

United Nations
**GENERAL
ASSEMBLY**

EIGHTH SESSION
Official Records



SIXTH COMMITTEE, 362nd

MEETING

Tuesday, 29 September 1953,
at 3.15 p.m.

New York

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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) (continued)

[Item 54]*

GENERAL DEBATE (continued)

1. The CHAIRMAN drew attention to the revised text of the Norwegian draft resolution A/C.6/L.292/Rev.1) containing a draft annex to the rules of procedure of the General Assembly.
2. Mr. SOEBEKTI (Indonesia) said that it was not within the Sixth Committee's functions to take any decision on the draft amendment to rule 38 of the rules of procedure. A political question was involved which should be the subject of a special agenda item. In considering it during the present debate the Committee would be contravening rule 97 of the rules of procedure, and hence he proposed that the question should be dropped.
3. On the other hand, the Committee should study the proposals relating to rules 72 and 73. The Norwegian proposal that the recommendations of the Special Committee should be annexed to the rules of procedure could have no practical effect, for the contents of such an annex would not be in any way binding, whereas all States Members were bound by the provisions of the rules of procedure. The recommendations might with advantage be published in the form of suggestions, separate from the rules of procedure. In that connexion, his delegation would support the joint amendment submitted by Brazil and France (A/C.6/L.293).
4. Mr. HOLMBACK (Sweden) congratulated the Special Committee on the results it had obtained in its study of a particularly difficult problem.
5. The Swedish delegation was in favour of the proposed amendments to rules 38 and 73 of the rules of procedure, and would therefore support paragraphs 1 and 2 of the operative part of the Norwegian draft resolution. It would, however, have been desirable to confirm the position of the *Ad Hoc* Political Committee as one of the Main Committees of the Assembly by means of a suitable amendment to rule 99 of the rules of procedure, for no one could have any doubt that the *Ad*

Hoc Political Committee had become a necessary institution.

6. So far as rule 73 was concerned, it was true, as the USSR representative had said, that there was no analogy between that rule and rule 75. There was, however, an undeniable affinity between rules 73 and 76, both of which had the same object of speeding up proceedings.

7. The Norwegian representative had taken the trouble to submit to the Committee a draft annex to the rules of procedure, thus forestalling any objections which might have been raised if the Secretariat had been asked to draft the annex. The Swedish delegation supported the Norwegian draft resolution as a whole, though reserving the right to discuss its details.

8. Mr. HERGEL (Denmark) said that he welcomed any attempts to simplify the discussions and to limit the length of sessions, provided, however, that the right of free discussion was not likely to suffer. There were two schools of thought in the Committee: while some members were anxious above all to safeguard the great principles, others were more eager to devise practical means for limiting the length of sessions. While he could not tolerate any infringement of democratic principles, he thought there was no danger in that direction, even if the Committee went further than the joint Brazilian-French amendment. The Norwegian draft resolution represented the first step, which was only a minimum. Subject to further analysis, the Danish delegation therefore supported the Norwegian draft.

9. He added that his delegation was in agreement with the comments made by the representatives of the Netherlands, the Union of South Africa and Sweden.

10. Mr. LOBODYCZ (Poland) recalled that, before examining the Special Committee's report (A/2402), the Committee, during the seventh session of the General Assembly, had had to consider a memorandum by the Secretary-General (A/2206), which had met with such serious criticism that further study of the question by a Special Committee had been found necessary. The only positive element to be found in that Committee's report was the rejection of some of the Secretary-General's suggestions. The practical recommendations made in that report suffered from the same defects as the earlier ones. Above all, the report was illogical: its suggestions conflicted with the guiding principles. The document proceeded on the assumption that the excessive length of the sessions was mainly due to the number and complexity of the political problems, differences among the Members and international tension. The practices recommended were inadmissible, for the need of the moment was an all-out effort towards a political *détente*, and that aim could not be achieved by action likely to restrict the exercise of the right of free discussion. The discussion of important political problems could not be subordinated to the requirements imposed by a limitation of the length of proceedings. The measures proposed by the Special Committee would impair the General Assembly's efficiency and infringe

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

the inviolable rights of the Member States. Only a general *détente* in international relations would lead to the desired result.

11. Rule 73 of the rules of procedure did not cover the same ground as rules 75 and 76. The latter did not become operative until after a full debate, whereas the proposed amendment to rule 73 would have the effect of robbing delegations of any opportunity of expressing their views.

12. The other practices recommended in the report would also produce the same result. He illustrated his point by a number of examples. Hence the premises postulated by the report were irreconcilable with its practical suggestions.

13. The Polish delegation would vote against paragraph 2 of the operative part of the Norwegian draft resolution and in favour of the proposal that paragraphs 3 and 4 thereof should be deleted, contained in point 4 of the Brazilian-French amendment (A/C.6/L.293).

14. Mr. VALLAT (United Kingdom) said that in general his delegation accepted the suggestions made in the Special Committee's report and also the Norwegian draft resolution. The proposed amendment to rule 38 of the rules of procedure could raise no objection, for the change was necessary. The amendment to rule 73 could also be supported. Although the parallel between that rule and rules 75 and 76 might not be perfect, the distinction between them was too tenuous to justify rejection of the amendment. It would be paradoxical if a proposal to limit the length of speeches could become the subject of a protracted discussion. The arguments for or against such a limitation could be adequately presented by two speakers on each side. He would therefore vote for the amendment, but would of course defer to the opinion of the majority of the Committee.

15. It would not be proper to brush aside or merely to take note of the report of the Special Committee. The report should be studied, and the Norwegian delegation should be thanked for having facilitated such study. The report was criticized by some as vague and incomplete, and by others as tendentious and likely to impose restrictions on the right to freedom of speech. The fact that there were such very different judgments suggested that the Special Committee's recommendations represented, after all, a good middle course. That being so, surely the recommendations should be allowed to serve as a guide to be made available for easy reference. The best means of doing so would be to embody them in an annex to the rules of procedure, so that they should not, like many reports, become buried in the archives. Such an annex would have the same legal status as the two preceding ones: it would contain, not amendments, but interpretations and suggestions.

16. His delegation fully endorsed the statement of general purposes contained in paragraphs 13 and 14 of the report. Any limitation of the length of sessions should not prejudice either the effectiveness of the General Assembly or the rights of delegations. If, however, the Members co-operated, the Assembly could initiate or strengthen certain practices so as to expedite and simplify the conduct of business. If the United Kingdom delegation had the least fear that the Special Committee's suggestions were capable of restricting freedom of speech, it would reject them categorically. But none of the recommendations could have such an effect, as a detailed study of them would prove. He gave a number of examples to illustrate his points, with par-

ticular reference to the proposals contained in paragraphs 16, 17, 18, 21 and 27 of the report.

17. In conclusion, he said that he would not press for the adoption of any particular suggestion. He thought, however, that most of the recommendations made in the draft annex submitted by Norway would be acceptable to his delegation. In particular, the idea of an annex should not be rejected out of hand; its pros and cons should be considered carefully. Accordingly, for the time being at least, the Committee should not adopt points 2 and 4 of the Brazilian-French amendment (A/C.6/L.293).

18. Mr. LOUTFI (Egypt) said that, as on earlier occasions, his delegation would support any proposal likely to speed up the work of the General Assembly, provided that it did not prejudice either the efficiency of proceedings or the delegations' freedom of speech. No compromise was possible on that principle.

19. Happily the Special Committee's report suggested only a few amendments to the rules of procedure. Those amendments would be difficult to carry out, for they presupposed a different political atmosphere and the absence of ulterior motives. In any case, the duration of sessions could be limited without amendment to the rules of procedure if Member States showed good will, understanding and a constructive spirit.

20. The proposed amendment to rule 73 should be rejected, as it affected the freedom of speech. The USSR representative had fully brought out the lack of analogy between rules 75 and 76, on the one hand, which related solely to questions of procedure, and rule 73, on the other hand, under which the right to speak on a question of substance could be limited. Possibly on account of that difference the authors of the rules of procedure had not used the same language in the three rules. The proposed amendment of rule 38 merely confirmed an accepted practice and hence could be adopted.

21. The report did not contain any vital suggestion and therefore it was not necessary to annex it, or any part of it, to the rules of procedure. In that connexion, he would support the Brazilian-French amendment.

22. Mr. WYNES (Australia) shared the views of the Netherlands representative. In particular the suggestions contained in paragraphs 22, 34 and 47 of the Special Committee's report and the conclusions of paragraph 48 met with his approval. Commenting on paragraphs 52 and 53 he said the question might well be held over pending a revision of the Charter.

23. Accordingly he was in favour, in principle, of the Norwegian draft resolution (A/C.6/L.292/Rev.1) but reserved the right to take the floor again after more thorough study, as he thought that there might be certain gaps which could be filled.

24. He added that any consolidation of annexes, as contemplated in paragraph 4 of the Norwegian draft resolution, could not in any case justify changes in texts adopted in the past.

25. Mr. PETRZELKA (Czechoslovakia) said that the discussion reflected a growing realization of the political aspects of the problem under review. The main defect of the Special Committee's report was that it confined itself to purely technical solutions. That was the reason why in that Committee the Czechoslovak representative voted against the adoption of the report. Nevertheless, he was ready at all times to support any efficient measures likely to speed up the General Assembly's proceedings, provided that they were not incom-

patible with the principles of the Charter. As the USSR representative had said, the main object was how to ensure general co-operation in the scrupulous application of the principles of the Charter.

26. After laying down excellent guiding principles, in paragraphs 13, 14 and 31 of its report, the Special Committee departed from them in its conclusions, and in its draft resolution the Norwegian delegation was following its lead. The proposed revision of the rules of procedure would impair the efficiency of the General Assembly and the freedom of speech of every delegation.

27. He opposed the amendment of rule 73 for the same reasons as those given by the USSR and Egyptian representatives; another reason for rejecting it was that under that amendment three representatives would be able to speak in support of a motion to limit debate and only two would be entitled to speak against the motion.

28. The only consequence of adding the proposed annex to the rules of procedure would be to open the way to fruitless discussions since, as the Netherlands representative had said, the annex would not have binding force. In fact, it would not have any legal effect. In addition, some of the suggestions tended to grant the Chair new and unacceptable rights. He would support point 4 of the Brazilian-French amendment (A/C.6/L.293) which provided for the deletion of paragraphs 3 and 4 of the Norwegian draft resolution.

29. He added that the real cause of the dilatoriness of the General Assembly proceedings was the non-observance of the principles of the Charter. Sessions would not last eleven weeks or even longer if some delegations did not make a point of placing on the agenda items which were inadmissible under the Charter. The Assembly's proceedings should be in keeping with the principles of the Charter. The solution was not to devise unacceptable practices but to ensure a strict and fair application of international law and of the Charter.

30. Mr. CAREY (United States of America) stated that, in the opinion of his Government, the amendments to the rules proposed by the Special Committee were capable of enhancing the efficiency of the General Assembly and its committees. Some thought that these amendments affected the freedom of speech of delegations. That was not his Government's view. Indeed, his Government would never have supported the Special Committee's proposals had it thought that they prejudiced the rights of the Member States in any way.

31. The Norwegian draft resolution was a minimum which should be accepted. A judiciously applied limitation of speaking time and of the number of statements would still leave sufficient opportunity for the presentation of whatever arguments were necessary for the appraisal of a particular question and would shorten the General Assembly's sessions.

32. He agreed with the comments of the United Kingdom representative concerning the value of the annex to the rules provided for in the Norwegian draft resolution. Even if it did not possess binding force, the annex in question might be a useful guide and valuable for reference purposes.

33. Mr. HSU (China) said that, the question under consideration having been discussed at length at earlier sessions, it was inadvisable to prolong the discussion when there were other items of considerable importance to most of the Member States on the Committee's agenda.

34. There was no real conflict between the opposing schools of thought in the Committee. It was perfectly possible to find a compromise between the need to guarantee the freedom of speech of delegations, on the one hand, and the need for efficiency in the General Assembly's proceedings, on the other. In its excellent report the Special Committee, while proposing what it regarded as necessary amendments to the rules of procedure, had refrained from recommending the automatic adoption of all the measures likely to shorten sessions. It had rightly emphasized how important it was that the delegations should themselves show good will. However, the objectivity and experience of the presiding officers of the Assembly and of the committees could also contribute, no less than the co-operative spirit of Member States, to reducing the length of sessions. In his opinion the Special Committee's report would have done well to mention the contribution that a well-chosen presiding officer could make in that direction.

35. His delegation supported the Special Committee's proposed amendment to rule 38 of the rules of procedure. It was hardly likely that the change would create a precedent which could lead to an indefinite increase in the number of the members of the General Committee. Indeed, it was improbable that the General Assembly would set up any new committees in the future.

36. Nor was the proposed amendment to rule 73 (113) so dangerous as some delegations believed. The amendment would only restrict debate on a motion to limit the length and number of speeches. In normal times the Chinese delegation would presumably have opposed the adoption of such a measure, but in present circumstances, in view of the numerous abuses committed during earlier sessions, it welcomed any measure that might put an end to such abuses, even though it realized that the new provisions proposed for rule 73 (113) might themselves give rise to abuse.

37. The Chinese delegation would have been inclined in principle to support the adoption of an annex to the rules of procedure, but in view of the doubts expressed by other delegations on that subject, and to avoid the lengthy debate that would inevitably ensue if each of the extremely controversial measures proposed for inclusion in the annex was to be considered separately—for example, the measures referred to in paragraphs 2 and 12 of the annex to the revised Norwegian draft resolution (A/C.6/L.292/Rev.1)—it would vote in favour of the amendment recommending that the General Assembly should simply take note of the Special Committee's report.

38. Mr. AMADO (Brazil) said that lengthy sessions of the General Assembly involved certain obvious disadvantages for the Assembly itself, for the Organization as a whole and for Member States. Admittedly, if the Member States would undertake voluntarily to observe the practices recommended in the Special Committee's report, the Assembly could work more efficiently. It was clear, however, that in spite of the tireless efforts made over the years the problem had defied solution. The amendments proposed by the Special Committee might of course help to shorten Assembly sessions, but it could not be seriously claimed that the adoption of an annex to the rules of procedure, which would only recommend certain practices, would be capable of enhancing the Assembly's efficiency. It would be much wiser, during the present critical period in human affairs, to devote the precious time available to the

consideration of less sterile questions and to adopt the amendment to the Norwegian draft resolution proposed by the French and Brazilian delegations (A/C.6/L.293).

39. Mr. MORGAN (Liberia) congratulated the Special Committee on its report, even though he did not support certain of its recommendations, in particular the one proposing to limit the number and length of speeches.

40. In any effort to reduce the duration of regular sessions of the General Assembly the Members should constantly remember that the important point was how to achieve the purposes of the Charter. The right freely to express their opinions was a fundamental right of the Member States and, for its part, the Liberian delegation would oppose the adoption of any measure capable of infringing that right. While it was true that lengthy debate prolonged the duration of the sessions and the small countries, in particular, experienced difficulties owing to the absence of their statesmen while they were attending the General Assembly, they willingly made that sacrifice to further the cause of international peace and security.

41. The Liberian delegation would vote in favour of the amendment to rule 38 proposed by the Special Committee. With regard to the other proposals contained in the Norwegian draft resolution, the Liberian delegation would vote for any measure designed to reduce the duration of sessions provided that it did not conflict with the rights of delegations; but it would not, of course, be able to express its opinion until each of the measures had been considered in detail.

42. Mr. SERRANO GARCÍA (El Salvador) wished, before speaking on the item under discussion, to express his surprise that, contrary to the practice generally followed in international bodies, the Chairman had granted the floor to "Mr. Hsu" rather than to the "representative of China". He pointed out that the delegations to the United Nations were composed of government representatives, not of persons selected on an individual basis. He hoped that the Chairman would in future use the traditional formula.

43. The Salvadorian delegation had expressed its views in detail both at the seventh session of the General Assembly and in the Special Committee, on which it had had the honour of serving. It repeated that measures to limit the duration of sessions could be adopted only if they did not infringe the right of Member States to express themselves freely on any question which concerned them. It would therefore oppose the draft amendment to rule 73 (113) of the rules of procedure, since it restricted considerably the freedom of speech of delegations.

44. It would, however, support the proposal to amend rule 38 to permit the Chairman of the *Ad Hoc* Political Committee to participate in the work of the General Committee on an equal footing with the Chairman of the Main Committees. His delegation's attitude was in no way influenced by the fact that the Salvadorian representative had been elected Chairman of the *Ad Hoc* Political Committee at the beginning of the current session; it had supported such an amendment before, both at the preceding session and in the Special Committee.

45. The Salvadorian delegation had stated in the Special Committee that an annex to the rules of procedure, not being binding, could not be applied and hence could hardly have any practical effect. It would therefore

abstain from the vote on paragraphs 3 and 4 of the Norwegian draft resolution.

46. He reserved the right to comment later on the Brazilian-French amendment.

47. Mr. TARAZI (Syria) said that the Norwegian representative showed commendable perseverance in trying to secure acceptance for his ideas. Actually, however, the problem was non-existent and hence insoluble. The adoption of the Norwegian draft resolution (A/C.6/L.292/Rev.1) would infringe the rights of delegations and conflict with the United Nations Charter since, unlike the League of Nations, the United Nations was a world organization of peoples, not of governments. In view of the wide scope of the work of the General Assembly and particularly of that of the First Committee, it would be a waste of time to try to limit the duration of sessions. The Syrian delegation would therefore vote against the second paragraph of the preamble to the Norwegian draft resolution and in favour of the joint Brazilian and French amendment (A/C.6/L.293).

48. His delegation would also oppose paragraph 1 of the Norwegian draft resolution, amending rule 38 of the rules of procedure, since the change was not likely to shorten the duration of the sessions of the General Assembly and because it would derogate from the dignity of the Chairman of the *Ad Hoc* Political Committee for him to be admitted to the General Committee by such devious means. The Indonesian representative's criticism, based on principle, was quite justified.

49. Commenting on paragraph 3 of the Norwegian draft resolution, he said that directives based on moral grounds were not sufficient, and if the Committee was to study the draft annex to the rules of procedure in detail many paragraphs would be found unacceptable. It seemed to him impossible, for example, to decide beforehand that certain items should be referred to a later session of the General Assembly, since to do so would be to ignore the fact that each question was *sui generis* and should be dealt with on its own merits. For instance, the question of the treatment of persons of Indian origin in the Union of South Africa should remain on the agenda of the General Assembly for as long as such persons continued to suffer persecution.

50. He added that paragraph 4 of the Norwegian draft resolution tended to confer on the Secretary-General a responsibility which was not part of his duties; to protect the Secretary-General against any criticism the delegations alone should assume that responsibility.

51. Mr. ROBLEDO (Mexico) expressed support for the Norwegian draft resolution (A/C.6/L.292), as modified by the Brazilian-French amendment (A/C.6/L.293).

52. Referring to the proposed amendment to rule 73 (113) of the rules of procedure, he said that he saw no objection to an expressed statement of a provision which was already implied. He did not approve of the measures recommended by the Special Committee, but thought they might become a useful source of suggestions that might become acceptable later.

53. Jonkvrouw VAN STOETWEGAN (Netherlands) pointed out that the existing annex to the rules of procedure was merely a guide, and contained the recommendations of the Special Committee on Methods and Procedures and not resolutions of the General Assembly. The same would apply to the recommendations of the Special Committee, and accordingly no delegation should be alarmed at such a proposal.

54. Mr. HSU (China) thanked the representative from El Salvador for the remarks the latter had made about him to the Chairman. If he had not protested earlier whenever the Chairman had called him by his name instead of saying "the representative of China", it was because friendship and long collaboration often justified a departure from the traditional form. He was, however, uncertain whether the Government represented by the Chairman would approve of such signs of friendship towards him and, that being the case, he asked the Chairman to consider the possibility of resuming the customary form of address.

55. Mr. BARTOS (Yugoslavia) said that when, at the 361st meeting, he had expressed opposition to the Special Committee's report and had announced that his delegation would vote in favour of the amendment to rule 38 of the rules of procedure, his conduct had been consistent, but he was unable to say the same of the majority of the members of the Special Committee, or indeed of the representative of Norway.

56. Mr. THERON (Union of South Africa) said that the representative of Syria was, of course, entitled to refer, by way of illustration, to the question of the treatment of persons of Indian origin in the Union of South Africa; however, in South Africa nobody was persecuted and in any case the question was outside the Committee's competence.

57. Mr. TARAZI (Syria), in reply, said that he had had no intention of discussing a matter which was within the competence of the *Ad Hoc* Political Committee.

58. Mr. DONS (Norway), answering the representative of Yugoslavia, said that document A/2402 was a report of the Special Committee and not a Norwegian document.

59. The USSR representative had argued that the proposed amendment to rule 73 (113) would infringe the rights of delegations. Actually, however, even under the existing rules provision was made for limiting the time allowed to a speaker and the proposed amendment only affected procedural motions. It had also been contended that there was no affinity between rule 73 on the one hand and rules 75 and 76 on the other. In fact, however, rule 76 went much further than the proposed amendment to rule 73. The USSR representative had carefully omitted to read the end of the first sentence of rule 76.

60. He explained that the reason why the Special Committee had adopted the recommendation that its report should be annexed to the rules of procedure by only 7 votes was that four members of that Committee had been absent at the time of the vote; three of the

delegations to which the absent members belonged had supported that recommendation. He added that the method of inserting the provisions of a report in the rules of procedure had been followed in the case of the report of the Special Committee on Methods and Procedures, as was shown in paragraph 5 of resolution 362 (IV) of the General Assembly. The new annex would have the same legal status as the existing one and, without introducing any modification of the rules in force, would save the Special Committee's report from oblivion.

61. Replying to the criticism directed against paragraph 4 of the Norwegian draft resolution, he said that the Secretary-General's function would consist simply of consolidating the existing and the proposed annexes for the sake of easier reference.

62. Mr. MOROZOV (Union of Soviet Socialist Republics) expressed surprise that the representative of Norway, in endeavouring to answer criticism, should have dealt only with his (Mr. Morozov's) comments; other delegations, too, had argued strenuously against the proposed amendment to rule 73. The fact that he had omitted to read part of a sentence in rule 76 was immaterial, for the passage in question was unconnected with the subject under discussion. Hence the complaints of the representative of Norway on that score were unjustified, however commendable the reasons behind them. Even the representatives of the United Kingdom and of Sweden, who were in favour of amending rule 73, agreed that there was no analogy between that rule and rules 75 and 76.

63. Moreover, rule 73 provided for an exceptional procedure; it was adequate as it stood, and it would not be proper to insert in that rule a new provision which would in itself have an exceptional character. When a debate became protracted, one could always move the closure under rule 76, and there was no cogent reason for making a new provision whereby delegations would be prevented from presenting their points of view. In that respect the Norwegian draft resolution (A/C.6/L.292/Rev.1) seemed even less liberal than paragraph 36 of the Special Committee's report. Likewise the proposed amendment to rule 73, far from being of a purely technical nature, was fraught with danger.

64. Mr. BARTOS (Yugoslavia) explained that the criticisms which he had addressed to the representative of Norway related solely to those recommendations of the Special Committee which were repeated in the Norwegian draft resolution; consequently his words could not affect the good relations existing between the two delegations.

The meeting rose at 6 p.m.