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ASSEMBLY**

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**GENERAL COMMITTEE, 188th  
MEETING**

Thursday, 17 September 1970,  
at 3.10 p.m.

NEW YORK

*Chairman:* Mr. Edvard HAMBRO (Norway).

**Consideration of the agenda of the twenty-fifth session and  
allocation of items: memorandum by the Secretary-  
General (continued) (A/BUR/176, sects. III and IV)**

*Adoption of the agenda (continued)*

ITEMS 105 to 107

1. Mr. PHILLIPS (United States of America) proposed that items 105, 106 and 107 should be included in the agenda as subitems under the single heading "Question of Korea". That course had been followed at earlier sessions, because the items were obviously interrelated and because consideration of item 105 (Withdrawal of United States and all other foreign forces occupying South Korea under the flag of the United Nations) and item 106 (Dissolution of the United Nations Commission for the Unification and Rehabilitation of Korea) in isolation from item 107 (Question of Korea: report of the United Nations Commission for the Unification and Rehabilitation of Korea) could only lead to confusion and duplication. His delegation had hoped that heated debates on the Korean question could be avoided during the twenty-fifth anniversary session of the United Nations, but that hope had been dashed by the submission of items 105 and 106. In making its proposal, the United States was in no way seeking to restrict any delegation's right to express its views, nor did it oppose the inclusion of items 105 and 106, although that acquiescence did not imply its acceptance of the tendentious wording and concepts of those items.

2. Mr. MALIK (Union of Soviet Socialist Republics) said that he objected strongly to the United States proposal. Items 105 and 106 had been proposed by a large number of socialist and other States, whereas item 107, introduced by the Secretary-General, was submitted annually as a matter of routine. The United States representative's reference to precedent could not be regarded as a serious argument: during the years of the cold war, much had been done to please a certain group of States, in total disregard of legality, logic and common sense. Item 105 related to the real core of the Korean problem and could contribute to bringing about peace and security in Korea and in the whole Far Eastern region. Items 105 and 106 should therefore be considered separately and before item 107, which was introduced with a view to obscuring the real issue and hindering a satisfactory solution.

3. Furthermore, the First Committee was fully competent to decide how the items should be considered. The task of the General Committee was merely to recommend that the

items should be included in the agenda, not to impose an organizational decision on a Main Committee. The heated debates to which the United States representative had referred could be avoided only when the United States and other forces were withdrawn from Korea and stability was restored to that part of the world.

4. Mr. JIMENEZ (Philippines) said that it was most unfortunate that the General Assembly should be obliged to engage in acrimonious debates at the twenty-fifth anniversary session, particularly since there were no new elements for the discussion and no hope of a solution of the problem. It was well known that the Government of the Republic of Korea was prepared to consider measures for removing the artificial barriers between North and South Korea if North Korea would desist from military provocation and from advocating communization and violent revolution in the country. Moreover, if the North Koreans were to recognize the efforts of the United Nations to unify the country and would accept the competence and authority of the Organization, South Korea would not object to the presence of North Korean representatives in the ensuing negotiations. In view of the intransigent attitude of the supporters of North Korea in the United Nations, the *status quo* would have to be maintained, and in those circumstances the only logical course was to follow the United States proposal and to consider all the items relating to Korea together, in the hope that the debates would not be as heated as they had been in previous years.

*At the invitation of the Chairman, Mr. Alvarez Tabío (Cuba) took a place at the Committee table.*

5. Mr. ALVAREZ TABIO (Cuba) said that his delegation, as a co-sponsor of the requests (A/8044, A/8045) to include items 105 and 106 in the agenda, wished to point out that the division of Korea was due to the occupation of that country by the United States as a base for its aggressive activities in the Far Eastern region. For over twenty years, that occupation had caused the artificial division of a nation which had struggled for centuries for unity and independence. The United Nations, moreover, was not competent to interfere in a matter which was the sole concern of the Korean people; on the contrary, it should encourage exercise of the right of self-determination. The occupation of South Korea constituted a threat to peace and security in the Far East, owing to the acts of provocation constantly perpetrated against the Democratic People's Republic of Korea. The Cuban Government had co-sponsored the proposal to include item 105 in the agenda in the belief that the withdrawal of all forces from Korea was a prerequisite of a peaceful solution and would meet the aspirations not only of the Korean people, but of all nations which desired independence and freedom.

6. With regard to item 106, there could be no doubt that the United Nations Commission for the Unification and Rehabilitation of Korea now served as an obstacle to the achievement of the objectives it had been intended to pursue; it was being used as a tool of United States imperialism and the United Nations flag was serving as a cover for aggression against the Democratic People's Republic of Korea. Cuba therefore considered that items 105 and 106 should be included in the agenda separately, without reference to item 107.

7. Miss GROZA (Romania) said that the reason why the question concerning item 107 had been discussed for over twenty years without any tangible results was that the United Nations Commission for the Unification and Rehabilitation of Korea had been set up in violation of the Charter principle of non-interference in the domestic affairs of States and of respect for the right of all peoples to decide their own destinies. The reunification of a temporarily divided nation was, under international law, a task which lay within the exclusive competence of the people concerned. The report of the Commission should no longer be included in the agenda of the General Assembly. For those reasons, Romania had co-sponsored the proposal to include item 106 in the agenda and supported the inclusion of item 105. It was implicit in the Secretary-General's memorandum that the three items should be considered separately; moreover, under rule 40 of the rules of procedure, the General Committee could not prejudge the order in which a Main Committee would consider any item. She therefore opposed the United States proposal.

8. Mr. WARNER (United Kingdom) said that his delegation would not oppose the inclusion of items 105 and 106, although it objected to their underlying motives and to their wording. On the other hand, it was clear from the report of the United Nations Commission for the Unification and Rehabilitation of Korea that a serious situation still prevailed in the area and that the question should be debated urgently; the United Kingdom therefore strongly supported the inclusion of item 107. Moreover, since the three items were closely linked, it was only logical to discuss them together, in accordance with past practice.

9. Mr. WERSHOF (Canada) said that the former practice of including the three items under a single heading had repeatedly proved to be useful, in view of their close interrelationship. His delegation held the view that the Assembly's debates on the Korean question merely poisoned the atmosphere and provided no solution to the problem; it would not oppose the inclusion of items 105 and 106, since some delegations seemed to attach importance to them, but regretted that the General Assembly was obliged to continue with the exercise, especially at the anniversary session, when every effort should be made to strengthen areas of agreement. In any case, the items should be grouped together, so that the First Committee could dispose of them with the utmost dispatch.

10. Mr. POLYANICHKO (Ukrainian Soviet Socialist Republic) said that his delegation had co-sponsored the inclusion of a separate item 105 in the conviction that the presence of United States forces in Korea was a major obstacle to the unification of that country, a source of tension and a military threat to Korea and to other parts of

the region. In the light of the constructive steps taken by the Democratic People's Republic of Korea towards peaceful unification, it was intolerable that United States occupation should continue and that it was being covered by the flag of the United Nations. Furthermore, the continued existence of the United Nations Commission for the Unification and Rehabilitation of Korea was clearly anachronistic, for the body had long shown its inability to promote the unification of Korea and was in fact an instrument of direct interference in the domestic affairs of that country.

11. The proposal to consider the three items together was absolutely unfounded, since they related to entirely different aspects of the Korean problem; moreover, items 106 and 107 were mutually exclusive. His delegation therefore opposed the inclusion of item 107. Finally, the General Committee was not competent to decide on the way in which a Main Committee might choose to consider any items allocated to it.

12. Mr. MALIK (Union of Soviet Socialist Republics) explained that eighteen socialist and Afro-Asian countries had proposed the inclusion of item 105 as a separate item because the presence and activities of United States and other forces in Korea were causing a dangerous and tense situation in Korea and the Far East as a whole. The puppet régimes in South Korea and other neighbouring countries were being drawn into military provocations against the Democratic People's Republic of Korea. United States promises of military aid to the South Korean army obviously constituted a threat to world peace and security. The representative of the Philippines had referred to the aggressive intentions of the Democratic People's Republic of Korea against South Korea; yet the United States had already paid \$1,000 million to South Korea, doubtless because it was being used as a military platform for United States military aggression in Indochina. On the other hand, the Democratic People's Republic of Korea had made further proposals for peaceful unification of the country; those proposals had been forwarded to the Secretary-General and would be issued as a document of the General Assembly. It was therefore untrue to allege, as the representative of the Philippines had done, that the Democratic People's Republic of Korea did not recognize the United Nations. Delegations which really wished to ascertain that Republic's intentions should refrain from opposing the presence of its representatives in the First Committee. In any case, withdrawal of foreign forces was the *sine qua non* condition for democratic reunification of Korea and for strengthening peace and security in the area.

13. The urgent importance of considering item 106 was also quite clear, since the United Nations Commission for the Unification and Rehabilitation of Korea was obviously being used by a certain Power to continue its occupation of Korea and to perpetuate the division of that country. The reports that Commission sent to the Assembly were prepared at United States military headquarters and its activities were contrary to the purposes and principles of the Charter. The unification of Korea could be achieved only by direct negotiations between the two parts of the country, through the application of the principle of self-determination. Moreover, the representatives of the Democratic People's Republic of Korea should be invited to

participate in the discussion of the item, without any discrimination; their absence could only have an unfavourable effect on the debates and could only serve the interests of those who wished to perpetuate the occupation of Korea.

14. His delegation formally opposed the inclusion of item 107, because it ran counter to item 106 and because it was used annually to justify the presence of foreign troops in Korea and to give the division of the country the appearance of a United Nations operation. The Committee should have been put on its guard by the statements of certain representatives who, by forecasting the failure of the debates on the question, had disclosed their intention of hampering a solution and of not admitting representatives of the Democratic People's Republic of Korea to participate in the discussions. The experience of many years had shown that the approach imposed by certain influential Powers could bring no solution; the only way in which the United Nations could play a useful part in such a solution was by adopting the course recommended in items 105 and 106.

15. Mr. EL-SHIBIB (Iraq) said that he had been instructed by his Government to co-sponsor the proposal for the inclusion of items 105 and 106. The proposal to deal with the three items together was an all too familiar subterfuge designed to hamper the debate, to the detriment of the vital interests of the Korean people. The purpose of the proposal to include items 105 and 106 as separate subjects was to remedy a disastrous situation in which the flag of the United Nations was being used to enable the United States to occupy a country thousands of miles from its own territory and to prevent the peaceful reunification of Korea. It was absurd to consider the report of a body which clearly could not achieve the purposes for which it had been set up; Iraq therefore opposed the inclusion of item 107.

16. The CHAIRMAN, in reply to a question from Mr. ENGO (Cameroon), said that the Committee should first decide on the inclusion of each of the three items and should then vote on the United States proposal to combine the three items under a single heading.

*The Committee decided to recommend to the General Assembly that items 105 and 106 should be included in the agenda.*

*The Committee decided by 16 votes to 5, with 3 abstentions, to recommend to the General Assembly that item 107 should be included in the agenda.*

17. The CHAIRMAN invited the Committee to vote on the United States proposal.

18. Mr. MALIK (Union of Soviet Socialist Republics), speaking on a point of order, proposed that the order in which the items should be discussed should be left to the First Committee.

19. Mr. JIMENEZ (Philippines) observed that the United States proposal should be voted on in accordance with the Chairman's procedural explanation given at the request of the representative of Cameroon.

20. Mr. MALIK (Union of Soviet Socialist Republics) said that he had no intention of challenging the Chairman's ruling but wished to appeal to the logic and common sense of the Committee: The First Committee was master of its own procedure.

21. Mr. ENGO (Cameroon) pointed out that a vote in favour of the United States proposal would in effect be a vote against that of the USSR.

22. Mr. BENITES (Ecuador) said that, under the rules of procedure, the Main Committees could adopt their own priorities but could not decide on the grouping of items. Moreover, if the United States proposal was adopted, the new item would be allocated to a Main Committee, not necessarily to the First Committee. In any case, his delegation intended to abstain from voting on the proposal, since the final decision would be taken in plenary session.

23. Mr. ARAUJO CASTRO (Brazil) agreed that it was technically possible for the items to be allocated to a Committee other than the First and stressed that the General Committee merely recommended courses of action to the General Assembly.

24. Mr. MALIK (Union of Soviet Socialist Republics) said that he remained unconvinced by the arguments against his proposal but would not oppose the Chairman's wishes.

*The Committee decided by 10 votes to 5, with 9 abstentions, to recommend to the General Assembly that items 105, 106 and 107 should be combined under the single heading, "Question of Korea".*

*Mr. Alvarez Tabío (Cuba) withdrew.*

#### ITEMS 26 AND 108

25. The CHAIRMAN recalled that at the 187th meeting the Committee had decided to consider items 26 and 108 together.

26. Mr. ARAUJO CASTRO (Brazil) said that, while his delegation would not formally oppose the inclusion of item 108, it fully endorsed the view expressed at the 187th meeting by the representative of Ecuador that the substance of item 108 was fully covered by item 26 (c). His delegation could not agree to the inclusion of item 108 in the agenda as a separate item. The sea was an organic whole which should be dealt with within the operational framework of a single committee. He therefore proposed that items 26 and 108 should be combined as a single item, which would be worded as follows:

"Questions of the sea:

"(a) Question of the reservation exclusively for peaceful purposes of the sea-bed and ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind: report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction;

"(b) Marine pollution and other hazardous and harmful effects which might arise from the exploration and

exploitation of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction: report of the Secretary-General;

“(c) Views of Member States on the desirability of convening at an early date a conference on the law of the sea: report of the Secretary-General;

“(d) Question of the breadth of the territorial sea and related matters.”

27. That arrangement would be fully consistent with the letter and spirit of General Assembly resolution 2574 A (XXIV) of 15 December 1969 and would ensure full discussion of such aspects of the law of the sea as fisheries beyond the territorial sea and marine pollution.

28. Mr. PHILLIPS (United States of America) said that questions relating to the territorial sea were in many respects different from those bearing upon the sea-bed régime and boundary, yet all of the outstanding issues were important and required appropriate concentration of effort and attention. The objective should be an orderly and successful resolution of these issues as soon as feasible, with procedures designed to serve these ends—namely, treatment in manageable packages. The United States of America continued to believe that separate consideration of the issues of the territorial sea (and related issues) and the sea-bed could be most productive, but did not have a closed mind on this matter and would give careful consideration to all suggestions in this regard.

29. For these reasons and in the belief that it would be difficult to justify denial of a request for the inclusion of an item which was clearly a matter of importance to the international community, the United States delegation supported the inclusion of item 108, recognizing that it involved a degree of duplication. It did not hold any strong view as to the manner in which this item was related to the sea-bed matter, nor to allocation questions *per se*.

30. Mr. ENGO (Cameroon) said that, as a member of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and as one who had followed the codification and progressive development of maritime law with great interest, he recognized the close links between item 26 (c) and item 108 and felt that they should not be separated. On the other hand, he had certain reservations regarding the desirability of combining item 26 and item 108 in a single item with four subitems.

31. Mr. MALIK (Union of Soviet Socialist Republics) stressed that the question of the territorial sea should be considered as a separate item. Despite United Nations efforts in the codification and progressive development of maritime law, the question of the breadth of the territorial sea had not been settled. The absence of any internationally agreed delimitation of the outside boundaries of the territorial sea, establishing the border between that part of the sea which was under the sovereignty of the coastal State and the high seas which were open to all States, was a serious short-coming in international law and a source of dispute. Claims and counter-claims had arisen because some States had adopted definitions of the breadth of the territorial sea which were not consistent with those of the majority of States.

32. In order to avoid future disputes, it was essential to find a reasonable answer to the question of the breadth of the territorial sea which would take into account the particular and indisputable rights of coastal States arising from their need to exercise control over the adjacent waters in order to safeguard their security and economic interests. At the same time, it should be recalled that under international law all States, coastal or land-locked, had the same rights regarding the use of the high seas. It was therefore essential to regulate the breadth of the territorial sea in such a way that the legitimate rights of Coastal States would be safeguarded while at the same time the possibility of unilateral arbitrary action on their part would be precluded.

33. The inclusion of item 108 in the agenda would in no way prejudice the position of any State regarding any aspect of the question of the breadth of the territorial sea. He did not consider, however, that the proposed merger of items 26 and 108 would help in the consideration of the question of the breadth of the territorial sea. Item 26 already dealt with many topics relating to questions of peace and security, pollution—which would also be dealt with at the United Nations Conference on the Human Environment in 1972—the possibility of convening a conference on the law of the sea, and so forth. Item 108 was a specific item which urgently required the attention of the experts on the Sixth Committee. Unless it was settled promptly, the question of the breadth of the territorial sea would continue to cause difficulties in relations between States and to give rise to disputes. It was therefore essential for it to be included as a separate item and allocated to the Sixth Committee.

34. Mr. BOYE (Senegal) said that his delegation favoured the inclusion of item 108, to which it attached great importance. It was essential that consideration should be given to the question of the breadth of the territorial seas as soon as possible. Item 26 (c) referred to a conference on the law of the sea, which his delegation considered eminently desirable. Items 26 and 108 might therefore appropriately be amalgamated, although no decision should be taken which might prejudice the outcome of a conference on the law of the sea. The exact manner in which item 108 was linked with item 26 might be decided at a later stage, but the close juridical relationship between all matters concerning the sea made it imperative that they should be discussed together.

35. Mr. DE LA GORCE (France) said that his delegation supported the inclusion of item 108 in the agenda. It would not be appropriate to take up the whole question of the law of the sea as it had been codified in 1958, but consideration might be given to certain specific questions relating to the sea. Countries which had not taken part in the United Nations Conference on the Law of the Sea held in Geneva in 1958 should be given an opportunity to state their views on such legal questions as the breadth of the territorial sea, straits, fisheries and the limits of the continental shelf. Item 108 should therefore be considered in conjunction with item 26 (c).

36. Mr. WARNER (United Kingdom) said that his delegation supported the inclusion of item 108 in the agenda. It would be extremely advantageous to all States if an early settlement could be reached on the question of the breadth

of the territorial sea and the related issues of international straits and coastal fisheries. The prospects of progress would be improved if there existed a separate focus for discussion of these issues. He therefore agreed with the USSR representative that the various questions should be considered under different headings. Item 108 should be considered separately and should be allocated to the Sixth Committee. There was some merit in the suggestion by the representative of Cameroon that item 108 should be linked with item 26 (c). Any decision taken by the Committee on the inclusion of item 108 should be without prejudice to the allocation of the various aspects of the questions involved.

37. Mr. GUEVARA ARZE (Bolivia) said that, in the opinion of his delegation, items 26 and 108 should be amalgamated. In deciding questions relating to the sea, it was important to take into account the views of the thirty land-locked countries in the world, whose interests had been frequently overlooked in the past. If separate consideration was given to item 108, the land-locked countries would be in an ambiguous position in that they would not know whether they had any rights over territorial seas. As a developing country, Bolivia naturally wanted to further the interests of developing countries, but as a land-locked country it was concerned about a possible increase in the breadth of the territorial sea. All the problems relating to the sea should therefore be discussed jointly in order that the interests of all countries might be taken into account.

38. In 1953 the Government of Afghanistan had first made the point that the sea belonged as much to the land-locked countries as to coastal States and that the former should derive greater benefit from the sea than the latter. That point had been disregarded until just before the 1958 Geneva Conference, when a meeting of land-locked countries had been hastily convened. The problems of land-locked countries had also been overlooked in General Assembly resolution 2467 A (XXIII) of 21 December 1968. The essential point was that the United Nations should, as a matter of urgency, take up the question of the sea as a whole. Beside that question, the numbering and allocation of items were problems of minor importance.

39. Mr. KIBINGE (Kenya) said that his delegation attached great importance to all matters relating to the sea. His country had been a victim of the scramble for Africa and was therefore concerned lest an equally chaotic situation should arise with regard to the sea. It was essential that the interests of the small and land-locked countries should be protected and that the United Nations should give serious consideration to all the issues involved. Item 108 should be considered jointly with item 26 in order that all countries might be given an opportunity to make their views known.

40. Mr. BENITES (Ecuador) said that his delegation had never opposed the inclusion of item 108, which should be considered in conjunction with item 26, in accordance with the Brazilian proposal.

41. National sovereignty had formerly extended to the limit of power exercised by a country's armed forces. Furthermore, the only part of the territorial sea which had been of interest to countries was the surface. Nowadays,

however, the fact that there were great potential resources in the sea-bed made it necessary to revise the old concepts of the sea. The breadth of the territorial sea could not therefore be isolated from the questions of the exploitation of the sea's wealth, the peaceful uses of the sea-bed and marine pollution.

42. The USSR delegation had prejudged the allocation of items by suggesting that item 108 should be allocated to the Sixth Committee. If that course was followed, a situation might arise in which the breadth of the territorial sea had been determined before a régime governing the sea-bed had been established, with the result that there might be serious restrictions on any régime that was subsequently drawn up. Thus, if countries were to avoid committing themselves in advance, it would be necessary to determine the breadth of the territorial sea after a régime governing the sea-bed had been established. Hence, there was an extremely close relationship between the problems of the sea-bed and the question of the breadth of the territorial sea.

43. The use of the sea-bed beyond the limits of national jurisdiction was of great interest to all developing and land-locked countries. It would be premature to determine the breadth of the territorial sea before it was known how the international community would participate in the benefits deriving from the sea-bed. Another point which must be taken into account was that the breadth of the continental shelf varied considerably: whereas the USSR, for example had a wide continental shelf, the Ecuadorian continental shelf was relatively narrow. That was a further reason for recognizing the close relationship between the breadth of the territorial sea and the sea-bed. Moreover, the second preambular paragraph of General Assembly resolution 2574 A (XXIV) referred to the close link between the problems relating to territorial waters and those of the sea-bed. All those factors made it imperative that item 108 should be considered jointly with item 26. He did not agree that it was possible to separate the legal, political and scientific aspects of the problems.

44. Mr. PARDO (Malta) said that he had no objection to the inclusion of item 108 provided it was considered within the context of item 26. Because of the technological advances and political changes which had occurred over the last two decades, it was no longer possible to consider questions of the sea from a purely legal standpoint.

45. He appealed to the representative of Brazil not to press his proposal, which had considerable implications and needed careful study.

46. Mr. JOHNSON (Jamaica) supported the Brazilian proposal. General Assembly resolutions 798 (VIII) of 7 December 1953 and 1105 (XI) of 21 February 1957 had recognized that the marine environment constituted an organic whole. Thus it was impossible to consider any aspect of the sea in isolation.

47. Mr. MALIK (Union of Soviet Socialist Republics) stressed that it was precisely because of the technological developments of the last twenty years, to which the representative of Malta had referred, that it was essential not to delay a settlement of the question of the breadth of the territorial sea any longer.

48. Mr. PARDO (Malta) pointed out that there were in fact two proposals before the Committee. The first was to change the title of item 26, and the second was the addition of item 108 to item 26 as subitem (d).

49. Mr. ARAUJO CASTRO (Brazil) said that he had suggested the change in the title of item 26 for reasons of logic. With the addition of item 108 to item 26 the scope of item 26 had been broadened to include aspects of the sea other than those relating strictly to the question of the reservation of the sea-bed and ocean floor for peaceful purposes. He could not understand the objections to the change of title; the title he had proposed was purely descriptive and had no substantive implications.

50. Mr. YANGO (Philippines) said he did not understand what implications the representative of Malta had in mind in regard to the change of title. However, he suggested, without making a formal proposal, that the heading be "Reservation of the sea-bed and ocean floor for peaceful purposes, and other questions of the sea".

51. Mr. PARDO (Malta) said that the substantive implications were precisely that the proposed new title would include aspects of the sea other than those relating to the reservation for peaceful uses of the sea-bed and ocean floor. He doubted whether the Committee was competent to approve a change with such substantive implications; in any case, members would need to consult their Governments before taking a decision. If the proposal was put to the vote, he would be forced to abstain.

52. Mr. MALIK (Union of Soviet Socialist Republics) appealed to the representative of Brazil not to press his proposal, since representatives would require instructions from their Governments before voting on the title proposed by Brazil.

53. Mr. ARAUJO CASTRO (Brazil) said that he would be willing to delete the words "Questions of the sea" from the text of his proposal. Item 26 would thus have no general heading and would simply be composed of four subitems, item 108 becoming subitem (d).

54. Mr. GUEVARA ARZE (Bolivia) supported the revised Brazilian proposal.

55. The CHAIRMAN suggested that the Committee should vote forthwith on the inclusion of items 26 and 108 and then consider the revised Brazilian proposal.

*The Committee decided to recommend to the General Assembly that items 26 and 108 should be included in the agenda.*

56. The CHAIRMAN invited the Committee to vote on the revised Brazilian proposal that item 108 should become subitem (d) of item 26.

*The Committee decided by 13 votes to 4, with 5 abstentions, to recommend to the General Assembly that items 26 and 108 should be combined into a single item, composed of four subitems.*

# ITEM 53 (continued)

57. Mr. PARDO (Malta) said that, as a result of the Committee's decision at its 187th meeting to recommend that item 53 (Question of the elderly and the aged) should not be included in the agenda, his Government had had no opportunity to explain why the item merited consideration at the current session. Those who had spoken in favour of the deletion of the item had given no explanation of their action. Furthermore, it was highly unusual for the Committee to delete a previously accepted item from the agenda.

58. Medical science had now achieved partial control over the process of aging. It was imperative, however, that the increased number of old people should not become a burden on society: their knowledge, skills and experience should be utilized to the full. The humanitarian aspect, too, was important: although Governments of industrially advanced countries spent vast sums on old people, they had also committed gross errors. Action was needed to avoid a repetition of those errors in the poorer countries, where the aged were generally a most deprived section of society. Quoting paragraph 47 of the Secretary-General's note on the question,<sup>1</sup> he drew attention to the paradoxical situation in which society was, by its actions, increasing the proportion of old people while neglecting to utilize their vast potential.

59. In addition to the problem of old people, the world was faced with that of the elderly. One definition of the elderly included persons who had entered a period of life when it was difficult to transfer from one type of work to another, and thus might include persons in their middle forties.

60. Both developing and developed countries were consequently faced with a range of serious problems which called for systematic consideration. Otherwise, rational development was virtually impossible. It was true that, while in industrially advanced countries the number of persons over sixty-five ranged from 12 to 20 per cent of the population, the corresponding figures for developing countries were only 3 to 4 per cent. According to demographic projections, however, the number of old people in developing regions was likely to have doubled by 1985. According to paragraph 9 of the Secretary-General's note, between 1960 and 1975 the total world population was expected to increase annually at a rate of at least 1.8 per cent, while the number of the aged was expected to increase at a rate of 2.3 per cent. Item 53 would concern up to 40 per cent of the population in industrially advanced countries and some 25 per cent in most developing countries.

61. In accordance with rule 124 of the rules of procedure of the General Assembly, he therefore proposed that the Committee should reconsider its decision to recommend that item 53 should not be included in the agenda.

*The Committee decided by 19 votes to none, with 2 abstentions, to reconsider its decision to recommend to the General Assembly that item 53 should not be included in the agenda.*

<sup>1</sup> A/7939 and Corr.1.



62. Mr. WARNER (United Kingdom) and Mr. PHILLIPS (United States of America), speaking in explanation of their votes, said that, in view of the convincing reasons given by the representative of Malta, they had decided to vote in favour of his proposal.

*The Committee decided to recommend to the General Assembly that item 53 should be included in the agenda.*

#### *Allocation of items*

63. The CHAIRMAN invited the Committee to consider the suggestions for the allocation of items contained in paragraphs 17 to 19 of the Secretary-General's memorandum (A/BUR/176), and drew attention to paragraph 17 of the memorandum which listed items of the draft agenda not previously considered by the General Assembly and suggestions by the Secretary-General concerning the allocation of items 96, 97, 98, 100, 101 and 103.

*The Committee decided to recommend to the General Assembly that item 96 should be allocated to the Sixth Committee.*

*The Committee decided to recommend to the General Assembly that item 97 should be allocated to plenary meetings.*

*The Committee decided to recommend to the General Assembly that item 98 should be allocated to the First Committee.*

64. Miss GROZA (Romania) proposed that, in view of its subject matter, item 99 should be allocated to the First Committee.

*The Committee decided to recommend to the General Assembly that item 99 should be allocated to the First Committee.*

*The Committee decided to recommend to the General Assembly that item 100 should be allocated to the Second Committee.*

65. The CHAIRMAN recalled that the Committee had already recommended at its 187th meeting the inclusion of former item 101 as a subitem of item 64.

*The Committee decided to recommend to the General Assembly that former item 101 which would become subitem (c) of item 64 should be allocated to the Fourth Committee.*

66. The CHAIRMAN recalled that the delegation of Sweden had withdrawn (see 187th meeting, para. 63) its request for the inclusion of item 102.

*The Committee decided to recommend to the General Assembly that item 103 should be allocated to the Sixth Committee.*

67. Mr. PHILLIPS (United States of America) referring to former item 108—new item 26 (d)—pointed out that a serious imbalance had arisen between the number of items allocated to the First Committee and to the Special

Political Committee. It therefore seemed advisable, if the work of the twenty-fifth session was to be completed on time, to take steps to equalize the work-loads of those two Committees. One possibility might be to transfer subitems 26 (a) and (b) to the Special Political Committee and 26 (c) and (d) to the Sixth Committee, or, if the majority of the General Committee favoured retaining all of item 26 in one committee, to transfer the item to the Special Political Committee. In his view either course might better insure that the items were dealt with in the most expeditious manner.

68. Mr. BENITES (Ecuador) said that the United States representative's suggestion prejudged the issue, in that the Committee had not taken any decision on the division of item 26. In the past the First Committee had always been responsible for discussing questions relating to the sea and its members were therefore familiar with the subject. Any decision to divide the item between two different Committees would penalize the smaller delegations. He therefore proposed that all the subitems of item 26 should be allocated to the First Committee.

69. Mr. ENGO (Cameroon) said that he had welcomed the merger of items 26 and 108. He now wondered what might be the effect on the structure and composition of the present Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction of a transfer of part of item 26 to the First Committee.

70. Mr. WARNER (United Kingdom) proposed that subitems (c) and (d) of item 26 should be allocated to the Sixth Committee. If the item was subdivided in that way, the various aspects would be discussed in parallel in two Committees and there would no doubt be consultation between the two. Finally, the various aspects of the item would all be submitted to plenary, so that any contradictions could be resolved there. He would have no objection to subitems (a) and (b) being referred to the Special Political Committee, whose work-load was lighter than that of the First Committee, but there would have to be adequate consultation and synchronization between the two Committees concerned.

71. Mr. MALIK (Union of Soviet Socialist Republics) said that a hasty and unnatural merger of four different questions into one item had given rise to a problem. His delegation still held that the question of the breadth of the territorial sea was one of international law and should be allocated to the Sixth Committee. The question of the desirability of convening a conference on the law of the sea also came within the purview of the Sixth Committee. Such questions had traditionally been discussed by United Nations legal bodies. He therefore supported the United Kingdom proposal. He also supported the United Kingdom's suggestion that, in view of the lighter work-load of the Special Political Committee, subitems (a) and (b) should be allocated to that body.

72. Mr. DE LA GORCE (France) supported the United Kingdom proposal.

73. Mr. CALERO RODRIGUES (Brazil) supported the view of the representative of Ecuador that the item should be allocated to the First Committee and that the division of

the item between two Committees would make it difficult for smaller delegations to attend every meeting on the subject. He wondered whether other additional items, such as the peaceful uses of outer space, might not be allocated to the Special Political Committee.

74. With regard to the USSR representative's argument, the mere fact that the item was largely legal was no justification for its allocation to the Sixth Committee. Questions dealt with by other Main Committees often had legal aspects. Furthermore, there was a large political element in item 26.

*Mr. Johnson (Jamaica), Vice-chairman, took the Chair.*

75. Mr. MALIK (Union of Soviet Socialist Republics) replied that it was customary procedure for an item to be divided among different Committees as, for example, in the case of the report of the Economic and Social Council. He felt that it was entirely logical that subitem (d), which had not been previously discussed by the United Nations, should be allocated to the Sixth Committee.

76. Mr. KIBINGE (Kenya) urged that all the subitems of item 26 should be allocated to the First Committee, which could subsequently, if it so wished, refer any technical matters to an appropriate expert body.

77. Mr. YANGO (Philippines) considered that the splitting up of item 26 would frustrate the purpose which the Committee had hoped to achieve by deciding to merge items 26 and 108. The Brazilian proposal had been accepted in order to create unity; it was therefore logical at the present stage to allocate the entire item to a single Committee. He therefore supported those who had urged that the item as a whole should be allocated to the First Committee.

*Mr. Hambro (Norway) resumed the Chair.*

78. Mr. GUEVARA ARZE (Bolivia) said that it was because all the subitems were inter-connected that the Committee had decided to group them under item 26. He had no strong feelings on whether the subject as a whole should be referred to the First Committee or the Special Political Committee but urged that the item should not be divided.

79. Mr. PARDO (Malta) said that some years earlier he might have agreed with the proposal to allocate the questions in subitems (c) and (d) to the Sixth Committee instead of to the First Committee, but he felt that to do so at the present stage would ruin any chance of progress. No new structure for the law of the sea was possible in the present circumstances until the political problems had been solved. He therefore considered that it would be wiser to allocate the whole item to the First Committee. If it was thought that the workload of the First Committee should be lightened, such items as the Korean question and international co-operation in the peaceful uses of outer space could be transferred to the Special Political Committee.

80. Mr. BOYE (Senegal) expressed strong support for the proposal to allocate the whole of item 26 to a single Committee.

81. Mr. ENGO (Cameroon) agreed with the representative of Malta that it was essential at the present stage to examine the political implications of item 26 as a whole in the First Committee. At some later stage the Sixth Committee could be asked to consider the purely legal aspects of subitems (c) and (d).

82. The CHAIRMAN invited the Committee to vote on the proposal by the representative of Ecuador that the Committee should recommend to the General Assembly that item 26 as a whole should be allocated to the First Committee.

83. Mr. MALIK (Union of Soviet Socialist Republics) submitted a formal amendment to the proposal by Ecuador, to the effect that subitems 26 (c) and (d) should be allocated to the Sixth Committee. He called for a vote on his amendment in accordance with rule 131 of the rules of procedure.

84. Mr. BENITES (Ecuador) said that the Soviet Union amendment was out of order since it amounted to a proposal to reconsider a previous decision. Consequently the applicable rule was rule 124.

85. The CHAIRMAN recalled that decisions concerning the adoption of the agenda did not prejudice the allocation of items to Committees. He put the Soviet Union amendment to the vote.

*The USSR amendment was rejected by 13 votes to 6, with 5 abstentions.*

*The Committee decided by 15 votes to none, with 9 abstentions, to recommend to the General Assembly that item 26 as a whole should be allocated to the First Committee.*

*The Committee decided to recommend to the General Assembly that the various chapters of the report of the Economic and Social Council (item 12) should be allocated as suggested in paragraph 18 of the Secretary-General's memorandum.*

*The Committee decided to recommend to the General Assembly that the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" (item 23) should be allocated as suggested in paragraph 19 of the Secretary-General's memorandum.*

#### ITEMS PROPOSED FOR ALLOCATION TO PLENARY MEETINGS

86. Mr. EL-SHIBIB (Iraq) said that, in response to requests by a number of Arab delegations, particularly the United Arab Republic, he proposed that item 22 of the draft agenda, "The situation in the Middle East", should be given priority.

*The Committee decided to recommend to the General Assembly that item 22 should be considered as a matter of urgency.*



*The Committee decided to recommend to the General Assembly that the items proposed for consideration in plenary meetings in the Secretary-General's memorandum should be allocated to plenary meetings.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE FIRST COMMITTEE

87. Mr. PARDO (Malta) drew attention to a certain imbalance in the allocation of items to the First Committee and the Special Political Committee, which had eleven items and four items respectively. He suggested that the General Committee might consider recommending the transfer to the Special Political Committee of the question of Korea and the question of international co-operation in the peaceful uses of outer space.

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the First Committee in the Secretary-General's memorandum should be allocated to that Committee.*

88. Mr. PHILLIPS (United States of America) suggested that, after the First Committee and Special Political Committee had begun their work, they might wish to consider recommending to the General Committee a reallocation of certain items.

#### ITEMS PROPOSED FOR ALLOCATION TO THE SPECIAL POLITICAL COMMITTEE

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Special Political Committee in the Secretary-General's memorandum should be allocated to that Committee.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE SECOND COMMITTEE

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Second Committee in the Secretary-General's memorandum should be allocated to that Committee.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE THIRD COMMITTEE

89. Mr. EL SHIBIB (Iraq) noted that one of the items to be allocated to the Third Committee concerned the report

of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, established under General Assembly resolution 2443 (XXIII) of 19 December 1968. He hoped that when the report had been completed the item would be added as a matter of course to the agenda of the Third Committee.

90. The CHAIRMAN said that the Committee's decision did not prejudice that question.

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Third Committee in the Secretary-General's memorandum should be allocated to that Committee.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE FOURTH COMMITTEE

91. Mr. WARNER (United Kingdom) said that he had already expressed a reservation on the inclusion of item 68 concerning the question of Oman, since the Sultanate of Oman was a sovereign and independent State, and that his delegation had a particular objection to its allocation to the Fourth Committee since that dealt exclusively with matters affecting non-self-governing territories.

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Fourth Committee in the Secretary-General's memorandum should be allocated to that Committee.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE FIFTH COMMITTEE

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Fifth Committee in the Secretary-General's memorandum should be allocated to that Committee.*

#### ITEMS PROPOSED FOR ALLOCATION TO THE SIXTH COMMITTEE

*The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Sixth Committee in the Secretary-General's memorandum should be allocated to that Committee.*

*The meeting rose at 8.10 p.m.*