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Chairman: Mr. Juliusz KATZ-SUCHY (Poland).

Measures to limit the duration of regular sessions of the General Assembly: report of the Special Committee (A/2402, A/C.6/L.292/Rev.1) (concluded)

[Item 54]*

GENERAL DEBATE (concluded)

1. Mr. AZKOUL (Lebanon) wished, at the close of the debate, to place the matter in its true perspective and to compare the requirements of principle with the solutions proposed.
2. In 1949, his delegation had requested that the Economic and Social Council should place on the agenda of its eighth session the question of the organization of the Council's work and some of the suggestions made then were similar to the Special Committee's recommendations. What was a satisfactory solution for a subsidiary body, such as the Economic and Social Council, was not, however, suitable for the General Assembly, which was the principal organ, and he regretted that the Special Committee had failed to recognize that fact. There were three reasons for applying a different treatment to the General Assembly. Firstly, the duration of sessions of a subsidiary organ was fixed by a superior body and the former was therefore obliged to complete its work in the time allotted, whereas the General Assembly fixed the length of its proceedings itself and was not bound to finish its business within a stipulated time limit. Secondly, the members of a subsidiary organ attended in the dual capacity of representatives of their respective governments and of representatives of the Organization itself. Their individual rights as representatives of their governments might therefore to some extent be limited by the duties they owed to the Organization by reason of their election. The members of the General Assembly, on the contrary, represented only their governments and, while they should safeguard the interests of the Organization of which those governments were Members, nothing could limit the rights vested in them as representatives of sovereign States. Thirdly, any limitations affecting members of subsidiary bodies were only a temporary restriction on the full exercise

of their rights which they could later reassert in the General Assembly.

3. Moreover, the Special Committee had forgotten that the General Assembly could not be subjected to the same limitations as a national parliament. Parliament was not the only forum where its members could meet and endeavour to convince each other, whereas the General Assembly was the only centre where the representatives of different countries met to debate and to try to convince each other. In a parliament different viewpoints could be adequately stated if merely a few members of the majority and a few representatives of the minority spoke, for a parliament was composed of homogeneous groups united by common principles and aims and by a programme of action. On the other hand, in the General Assembly a majority often did not crystallize until debate was actually in progress concerning some particular proposal, and the intentions, objects and interpretations were as heterogeneous as the members composing the majority of the moment. Even in apparently homogeneous groups, and even within a delegation, divergencies occurred at times, and the widest possible opportunity should be given for an expression of that variety of attitudes and motives. Lastly, in a parliament the minority was bound by the majority decision, whereas the General Assembly's decisions were only recommendations and the minority had to be persuaded to yield graciously to the wishes of the majority.

4. The United Nations, and particularly the General Assembly, was a free association of sovereign States pledged to co-operate in solving the world's pressing problems. Such collaboration was based essentially on mutual understanding, and understanding required debate and efforts to persuade and win over adherents. That was why the General Assembly was rightly called a deliberating body. True, deliberation should lead to action but as that action only took the form of recommendations its effectiveness depended on the degree to which the recommendations were acceptable to Member States. Accordingly, the first object was to overcome the resistance of the minority, and action should be prepared for and strengthened by debate. Moreover, the debate retained its value quite apart from any action, for it had a function of its own which the Charter of the United Nations had recognized in authorizing the General Assembly to discuss, but not to take action on, any question which was before the Security Council. Hence, exchanges of views in the General Assembly should be encouraged, and it would be a mistake to attempt to shorten the General Assembly's sessions by limiting the debates as the Special Committee proposed.

5. He divided the Special Committee's recommendations into two categories: those which were useful but which the Secretariat could carry out, and those which should be rejected as contrary to the very nature of the General Assembly and incompatible with the vital

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

part to be played by debate in the General Assembly. The first category included the recommendations concerning the inclusion on the agenda of special or annual reports and certain items which recurred every year, the use of time-tables in the work of the committees, the practice of indicating in the annual reports of the Economic and Social Council and of the Trusteeship Council those matters on which they wished the General Assembly to take action, the listing of speakers, the inclusion of several items on the daily agenda of a committee in order to prevent cancellations or early adjournments of meetings. It would be sufficient if the Secretariat reminded presiding officers of those suggestions in good time so that the committees could take them into account if appropriate, but it was not necessary to include them in the rules of procedure.

6. The Special Committee's recommendations which should be rejected included the proposal that the Chairmen of the Main Committees should establish a time limit for the submission of draft resolutions on matters contained in the reports of the Economic and Social Council and of the Trusteeship Council. Firstly, that was, in the last analysis, a matter for the Committee and not for the Chairman; secondly, any such time limit would not be binding, because it should always be possible to submit draft resolutions setting forth the general views of delegations as expressed during debate; and, lastly, it would be sufficient if the Secretariat suggested that the Chairman should ask the Committee to fix a time limit, if it became necessary.

7. The delimitation of the scope of debates as contemplated by the Special Committee was also unnecessary, not because under the provisions of rule 69 (109) of the rules of procedure the presiding officer already had that power, but because the suggestion tended to give the Chair new and arbitrary powers, for the provision would apply to comments falling outside limits clearly fixed by the presiding officer himself. The proposal also did not allow for the fact that a question might be viewed from several angles.

8. Nor should the Special Committee have proposed more frequent recourse to the rules—in particular, rule 73 (113)—concerning a time limit on speeches and the limitation of the number of speeches. Those rules had been devised for use in exceptional cases and should not be resorted to quite generally, for then the meaning and value of debates would be lost.

9. The Special Committee's other suggestions were merely expressions of hopes, which were not reproduced in the Norwegian draft resolution (A/C.6/L.292/Rev.1).

10. He had not meant to imply by these comments that he was opposed to shorter Assembly sessions, but only that the limitation should not be achieved at the expense of the Assembly's principal function, which was to deliberate. In any effort to reduce the length of sessions it was not advisable to shorten the time allotted for debate, but rather to ensure that full use was made of the time for debates and that the time spent could be measured not in figures but in terms of accomplishment. For that purpose he suggested that the number of simultaneous committee meetings should be increased and that meetings should begin exactly at the time scheduled.

11. He added that the Special Committee had not worked in vain, for it had elucidated the situation, that the study of the subject would have to be continued, and that the members of the Special Com-

mittee should be congratulated on the good work which they had done.

DRAFT RESOLUTION SUBMITTED BY NORWAY (A/C.6/L.292/Rev.1) AND AMENDMENTS THERETO

12. Mr. TUNCEL (Turkey) thanked the Chairman for allowing him to explain his delegation's vote before the vote was taken.

13. The Turkish delegation was as anxious as the other delegations to safeguard the right of Member States to explain their points of view freely and it would not support any proposal which would in any way limit that right. It was ready to encourage any effort to devise means of making the work of the General Assembly and its Committees more effective and it would vote in favour of any amendment to the rules of procedure which did not restrict the freedom of speech of delegations.

14. His delegation preferred the preamble to the Norwegian draft resolution (A/C.6/L.292/Rev.1), which stated, in its first paragraph, that the report of the Special Committee had been considered by the Committee and laid down, in its second paragraph, the principle of freedom of speech for delegations.

15. His delegation supported the proposed amendment to rule 38 of the rules of procedure and hoped that the general conference for the revision of the Charter would consider an increase in the number of Main Committees.

16. The proposed amendment to rule 73 (113) did not substantially affect the freedom of speech of Member States. It was concerned only with the procedure to be followed in applying the principle already embodied in that rule.

17. Numerous arguments had been produced against the addition of an annex to the rules of procedure. Since such action had been taken by the General Assembly on an earlier occasion, there was no need for undue alarm. Preferably the procedural provisions should be annexed to the rules of procedure rather than dispersed in different texts. Nevertheless, although that annex was not mandatory from the legal point of view, the practices set out therein would have moral force. His delegation would therefore vote in favour of adding such an annex to the rules of procedure, even though it felt that some of the provisions set out in the draft resolution should be deleted.

18. Mr. DONS (Norway) felt that the Committee's discussion of the question under consideration had been very useful. It had shown the interest which all delegations took in the procedure which regulated the deliberations of the Assembly and its Committees; it had also shown the degree of suspicion with which many delegations regarded any attempt to regulate those deliberations in any way that might be construed to imply a restriction on freedom of speech. He feared that, in the future, delegations would hesitate to submit proposals, however constructive they might be, aimed at limiting the duration of the sessions of the General Assembly, as they would know from experience in what spirit those proposals would be approached.

19. His delegation had submitted its draft resolution solely in order to give effect to the recommendations of the Special Committee; it had not gone beyond those recommendations.

20. The proposed amendment to rule 38 of the rules of procedure, which formed paragraph 1 of the draft resolution, was apparently acceptable to the majority

of the members of the Committee, although some hesitated to support it because it allegedly bore no relation to the Special Committee's terms of reference. Actually, the amendment had appeared in the memorandum submitted to the seventh session by the Secretary-General (A/2206), which the General Assembly had referred to the Sixth Committee, together with the other proposed amendments, for study in connexion with the agenda item entitled "Measures to limit the duration of regular sessions of the General Assembly".

21. There seemed to be more opposition to the amendment to rule 73 (113). The arguments put forward by those opposed to the amendment had failed, however, to convince his delegation. Without wishing to reopen the debate on that question, he wished to stress that the amendment was merely intended to limit the number of speakers on motions of the kind to which the existing rule 73 (113) applied. The same kind of limitation was already embodied in rule 76, which had more serious implications; hence the question of bringing rule 73 into line with rule 76 could not be regarded as one of principle or as a new and dangerous threat to freedom of speech. The representative of Uruguay had drawn attention to the difficult task which would confront the presiding officer who had to choose the speakers authorized to speak on a motion under rule 73. The same difficulty already existed with regard to procedural motions under rules 75, 76, 89, 115, 116 and 128, for example; consequently it was not a new difficulty which would be created by the adoption of the proposed amendment.

22. A number of delegations had supported the idea of annexing the Special Committee's recommendations to the rules of procedure, while others had opposed that idea. The Norwegian proposal was not an unprecedented one. Annexes had been attached to the rules of procedure before, and with good results. The annex proposed by his delegation was of exactly the same nature as the existing annexes and was purely an information paper the object of which was to facilitate the task of those interested in making the work of the General Assembly and the Committees more effective. It was not the intention of his delegation to press for the acceptance *en bloc* of all the Special Committee's recommendations contained in the draft annex; on the contrary, his delegation felt that a separate vote should be taken on each paragraph of the draft annex and on any additional paragraphs which might be proposed by other delegations, so that it would be quite clear which of the practices recommended by the Special Committee were agreeable to the Committee and which were not. That was an important point since, if the Committee adopted the Brazilian-French amendment, proposing that the General Assembly should take note of the Special Committee's report without annexing the text of the recommended practices to the rules of procedure, all the recommendations would retain their value as practices recommended by the Special Committee even if some of them were considered absolutely unacceptable by the majority of the members of the Committee. He hoped that the members of the Committee would bear that consideration in mind when they voted on the Norwegian draft resolution and the amendments to it.

23. With regard to the order in which the different texts should be put to the vote he proposed that, if the Brazilian and French delegations had no objection, the vote on the preamble to the Norwegian draft resolution and the amendments thereto should be postponed

until after the vote on the operative paragraphs. The choice of preamble would largely depend upon the contents of the operative paragraphs.

24. He also suggested that the Committee should not vote on the amendments which were concerned only with renumbering the various operative paragraphs, since it would not be difficult to give the paragraphs proper numbers automatically once the final text had been adopted.

25. His delegation accepted the amendments proposed by the United Kingdom (A/C.6/L.295).

26. It would request a separate vote on the part of the amendment submitted by Ecuador and Guatemala (A/C.6/L.296) the effect of which was to delete paragraph 2 of the Norwegian draft resolution, containing the amendment to rule 73 (113) of the rules of procedure.

27. Lastly, if the Brazilian-French amendment to delete paragraph 3 should be rejected, his delegation would ask for a separate vote on each paragraph of the draft annex.

28. The representatives of AUSTRALIA, FRANCE, GUATEMALA, the UNION OF SOVIET SOCIALIST REPUBLICS and the UNITED STATES OF AMERICA spoke on the order in which the various proposals should be put to the vote.

29. The CHAIRMAN referred to the provisions of rule 129 of the rules of procedure which required the Committee to vote first on the amendment furthest removed in substance from the original proposal, that being the amendment submitted by Ecuador and Guatemala (A/C.6/L.296).

30. He proposed to put point 2 of the amendment to the vote first, since the decision on that paragraph would determine the fate of point 1.

31. Mr. CHAUMONT (France) pointed out that point 2 of the amendment proposed the deletion of paragraphs 2, 3 and 4 of the Norwegian draft resolution; delegations should be given the opportunity of voting for or against the deletion of each of those three paragraphs separately. He therefore requested a vote in parts.

32. The CHAIRMAN, acceding to that request, put to the vote the part of point 2 of the amendment submitted by Ecuador and Guatemala which proposed the deletion of paragraph 2 of the Norwegian draft resolution (A/C.6/L.292/Rev.1).

That part of the amendment was adopted by 24 votes to 21, with 3 abstentions.

33. The CHAIRMAN put to the vote the part of point 2 of the same amendment which proposed the deletion of paragraph 3 of the Norwegian draft resolution.

That part of the amendment was adopted by 32 votes to 13, with 4 abstentions.

34. The CHAIRMAN put to the vote the part of point 2 of the same amendment which proposed the deletion of paragraph 4 of the Norwegian draft resolution.

That part of the amendment was adopted by 31 votes to 6, with 8 abstentions.

35. The CHAIRMAN then put to the vote *seriatim* points 1 and 2 of the Brazilian-French amendment (A/C.6/L.293).

Point 1 of the amendment was adopted 36 votes to 10, with 1 abstention.

Point 2 of the amendment was adopted 45 votes to 1, with 1 abstention.

36. The CHAIRMAN pointed out that, as a result of the preceding votes, point 1 of the amendment submitted by Ecuador and Guatemala (A/C.6/L.296) was adopted.

37. He then put to the vote the part of the Norwegian draft resolution (A/C.6/L.292/Rev.1) to which no amendment has been submitted, namely paragraph 1 of the operative part.

Paragraph 1 was adopted by 32 votes to none, with 17 abstentions.

38. The CHAIRMAN put to the vote point 1 of the United Kingdom amendment (A/C.6/L.295) to the Norwegian draft resolution.

Point 1 of the amendment was adopted by 31 votes to none, with 18 abstentions.

39. The CHAIRMAN announced that he was going to put point 2 of the United Kingdom amendment to the vote in spite of the provisions of rule 162 of the rules of procedure, the amendment being a purely formal pro-

posal to substitute the words "closing date for the session" for the words "target date for the closing of the session" in rule 98.

Point 2 of the amendment was adopted by 30 votes to 1, with 17 abstentions.

40. The CHAIRMAN announced that the vote that had just been taken should not be considered as a precedent for the interpretation of rule 162 of the rules of procedure.

41. Mr. VALLAT (United Kingdom) said that his vote should not be construed as implying endorsement of the views just expressed by the Chairman.

42. The CHAIRMAN put to the vote the Norwegian draft resolution (A/C.6/L.292/Rev.1) as a whole, as amended.

The Norwegian draft resolution, as amended, was adopted by 44 votes to none, with 2 abstentions.

The meeting rose at 12.30 p.m.