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MEETING**

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Chairman: Mr. Moraiwid M. TELL (Jordan).

AGENDA ITEM 37

United Nations Conference on Trade and Development: report of the Trade and Development Board (continued)* (A/6303/Add.1, chap. I; A/6315, A/6501, A/C.2/L.923 and Corr.1, A/C.2/L.925 and Corr.1, A/C.2/L.928)

1. The CHAIRMAN invited the Committee to vote on the eleven-Power draft resolution (A/C.2/L.928) concerning the special session of the Trade and Development Board.

The draft resolution was adopted without opposition.

2. Mr. KITTANI (Secretary of the Committee) announced that the Senegalese delegation had informed the Secretariat that it wished to withdraw from the list of sponsors of resolution A/C.2/L.923 so that it could submit, together with Rwanda, the following amendment as a final preambular paragraph:

"Noting with interest the recommendation of the third session of the Assembly of Heads of State and Government of the Organization of African Unity, held at Addis Ababa from 5 to 9 November 1966, that a meeting of the developing countries should be held at ministerial level to prepare for their participation in the second session of the United Nations Conference on Trade and Development."

3. Mr. DELGADO (Senegal) said that, following the negotiations of the previous day, he had considered it desirable, in view of certain technical difficulties which had prevented all the sponsors from being consulted, that Senegal should not be included among the sponsors of the draft and was introducing, together

with Rwanda, the amendment just read out by the Secretary of the Committee. A conversation with the representative of Cuba had dispelled certain misgivings. The text submitted by his delegation was a statement of facts with no political connotations and should obtain the approval of a large number of Asian, African and Latin American States.

4. Mr. RYABONYENDE (Rwanda) said that the purpose of the amendment was to emphasize the importance for the United Nations Conference on Trade and Development (UNCTAD) of the third session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU). The amendment created no difficulty and similar action had been taken in the past. For example, the General Assembly, at its twentieth session, had taken note of the message from the Shahinshah of Iran after considering the question of the world campaign for universal literacy.

5. Mr. DJOUDI (Algeria) said that the amendment had been submitted by only two countries because it had been difficult for the other delegations to dissociate themselves from the sponsors of the draft resolution. The recommendation of the Assembly of Heads of State and Government at Addis Ababa had been unanimously adopted and was binding on all African States.

6. Mr. ABE (Japan) felt that the full text of the recommendation mentioned in the amendment should be made available to all delegations.

7. Mr. CAMEJO ARGUDIN (Cuba) said that the conversation he had had with the representative of Senegal showed that the amendment might facilitate Cuba's participation in the Algiers ministerial conference. His delegation had no objection to the text inasmuch as it implied that Cuba was one of the developing countries and could participate in the conference on an equal footing.

8. Mr. DELGADO (Senegal) said the delegations had not been given the text of the recommendation adopted by the Assembly of Heads of State and Government at Addis Ababa so as not to complicate the discussion unnecessarily. There was, however, no objection to including it in the Committee's report.

9. Mr. VARELA (Panama) said that his delegation would vote for the text submitted by Senegal and Rwanda. But it must be clearly understood that the amendment was to be taken literally and no other interpretation must be read into it. His delegation was not competent to judge the implications of the recommendation made by the Assembly at Addis Ababa.

10. Mr. FORTHOMME (Belgium) thought that it would be impertinent to express an opinion on a text

*Resumed from the 1091st meeting.

that concerned other countries. It would therefore be advisable to replace the words "Noting with interest" by the words "Having taken cognizance of".

11. Mr. WILMOT (Ghana) said he could not share the opinion just expressed by the Belgian representative. Operative paragraph 5 requested the Secretary-General of UNCTAD to begin preparatory work for the second session in co-operation, *inter alia*, with the "appropriate international organizations". The Organization of African Unity now enjoyed a definite status in the United Nations and it was quite appropriate for the General Assembly to ask the Secretary-General to co-operate with the appropriate international organizations and, if it had cognizance of an OAU recommendation concerning the second session of UNCTAD, to take note of such a recommendation.

12. Mr. AHMED (Pakistan) said that the text of the paragraph proposed the previous day (1091st meeting) by the United States representative for inclusion in the Committee's report had been objected to by the representative of the United Republic of Tanzania. In consultation with those two representatives, he had drafted a compromise text which, he thought, should win their agreement and which the representative of the United Republic of Tanzania had authorized him to propose to the Committee. The text was as follows:

"It was the understanding in the Committee that the word 'negotiation' had been used in the text of the resolution without prejudice to the decision that may be taken by the fifth session of the Trade and Development Board on the nature of the Conference in the light of the provisional agenda finally agreed upon."

13. He hoped that the United States representative would withdraw his text in favour of the new version.

14. Mr. ROOSEVELT (United States of America) thanked the Pakistan representative. He approved of the inclusion in the report of the text just read out by that representative and withdrew his own proposal.

15. Mr. LOBANOV (Union of Soviet Socialist Republics), explaining his vote prior to the ballot, said that he fully supported the amendment submitted by Rwanda and Senegal. He would vote for the new preambular paragraph, interpreting it in the same way as the representatives of Senegal, Rwanda and Cuba had done, namely, that in it the expression "developing countries" referred to all countries covered by that definition.

16. The CHAIRMAN called upon the Committee to vote on draft resolution concerning the second session of the United Nations Conference on Trade and Development (A/C.2/L.923 and Corr.1). He first put to the vote the oral amendment submitted by Rwanda and Senegal.

At the request of the representative of Algeria, a vote was taken by roll-call.

Trinidad and Tobago, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics,

United Arab Republic, Upper Volta, Yugoslavia, Zambia, Afghanistan, Algeria, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, Congo (Democratic Republic of), Cuba, Czechoslovakia, Dahomey, Denmark, El Salvador, Ethiopia, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Kenya, Lesotho, Liberia, Libya, Madagascar, Mexico, Mongolia, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sudan, Sweden, Syria, Thailand, Togo.

Against: None.

Abstaining: United Kingdom of Great Britain and Northern Ireland, United States of America, Argentina, Australia, Belgium, Canada, China, New Zealand, Portugal, Spain.

The amendment was adopted by 71 votes to none, with 10 abstentions.

17. The CHAIRMAN suggested that the Committee should approve the draft resolution, as amended, unanimously.

The draft resolution, as amended, was adopted without opposition.

18. The CHAIRMAN suggested that the Committee should agree to the inclusion in its report of the paragraph read out by the Pakistan representative.

It was so decided.

19. Mr. ROOSEVELT (United States of America) said that his delegation had voted for the draft resolution despite his misgivings as to the use of the word "negotiation". The Indian representative had made it clear, in the course of his introduction (1090th meeting), that in the intention of the sponsors the word was intended to refer to the type of negotiation that was customary in the Committee and in other United Nations bodies and not to the type of negotiation between plenipotentiaries working on precise legal texts. His delegation and that of Belgium concurred in that view. On the other hand, the representative of the United Republic of Tanzania had taken another view. It was well-established international practice, however, that negotiations directed towards international agreements should be based on a precisely defined agenda and, as explained by the representative of Belgium, on lengthy preparations.

20. His delegation was, of course, prepared to attend the second session of UNCTAD and to make an attempt in good faith to negotiate solutions to the problems presented to it by negotiation, discussion, conciliation and any other appropriate means. He hoped that the Conference would try to reach general agreement on "a limited number of fundamental and specific subjects", to use the words of the resolution, and trusted that the deliberations would result in agreed courses of action. Beyond that it could not go and beyond that he did not believe that any other Government was in a position to go.

21. In so saying, he was not precluding the possibility that there might emerge from the second session of the Conference, as had happened at the first session of the Conference in the case of the land-locked countries, specific issues capable of negotiation in the sense of arriving at precise texts. If that should occur, the action of the Conference would, of course, be governed by paragraph 3 (e) of General Assembly resolution 1995 (XIX).

22. He had been able to vote for the draft resolution because of his delegation's approval of the general purpose and tendency of the text and also because of the constructive interpretation which the representative of Pakistan had suggested for inclusion in the Committee's report.

23. Mr. LOUYA (Democratic Republic of the Congo) said that he had voted for the draft resolution, whose provisions were fully in accord with his delegation's desire to see the recommendations adopted at the first session of UNCTAD more fully implemented. He had also voted for the amendment submitted by Rwanda and Senegal, which was intended to further the preparatory work for the second session of the Conference, and he hoped that the proposed ministerial conference would include all the developing countries which were members of UNCTAD.

24. Mr. PISANI MASSAMORMILE (Italy), referring to the paragraph which the Committee had decided to include in its draft report concerning the interpretation of the word "negotiation", explained the interpretation which his delegation placed on the paragraph. In the Italian delegation's view, it was for the Trade and Development Board, at its fifth session, to prepare the second session of UNCTAD, but it was not for it to decide on its nature, which had been defined by General Assembly resolution 1995 (XIX) on the establishment of UNCTAD, and the Board, being a subsidiary organ of the Conference, was not competent to change its nature.

25. Mr. MUZIK (Czechoslovakia) said that he had voted for the amendment of Rwanda and Senegal and for the draft resolution as a whole, on the understanding that the new preambular paragraph included Cuba, which certainly belonged to the category of developing countries; that interpretation was consistent with that of the Cuban representative which no delegation had challenged.

AGENDA ITEM 86

Technical assistance to promote the teaching, study, dissemination and wider appreciation of international law: report of the Secretary-General (A/6492)

LETTER DATED 21 NOVEMBER 1966 FROM THE CHAIRMAN OF THE SIXTH COMMITTEE ADDRESSED TO THE CHAIRMAN OF THE SECOND COMMITTEE (A/C.2/233)

26. The CHAIRMAN said that item 86 was on the agenda of the Sixth Committee. The Second Committee was also interested in that question but could only consider it at the request of the Sixth Committee. In accordance with the letter he had received from the Chairman of the Sixth Committee (A/C.2/233), he called upon the members of the Second Committee to comment on the technical aspects of that question.

27. Mr. TARASOV (Union of Soviet Socialist Republics) stated that, while his delegation supported the provision of technical assistance in international law to developing countries, it had some reservations concerning the relevant draft resolution before the Sixth Committee (A/C.6/L.611/Rev.1 and Add.1). His delegation was surprised that the Sixth Committee should propose the establishment of an autonomous programme of technical assistance in the study and dissemination of international law, while the Second Committee was trying to co-ordinate technical assistance activities and to avoid setting up autonomous programmes which would result in a dispersal of effort. As it had stated at the twentieth session, his delegation felt that technical assistance in international law should be financed with funds from the technical assistance component of the UNDP and the regular programme of technical assistance, and that requests from the Governments concerned should be considered and financed under the existing programmes.

28. The draft resolution before the Sixth Committee proposed the inclusion of the item in the agenda of the twenty-second session of the General Assembly. He felt it would be better to give the Secretariat time to acquire some experience in the matter and to ask it, if appropriate, to report to the twenty-third session. There seemed no need to include every year in the normally heavy agenda of the General Assembly an item on which work was done mainly by the Secretariat.

29. The CHAIRMAN stated that he would communicate the USSR delegation's comments to the Chairman of the Sixth Committee.

The meeting rose at 4.20 p.m.

