

GENERAL  
ASSEMBLY

## SEVENTH SESSION

## Official Records



## SIXTH COMMITTEE, 348th

## MEETING

Friday, 12 December 1952, at 11 a.m.

Headquarters, New York

## CONTENTS

	Pages
Point of order concerning the 346th meeting .....	239
Measures to limit the duration of regular sessions of the General Assembly: memorandum by the Secretary-General (A/2206, A/C.6/339/Add.1) .....	239
(continued) .....	

Chairman: Prince WAN WAITHAYAKON (Thailand).

*In the absence of the Chairman, Mr. Lachs (Poland), Vice-Chairman, took the Chair.*

**Point of order concerning the 346th meeting**

1. Mr. BARTOS (Yugoslavia) raised the following point of order. During his absence, the representative of the Union of Soviet Socialist Republics had stated (346th meeting) that the delegation of Yugoslavia and the United States were trying to conceal their defeat. The Yugoslav delegation had met with no defeat; on the contrary, it had been one of the sponsors of the revised joint draft resolution (A/C.6/L.265/Rev.1) which the Committee had adopted.

2. The CHAIRMAN thought that the Yugoslav representative had raised a question of substance rather than a point of order.

**Measures to limit the duration of regular sessions of the General Assembly: memorandum by the Secretary-General (A/2206, A/C.6/339/Add.1) (continued)**

[Item 50]\*

3. Mr. CUTTS (Australia) said that when the question of measures to limit the duration of regular sessions of the General Assembly had been discussed in the 387th plenary meeting, the head of the Australian delegation had stated that it would be undesirable to limit the duration of the discussions, particularly in view of the special position of the smaller countries, and that, instead it should be attempted to make the best possible use of the time and services available to the General Assembly. He supported the draft amendments contained in the annex to the Secretary-General's memorandum (A/2206) and the Norwegian draft resolution (A/C.6/L.278). Nevertheless, although those texts might be helpful and certainly did not infringe the rights of Member States, they did not go to the root of the problem. They did not, of course, justify the

apprehensions expressed by the USSR and Uruguayan representatives at the 347th meeting. At the same time, the potential effectiveness of the texts should not be overrated. As the United States representative had said (347th meeting), the duration of the debates could be limited only by goodwill and good faith. Further, delegations ought to show greater diligence. Many hours had been wasted by the General Assembly and its Main Committees since the opening of the session owing to the cancellation or early adjournment of meetings because delegations had not been prepared to speak. That reluctance to speak could rarely be justified, and sometimes was the result of manoeuvres.

4. Smaller delegations often found it difficult to be represented at all meetings held simultaneously. They could therefore not support the Secretary-General's suggestion that in future five meetings should be held simultaneously, morning and afternoon. Moreover, if delegations did not at present make full use of the time allowed for meetings, there was no point in increasing the number of meetings in future.

5. The Secretary-General's memorandum was dated 1 October. Delegations therefore had had ample time to examine the proposed amendments to the rules of procedure, especially since those amendments did not require extensive study. The Australian delegation supported paragraph 2 of the operative part of the Norwegian draft resolution. At present, the Secretary-General had the right, if not the duty, to submit proposals to the General Assembly with a view to improving its methods and procedures. With the adoption of the Norwegian draft resolution, that right would become an obligation.

6. Mrs. BASTID (France) wondered whether the hours which the Australian representative had described as "wasted" were not sometimes put to very good use in discussions between delegations.

7. The Secretary-General's memorandum (A/2206) contained in the first place what might be called views or advice, based on experience. The memorandum con-

\* Indicates the item number on the agenda of the General Assembly.

tained ideas which, while reasonable, might be difficult to translate into practical measures. For example, there was the question of judicious selection of items for inclusion in the agenda. That was a matter which required political wisdom.

8. As regards the debate of certain questions directly in plenary meeting, she said that discussions in plenary could not be as effective as in Committee and hence should not be resorted to except with the utmost caution. The same applied to the suggestion that some questions should be examined between sessions. The idea of *ad hoc* committees with limited terms of reference was reasonable, but sufficient time must be allowed to delegations and the Secretariat, between sessions, for preparation and study. Though open to certain objections, the proposal for five simultaneous meetings was technically feasible and might accelerate the proceedings. One of the most interesting ideas was that of postponing the opening date of regular sessions, as had been done in the case of the current session. Such a measure might prove effective since it would always be desired to close sessions by Christmas.

9. The Secretary-General's memorandum also contained some specific proposals for amendments to the rules of procedure. The French delegation was, in principle, in favour of those proposals except for that which would empower the President or the Chairman to declare the debate closed. The other amendments were perhaps not necessary since their essential provisions were already contained in rule 35 [106] of the rules of procedure, but their adoption might have a salutary effect.

10. Under the Secretary-General's last proposal, the Chairman of the *Ad Hoc* Political Committee, whenever that body was constituted, would be a member *ex officio* of the Assembly's General Committee. It would be a legal recognition of a *de facto* situation. The provision did not imply the automatic establishment of an *ad hoc* political committee and should be adopted.

11. Without having too many illusions on the matter, the French delegation hoped that the proposed provisions would have some beneficial effect.

12. Mr. LAUREL (Argentina) noted that while it was generally agreed that the duration of sessions should be limited, opinions differed on the methods to be used. The solutions advocated by the Secretary-General would limit freedom of speech without necessarily shortening the duration of the sessions. It was better to set a definite time-limit for the duration of sessions. That was the purpose of the Argentine draft resolution (A/C.6/L.279). If a definite time-limit were set, items to be included in the agenda would be selected carefully, in their order of priority, as suggested in paragraph 14 of the Secretary-General's memorandum (A/2206). Less urgent items would be postponed. Within the prescribed period, the number and length of meetings could be increased, and meetings could be held on Saturdays and holidays. Such a provision would achieve the desired result, whereas those contained in the Norwegian draft resolution (A/C.6/L.278) would be ineffective.

13. Mr. RECHENDORFF (Denmark) stated that for financial reasons, and particularly because of difficulties connected with personnel to staff meetings, his

delegation had always been in favour of limiting the duration of General Assembly sessions. Moreover, prolonged and fruitless discussions impaired the prestige of the United Nations. It was true that the work of Committees must not be rushed, but it was equally necessary to avoid wasting time. His delegation, together with the other Scandinavian delegations, had for a long time been giving thought to ways and means of dealing with the problem; he felt that the amendments to the rules of procedure proposed in the Secretary-General's memorandum (A/2206) and reproduced in the annex to the Norwegian draft resolution (A/C.6/L.278) met that purpose, although their effect was likely to be slight. More thorough study of the problem was therefore necessary, as stated in paragraph 2 of the operative part of the Norwegian draft resolution. He reserved the right to comment at a later time on the other proposals before the Committee.

14. Mr. BANERJEE (India) also felt that the duration of regular sessions of the General Assembly should be limited. The solution, however, had to be worked out carefully, for the freedom of expression of Member States was as sacred as the Charter, and limitation of the length and number of interventions might be contrary to parliamentary and democratic procedures. The speed with which items were considered was secondary to the protection of the right of Member States to discuss at leisure problems of interest to them or to the international community as a whole.

15. Rule 73 [113] of the rules of procedure should not be changed as proposed in the first amendment contained in the Secretary-General's memorandum (A/2206), since that change ran the risk of infringing the sovereignty of Member States.

16. The amendment to rule 74 [114] of the rules of procedure, contained in the Secretary-General's fourth proposal, might prove a source of embarrassment to delegations with small staffs which found it difficult to participate in simultaneous meetings of several Committees. Furthermore, certain questions occasionally required more time and if the Chairman were empowered to close the debate because there were no other speakers, a thorough examination of many important international problems might be prevented.

17. As regards the amendment to rule 72 [112] contained in the fifth amendment proposed by the Secretary-General, he did not think it desirable to limit the right of delegations to present points of order, for that was a privilege of all the members of a Committee or the General Assembly. If a point of order was raised improperly, it was the duty of the President or the Chairman so to state. The Indian delegation would therefore oppose those three amendments.

18. The proposed amendments to the rules of procedure tended to vest discretionary powers in the President of the General Assembly and the Chairmen of Committees. Under the present rules they in fact had those powers, and there was therefore no need to modify the rules.

19. In view of the short time at the Committee's disposal for the study of the important question before it, he supported the Uruguayan representative's suggestion (347th meeting) that the item should be postponed until the early part of the eighth session. He recalled

that at the 387th plenary meeting his delegation had suggested that a group of five or six experts might study the question and report on it. Those experts might be former Presidents of the General Assembly or Chairmen of the Sixth Committee, assisted by the Secretary-General and the Assistant Secretary-General in charge of the Department of Conference and General Services.

20. He reserved the right of his delegation to speak again on the question and on the proposals submitted to the Committee.

21. Mr. PETREN (Sweden) associated himself with the Danish representative's remarks.

22. Mr. MAURTUA (Peru) said the question of the prolongation of discussions in the General Assembly was directly related to the question of the increase in the number of General Assembly organs. Some problems did not justify extended debates but, in the case of political problems and those relating to the sovereignty of States, extremely flexible rules should be applied so that no abuse of power could occur. All representatives had the right to be heard and any limitation of that right would be most regrettable. The question had to be approached with great caution in order to avoid any arbitrary action. Problems had to be carefully selected, and that selection had to be based on the nature of the problems.

23. Often, long debates were required to reach a solution acceptable to all States; in particular, problems affecting peace and security should not be dealt with precipitately. Any measure tending to limit the freedom of action of delegations might therefore prove dangerous if applied systematically.

24. Referring to the restriction of the right to raise points of order, he said that often those points of order provided useful clarification of the discussion and thus at times played a decisive role.

25. The Peruvian delegation therefore considered that it would harm the prestige of the United Nations to adopt the amendments proposed by the Secretary-General.

26. He reserved his delegation's right to submit comments on the proposals before the Committee.

27. Mr. HERRERA BAEZ (Dominican Republic) approved the remarks contained in paragraph 5 of the Secretary-General's memorandum (A/2206) and stated that they constituted the basis of his delegation's position. The United Nations should be the forum of all the peoples of the world, as had been the intention of the authors of the Charter, and he regarded with some suspicion any attempt to limit the scope of discussion.

28. Although the General Assembly had referred to the Sixth Committee (A/C.6/339/Add.1) only the amendments contained in the annex to the Secretary-General's memorandum, the present debate showed that the discussion could not be limited to those amendments. In his opinion, that proved the futility of adopting excessively rigid rules in the matter.

29. Paragraph 1 of the operative part of the Norwegian draft resolution (A/C.6/L.278) did not correspond to reality, if it was admitted that the Committee could not discuss the Secretary-General's mem-

orandum (A/2206). Moreover, paragraph 2 seemed to contain two ideas which it was difficult to reconcile.

30. The proposed amendments to the rules of procedure would produce a conflict between the sovereignty of Committees or the General Assembly and the powers of the presiding officers. Those amendments might place presiding officers in a difficult position; conversely, if those officers used the powers thus conferred upon them sparingly, the present situation would remain unchanged. The proposed system would therefore not produce any significant practical results, and for that reason his delegation would vote against the Norwegian draft resolution.

31. On the other hand, he supported the Secretary-General's sixth amendment, which concerned rule 38 of the rules of procedure and which would have the effect of placing the Chairman of the *Ad Hoc* Political Committee on an equal footing with the Chairmen of the Main Committees. Similarly, he approved paragraphs 20 and 47 of the Secretary-General's memorandum; those paragraphs contained useful suggestions.

32. Mr. MAKTOS (United States of America) said the proposed amendments to the rules of procedure were so clear that it was unnecessary to establish a group of experts to study them, particularly since to do so might seriously impair the Committee's prestige. The work of a group of experts could not shed any new light on the subject.

33. He agreed with the representative of the Dominican Republic in approving the comments contained in paragraph 5 of the Secretary-General's memorandum (A/2206), and that was precisely why he opposed the Argentine draft resolution (A/C.6/L.279). He considered it impossible to decide in advance that the duration of regular sessions of the General Assembly should invariably be six weeks. In some cases, continued debate was absolutely essential. Also, the Argentine draft resolution would inevitably lead to a limitation of the length of speeches and thus would endanger freedom of speech. Furthermore, it was not possible to increase the number of meetings, for representatives had to have enough time to study questions, acquaint themselves with documents and prepare their statements. Equally, it would be impossible to determine in advance the number of items which might be considered during a session. He therefore believed that the Argentine draft resolution emphasized the time factor at the expense of the essential consideration of the importance of the items to be discussed.

34. Mr. EL-TANAMLI (Egypt) commented that, without losing prestige, the Main Committees of the Assembly, particularly the Second Committee, had often had recourse to groups of experts to study certain questions. He asked the Secretariat to give the Committee information on how many problems the Second Committee had referred for technical study to specialized agencies, groups of experts or the Secretariat.

35. The CHAIRMAN said that the Secretary of the Committee would transmit that information as soon as possible.

36. Mr. BARTOS (Yugoslavia) said that, after careful study of the Secretary-General's proposals (A/2206), the Yugoslav delegation had reached the con-

clusion that the Secretary-General had been more concerned with the technical than with the political aspects of the question. The Secretary-General seemed to have considered only the practicability of methods to limit the duration of Assembly sessions without inquiring whether the adoption of the measures he recommended would hamper efforts to devise judicious solutions in keeping with the needs of the political situation of the world. The Secretary-General, however, had himself recognized that the composition of the Assembly was not comparable to that of a national parliament and that therefore the Assembly required its own procedures.

37. Unlike a national parliament composed of authorized representatives of political parties with specific programmes, the General Assembly was composed of equal and sovereign States representing only themselves. In the absence, therefore, of some special agreement, there could never be any representation in the General Assembly of the collective views of particular groups. Hence, rules in effect in certain parliaments, such as those relating to the freedom of speech of representatives of groups or to the determination of a majority were quite inapplicable to the General Assembly. Whether they belonged to the majority or to the minority, Member States should be able to express their views freely, and any provision governing the Assembly's proceedings must be based on the principle of the absolute equality of rights of Member States. While, therefore, efforts should be made to satisfy the general desire to limit the duration of sessions of the Assembly, the rights of Member States must not be infringed.

38. The Secretary-General's memorandum called for many comments. In view, however, of the Sixth Committee's precise terms of reference (A/C.6/339/Add.1) concerning the item of the agenda before it, he would confine his remarks to the proposed draft amendments contained in the annex to that memorandum, and to the various proposals submitted by members of the Committee.

39. The Secretary-General's amendments, or at least some of them, might admittedly facilitate and expedite the Assembly's work. Although the criteria which the Secretariat had adopted might be different from those which guided delegations, some amendments proposed by the Secretary-General were acceptable to delegations because they related to matters of concern to all. Thus, for example, the Yugoslav delegation accepted the amendment to rule 73 [113] proposed by the Secretary-General, since the sole purpose of that amendment was to grant the President or the Chairman a right enjoyed by all representatives. It would probably be objected that the authority of the President or the Chairman was such that he could influence the members of the body over which he presided. Those members, however, were fully capable of opposing any proposal by the presiding officer which they considered unjustified; moreover, there was every reason to believe that no presiding officer would abuse his powers.

40. Equally, the Yugoslav delegation would oppose the amendment to rule 75 [115] proposed by the Secretary-General, since it changed the existing situation only from the legal point of view. In fact the President or the Chairman had always had the right to move the adjournment of the debate on a particular item. The

amendment proposed by the Secretary-General merely gave formal recognition to that right.

41. The Yugoslav delegation, which had always opposed closure of debate when members wishing to do so had not spoken at least once in the discussion, would vote against the amendment to rule 76 [116] proposed by the Secretary-General, because it considered it dangerous to apply such a procedure to an international assembly, even though the procedure might be justified in a parliament.

42. It would also vote against the amendment to rule 74 [114], which empowered the President or the Chairman to declare the discussion closed if there were no other speakers. During a debate, political questions might arise which were so important that delegations could not take a position without first consulting among themselves and without requesting instructions from their governments. In addition, the provision proposed by the Secretary-General would in fact serve no useful purpose. Representatives could always prevent the President or the Chairman from declaring the debate closed by moving the suspension or adjournment of the meeting; such motions had priority. Rather than to oblige representatives to resort to such tactics, it was preferable, through continuing the debate, to allow them the time necessary to consult documents and then present carefully considered arguments.

43. The amendment proposed by the Secretary-General to rule 72 [112] tended to change the very nature of a point of order. It was quite true that points of order almost always related to questions within the competence of the President or the Chairman, but even points of order which exceeded the competence of that presiding officer could have a direct bearing on the proper conduct of business. For example, a delegation should have the right to raise a point of order regarding obstacles which authorities outside the United Nations might place in the way of the admission of a representative to the territory of a State where a meeting of a United Nations body was being held. The Yugoslav delegation would therefore vote against the Secretary-General's amendment to rule 72 [112].

44. The Yugoslav delegation, would vote for the amendment to rule 38 proposed by the Secretary-General. It had voted in a similar manner when the General Assembly had been called upon to decide, at its 377th and 378th plenary meetings, whether the Chairman of the *Ad Hoc* Political Committee should be a member of the General Committee. If the General Assembly established an *ad hoc* political committee, the Chairman of that committee, who bore the same responsibilities as the Chairmen of the Main Committees, should enjoy the same rights and privileges, including the right of membership of the General Committee.

45. Since the Yugoslav delegation opposed the adoption of certain of the Secretary-General's proposed amendments, which were reproduced in the annex to the Norwegian draft resolution (A/C.6/L.278), it would be unable to vote in favour of that draft resolution. Nevertheless, if the Committee voted separately on each of the amendments and adopted only those supported by the Yugoslav delegation, and if the third paragraph of the preamble to the Norwegian draft resolution was amended, the Yugoslav delegation would

be able to vote for that draft resolution as a whole. The third paragraph of the preamble was unacceptable in its present form. First, it exceeded the Sixth Committee's terms of reference (A/C.6/339/Add.1). Secondly, the Yugoslav delegation did not approve of all the observations and suggestions offered by the Secretary-General, particularly those relating to the reports of the various councils and the establishment of time-limits for the submission of draft resolutions on questions contained in those reports.

46. The Yugoslav delegation would vote in favour of the Syrian amendment (A/C.6/L.280) to the Norwegian draft resolution (A/C.6/L.278) if the Committee seemed inclined to approve amendments to the rules of procedure with which the Yugoslav delegation did not agree. If that did not prove to be the case, the

Yugoslav delegation would abstain from the vote on the amendment.

47. His delegation hoped that, as a rule, regular sessions of the General Assembly would not exceed six weeks. It would be difficult, however, to include in the rules of procedure, as proposed in the Argentine draft resolution (A/C.6/L.279), a mandatory provision to that end, with the stipulation that items not disposed of should be referred to the following regular session or to a special session. The solution of certain problems sometimes required considerable time, and the rules of procedure should therefore be as elastic as possible. Hence, the Yugoslav delegation would vote against the Argentine draft resolution.

The meeting rose at 1.10 p.m.