies of peace, security and equality for all peoples.

³ See A/8746/Add.1.

⁴ See A/8746 and Corr.1.

34. The States favouring a review of the Charter were challenging the right of veto in the Security Council. They wanted to limit the principle of unanimity and were proposing that the General Assembly should be allowed to disregard a veto by a permanent member of the Security Council. However, the principle of unanimity was the corner-stone of the Charter. Given the opposing positions of the socialist and capitalist States, that principle was essential. Neither of those groups would agree to submit to the tyranny of the other within the Security Council or the General Assembly. To modify or abolish that principle would shake the structure of the United Nations and could bring about its paralysis and collapse. In the nuclear age, if certain permanent members of the Security Council attempted to force their decisions on other permanent members, the confrontation between the two groups would only worsen and could lead to a new world war. It was well known that those advocating a review of the Charter were the allies of a permanent member of the Security Council and that, in votes within the United Nations, they generally came out against the socialist countries. It was for that reason that the Soviet Union would continue to oppose the review of the Charter.

35. The short-comings of the United Nations must be sought elsewhere. Firstly, it was important that the decisions of the Security Council should be implemented, whether they concerned Cyprus, the Middle East, Namibia or Rhodesia. As long as certain Member States showed themselves unwilling to discharge their obligations, any review of the Charter would be useless. The principle of unanimity had made it possible to avoid hasty decisions which would have had serious consequences for the whole world. On a number of occasions, the Soviet Union had exercised its right of veto not simply to protect its own interests or those of the socialist countries, but also to defend the peoples struggling for their freedom and the small States. The principle of unanimity was therefore vital to the majority of Member States. On rare occasions, the right of veto had been exercised by certain permanent members of the Security Council in defence of the racist or colonial régimes, but such cases were exceptional and did not warrant a review of the Charter. It was the implementation of the provisions of the Charter and the observance of the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted at the initiative of the Soviet Union, which would bring about the liberation of the whole African continent.

36. Nor was it true that a review of the Charter could be justified on the ground that the interests of the third world were not adequately represented in the Security Council. Since the enlargement of the Security Council to 15 members, the third world States had been so well represented that they were able to exercise a sort of collective right of veto. Without their votes, no decision could be taken by the Security Council or, for that matter, by the General Assembly. Any assertion to the contrary would be a denial of the facts.

37. The current campaign for a review of the Charter was being waged by a small number of dissatisfied States, which were concealing their aims by declaring their support for the Charter. It should be noted, in that connexion, that of the 138 States Members of the United Nations, only 38 had

submitted comments in writing on that question over the past four years, and only 13 had declared themselves in favour of the review. Although for the moment the Committee was simply being asked to consider the proposals for a review of the Charter, the very fact that the question had been raised indicated the existence of doubts about the justness and moral authority of the Charter. The review of the Charter would ultimately benefit only those who were unwilling to guarantee international peace and security.

38. As a founder Member of the United Nations and a permanent member of the Security Council, the Soviet Union was strongly opposed to a review of the Charter. Its attitude was dictated not by its own interests or those of its allies but by its desire to strengthen international law, which was the only basis for friendly relations between States. The advocates of a review of the Charter should ask themselves whether they could produce alternative solutions acceptable to all States. It would be unrealistic to think that it was possible to reconcile utterly divergent points of view, when it was so difficult to draft a Charter of economic rights and duties of States. The review of the Charter could ultimately benefit only those who wanted chaos to reign throughout the world. It was for that reason that the Soviet delegation was opposed to the establishment of an *ad hoc* committee on the Charter of the United Nations, which would first consider the proposals for increasing the effectiveness of the United Nations and would then probably embark on a full-scale review of the Charter. As Mr. Gromyko, the Minister for Foreign Affairs of the Soviet Union, had said during the twenty-eighth session of the General Assembly (2126th plenary meeting), the United Nations had proved that it was strong as long as it adhered to the purposes and principles of the Charter, but had shown its weakness each time it had departed from them.

39. His delegation believed that the only proper attitude that the Committee could adopt was to recommend that the General Assembly should take note of the observations of Member States but should not continue its consideration of the question at subsequent sessions.

40. Mr. BAROODY (Saudi Arabia) said that he was opposed to a review of the Charter and that the two draft resolutions before the Committee (A/C.6/L.1001 and A/C.6/L.1002) were unsatisfactory since they had the effect of dividing the Committee into two factions. Consequently, his delegation had drafted a new draft resolution, based on both the previous drafts; it had not yet been distributed.⁵ Operative paragraph 1 of that draft was taken in substance from the corresponding paragraph of draft resolution A/C.6/L.1001. However, the words "the spirit and letter of" had been added, since a State might believe itself to be respecting the letter of the provisions of the Charter scrupulously, while it was acting contrary to its spirit.

41. In view of the lateness of the hour, he reserved the right to reintroduce his delegation's draft resolution at the Committee's afternoon meeting.

⁵ Subsequently circulated as document A/C.6/L.1008.

42. The CHAIRMAN announced that the Israeli, Chinese and Philippine delegations had asked to exercise their right of reply. Recalling that the General Assembly had adopted a suggestion by the General Committee that delegations wishing to exercise their right of reply should do so at the following meeting when that meeting was to be held on the same day (see A/9750, para. 7), he asked the delegations concerned whether they were willing to speak at the afternoon meeting. He invited the representative of Israel to speak.

43. Mr. BAROODY (Saudi Arabia), speaking on a point of order, said that the General Assembly's decision must be respected. He himself had interrupted his statement to allow the Chairman to adjourn the meeting. If delegations wishing to exercise their right of reply were invited to speak, he would ask to be allowed to continue his statement. In order to facilitate the task of the Chairman, he proposed that the meeting should be adjourned.

The meeting rose at 1.10 p.m.