

HUNDRED AND FORTY-SEVENTH MEETING

Held at Lake Success, New York, on Friday, 30 September 1949, at 10.45 a.m.

Chairman: Mr. LACHS (Poland).

Methods and procedures of the General Assembly: report of the Special Committee (A/937) (continued)

1. The CHAIRMAN called for a continuation of the debate on rule 59 as proposed by the Special Committee in its report (A/937, paragraph 27).
2. Mr. WENDELEN (Belgium) stated that his delegation supported the Special Committee's proposal with regard to rule 59 as providing a further possibility to save the time of the General Assembly. The proposal was designed to prevent abuse arising from the repetition, in plenary meetings of the General Assembly, of lengthy debates held in Committees.
3. His delegation, which at times had itself been a member of the minority, had always supported the right of the minority to state its view and, in endorsing the Special Committee's proposal, the position of his delegation remained unchanged. It had been surprised at the concern expressed by some representatives over the Special Committee's proposal because had there been any tendency in the General Assembly to violate the right of Members to state their views—which would have been possible under the existing rules of procedure, in particular under rule 68, which provided for closure of the debate—special caution would be justified. That had not hitherto been the case, however, and it could be expected that whenever there was sufficient reason for re-opening a debate, one-third of the Members of the General Assembly would support such action. Although the proposed provision might seem unduly harsh to certain representatives, its sole purpose was to prevent abuse in the General Assembly.
4. In reply to the Yugoslav representative, who at the preceding (146th) meeting had spoken of the positive presumption on which the application of the existing rule 59 had been based, he stated that if a request for discussion had actually been put to the vote in the General Assembly, it could have been rejected. Thus, the time of the General Assembly would have been saved without prejudice to the efficiency of its work.
5. Efforts had been made to modify the Special Committee's proposal with a view to re-assuring the minority that its rights to re-open a debate in the General Assembly would be protected under the new rule. No satisfactory proposal to that effect, however, had been submitted.
6. The French amendment (A/C.6/L.7) to the Special Committee's proposed new text for rule 59 was as follows: "Questions on which a Main Committee has submitted a report, and on which there are no amendments subsequent to the report, shall not be discussed in plenary meeting unless, after a vote taken without debate, at least one-third of the Members present and voting indicate that they consider discussion necessary."
7. That French attempt, although well intentioned, was inappropriate, because under its provisions it would be possible for a single Member to re-introduce a question in the General Assembly and thus provoke a repetition of the debate against the will of the majority. Consequently, his delegation, although it would be prepared to accept an amendment designed to dispel the apprehensions which had been voiced in the Committee, could not support the French amendment and would therefore vote for rule 59 as proposed by the Special Committee.
8. Mr. RUDZINSKI (Poland) stated that the Committee should consider whether the proposed rule involved a change of substance, or merely one of form. He disagreed with the view expressed by the French representative at the preceding meeting that the newly proposed version of rule 59 was essentially the same as the existing one; on the contrary, the Special Committee's proposal reversed the current practice of debating questions in plenary meeting by providing that a question would not be discussed in the General Assembly unless at least one-third of the Members present and voting so desired. Moreover, while the existing rule 59 pertained to the discussions of reports only, the proposed rule went further in that it dealt with the discussion of questions, which it was intended to prevent. Thus a problem which had been considered and put to the vote in a Main Committee could no longer be discussed in the General Assembly.
9. The French amendment provided for the possibility of presenting in the General Assembly amendments to a Committee's report, but how could Members present such amendments without an opportunity to introduce or discuss them? An explanation of a vote might still be permissible, yet how could a representative explain his vote in the short time allotted to him and without going into the substance of the matter? Consequently, the rule as presented by the Special Committee was contradictory and senseless. He pointed out, furthermore, that the proposed text also provided that a vote on whether to discuss a certain matter should be taken without debate; thus, even the possibility which the existing rule afforded, of discussing the matter before voting, was eliminated. In certain cases, representatives were unable to present any amendments to a draft resolution recommended by a Main Committee in view of the fact that they disagreed with the principle involved. Hence under the proposed rule, even as amended by France, they would have no opportunity of stating their position before the General Assembly if their request for discussion—which would be put to the vote without debate—was defeated. It was a well-known fact, however, that the minority view frequently was supported by less than one-third of the Members of the General Assembly; the minority would thus be unable to garner the necessary number of votes for a discussion of the matter.
10. Mr. Rudzinski felt that such a situation would be unworthy of the United Nations and the General Assembly, which under such conditions would be performing the function of a voting machine which rubber-stamped resolutions. Its efficiency might thereby be increased, but the resolutions adopted by such a process would not have the necessary political or moral weight.

11. All Members of the United Nations had an equal right to present and defend their views before the General Assembly. That principle was of great importance, especially in the case of items placed on the agenda under Articles 11 or 35 of the Charter and which involved an accusation against a Member of the United Nations. That Member could not be deprived of the sacred right to defend itself; Mr. Rudzinski warned all members of the Committee that, by voting for the proposed rule 59, they would destroy a right of which their countries might have to avail themselves some day when they found themselves in the minority. Indeed, it would be dangerous and reckless not to consider carefully the possible consequences of the provisions of the proposed rule 59.

12. With reference to the argument that the purpose of the proposed rule was to save the time of the General Assembly by preventing the repetition of debates in plenary meetings, he pointed out that Members repeated in the General Assembly views previously expressed in the Committee only when the matter at issue was of vital concern to them, when they were unable to accept the majority decision and when they wished to persuade the majority of their view—which was the inalienable right of the minority. Consequently, a full exchange of views on Committee reports in the General Assembly, which was the forum of the world, was not a waste of time but of considerable value. The problems of the world could not be settled by majority decisions, without the possibility of discussion.

13. Mr. LOURFI (Egypt) stated that his delegation maintained the position which it had held in the Special Committee, that of supporting any proposal designed to ensure greater efficiency in the work of the General Assembly.

14. His delegation was opposed, however, to the Special Committee's proposal with regard to rule 59, because it considered that the General Assembly, in particular in its plenary meetings, should not lose the character of a world forum. Every delegation, whether it belonged to the majority or the minority, should have the right to defend its proposal and to state its views fully on any question under consideration. It would be most regrettable if the proposed rule 59 were adopted since, under its provisions, once a question had been discussed in a Main Committee and a draft resolution adopted, the matter could no longer be taken up in plenary meeting unless one-third of the Members present and voting so agreed. Thus, if nineteen Members asked for the discussion of a question, the request could not be accepted under the proposed provisions. That would constitute a serious violation of the rights of the minority. Moreover, as experience had shown, the majority view need not always be the correct one.

15. With regard to the repetition of debates in the General Assembly, he wished to point out that the debates in plenary meeting were substantially different from those in Committees and that world opinion was particularly interested in the proceedings of the former.

16. He agreed with the view held by the representative of Yugoslavia that the proposed rule 59 differed considerably from the existing rule. The latter provided for discussion subject to a decision to the contrary, whereas the proposed rule

59 provided that there would be no discussion subject to a decision to the contrary.

17. The French amendment he could not support, since it would entail discussions on whether or not an amendment introduced a new element.

18. In view of those considerations he would vote against the Special Committee's proposal, which, if adopted, might deprive the minority of the right to state its view in plenary meetings of the General Assembly.

19. Mr. MATTAR (Lebanon) noted that paragraph 27 of the Special Committee's report (A/937) stated that the main reason for the Committee's proposal had been its desire to clarify the existing text of rule 59. He shared the view expressed by the French representative at the preceding meeting that the proposed text did not in any way modify the principle embodied in the existing rule 59. Both texts required the assent of one-third of the Members present and voting before a question might be discussed in plenary meeting.

20. A new element was introduced in the proposed rule, however, for under its provisions the question of holding a discussion on a certain matter would be put to the vote without debate. In the opinion of his delegation, such a provision seemed most desirable and judicious for the purpose of expediting the work of the General Assembly. Furthermore, his delegation did not believe that, in adopting the Special Committee's proposal for rule 59, the Sixth Committee would in any way violate the principle of freedom of expression of representatives of Member States of the United Nations, since there was ample opportunity to discuss all questions in the Main Committees.

21. Mr. FITZMAURICE (United Kingdom) stated that his delegation had followed the discussion with great interest.

22. The current discussion, however, seemed to raise the question of the functions of the Sixth Committee, which was a technical and legal, and not a political body. The question of methods and procedures for expediting the work of the General Assembly had been referred to the Committee for purely technical consideration; consequently the question's political aspects, such as freedom of expression of Members of the United Nations, to which a number of representatives had referred, should be left to the General Assembly. If, after considering the Sixth Committee's report, the General Assembly were to decide that the proposed rule 59, while technically desirable, was politically dangerous, the proposal would be rejected.

23. The Special Committee's proposal for rule 59 would doubtless serve to shorten the proceedings of the General Assembly. As the representative of France had pointed out at the preceding meeting, the intent of the rule was that questions which had been fully discussed in a Main Committee should be rediscussed in plenary meeting only if one-third of the Members present and voting so desired. The existing text of rule 59 was not clear, and the objective of the Special Committee's proposal had been to clarify it. Owing to the lack of clarity in the existing text of rule 59, questions which had been fully debated in the Main Committees had frequently been rediscussed in plenary meetings. There was no jus-

tification for that, since the Main Committees and the plenary meeting, although qualitatively different, were identical in composition. With regard to the question of publicity, the public was admitted to all Committee meetings and full publicity was given to their proceedings.

24. A repetition in the General Assembly of a debate which had been held in a Main Committee was, therefore, equivalent to a reconsideration of the same question, which, under rule 112 of the rules of procedure, required the assent of two-thirds of the Members present and voting. Thus in the case under consideration, the provision of the proposed rule 59 was fully justified. Moreover, the required one-third of the votes could surely be found when necessary. Heretofore, the same proposal which had been presented in Committees had subsequently been submitted to the General Assembly; under the proposed rule, only new proposals—which surely more than one-third of the Members of the General Assembly would wish to consider—could be discussed. That was the point made in the Special Committee's report.

25. It was also pointed out in the report that, under rule 71, no proposal should be discussed or put to the vote in the General Assembly unless copies of it had been circulated to all delegations not later than the day preceding the meeting; consequently all Members attending the plenary meeting were familiar with the subjects under consideration. For those reasons, his delegation considered that the rights of the minority were fully safeguarded.

26. In general, the problem was one of finding a compromise between proper safeguarding of the rights of minorities and the efficient functioning of the General Assembly. In that connexion, he agreed with the Egyptian representative's view that the French amendment might lead to a further loss of time to consider the question whether or not a proposal submitted to the General Assembly was new. He therefore favoured rule 59 as proposed by the Special Committee. The technical aspects of the question, as well as of the views expressed by certain representatives, could be noted in the latter's report (A/937) to the General Assembly.

27. Mr. KORETSKY (Union of Soviet Socialist Republics) said that the differences of opinion expressed in the course of the discussion on the proposed amendment to rule 59 proved the degree of doubt existing among the Members as to the advisability of changing the rule.

28. He did not agree with the view expressed by the representative of the United Kingdom that the task of the Legal Committee was merely technical. Moreover, if that were so, its report would have to be discussed in a plenary meeting of the General Assembly in order that the political aspects of the relevant question might be examined.

29. The effect of adopting the text proposed by the Special Committee would be to dispense with debates in the General Assembly. The Sixth Committee should consider the subject matter of the proposed rule carefully and should be realistic in taking a decision on it. The freedom of representatives to express their views in the General Assembly should not be restricted. The fact that one-third of the Members could re-open the discussion of any question previously settled in Committees was no safeguard of the right of the minority to express its views in plenary meetings.

30. The representative of Belgium had said that the adoption of the proposed amendment would prevent the repetition of long speeches in the General Assembly. Perhaps he had in mind the many empty discussions on legislative questions which took place in national parliaments; the matter under consideration, however, was not legislative. Moreover, there could be no misuse of debate in the General Assembly: it was an open forum for the discussion of questions in numerous fields; its authority to discuss them must not be limited, but strengthened. Limitation of the right of free speech in the General Assembly would mean elimination of the expression of ideas which would otherwise echo throughout the world. More publicity was given to the discussions in the General Assembly than to those in any other organ of the United Nations; if the debates were ruled out, this publicity would be diminished.

31. There were other reasons for opposing the amendment. By the terms of the Charter, the Committees were subsidiary bodies or working organs of the United Nations. The General Assembly was supposed to assess, or re-assess, the work of each of those subsidiary bodies, whether that work were of a political or any other nature. It must be remembered that the General Assembly referred certain questions to the various Committees; they must then be referred back to the General Assembly for consideration. Rule 59, if it were amended as proposed, would refer those questions back to the General Assembly merely for a vote, and not for consideration. The effect of the adoption of the new rule 59 would therefore be to make the subsidiary organs the principal organs of the United Nations.

32. It had been said, cynically, that convictions could be changed by speeches, but votes could not. To adopt the Special Committee's amendment was equivalent to saying that representatives might be convinced, but that they were required to vote against their convictions. It would mean that some representatives would be voting against the best interests of their countries.

33. An examination of the Special Committee's report would show that it closely resembled the preliminary memorandum concerning the conduct of the business of the General Assembly prepared by the Carnegie Endowment for International Peace. The stamp "Made in USA" could be recognized on the report. The Carnegie Endowment for International Peace, which, it must be remembered, was not a United Nations organ, would like the General Assembly to act as a conveyor or transmission belt which would transmit votes. The Carnegie Endowment had said that certain functions of the General Assembly should be changed, and had recommended, for instance, that chiefs of delegations should vote or participate in the work of each of the Committees. Such an impractical suggestion proved that what the Carnegie Endowment proposed was nonsense. The General Assembly should not allow itself to be influenced by such an organization.

34. The Special Committee was an organ of the United Nations and was responsible to it. The Special Committee's report stated that its members had been faced with several dilemmas and had accepted some resolutions which they had not considered entirely satisfactory.

35. The USSR delegation thought that the original rule 59 should be retained because the proposed

new rule would change the whole procedure of the United Nations. The delegation considered the question to be of primary importance and was interested in finding a solution for it.

36. Mr. MAYRAND (Canada) stated that his delegation considered the amendment to rule 59 one of the most important suggestions made by the Special Committee. The opposition to the amendment was based on the fear that it would prevent Members from expressing their views in the General Assembly. The rule was not, in his opinion, oppressive; it would protect the General Assembly from numerous and excessively long repetitions of speeches. He pointed out that the amendment provided that Members themselves could decide whether or not to reconsider questions which had been fully debated and decided upon in the Main Committees. If one-third of the Members wished to do so, the General Assembly could re-open debates on important matters in order to introduce or consider new elements in such questions, even if decisions had been made on them in the Committees. Curtailment of debates in the General Assembly would not only save time but would increase the prestige of the General Assembly, which suffered from needless repetitions of arguments.

37. The delegation of Canada would support the text of rule 59 proposed by the Special Committee.

38. Mr. BLANCO (Cuba) said that his delegation recognized that the purpose of the amendment to rule 59 was to limit debates and accelerate the work of the General Assembly. An important principle, however, was involved. The new rule would tend to restrict the right of Members to express their views freely in plenary meetings. The General Assembly was a world congress; it was the most representative organ of the United Nations and its functions must not be limited. The right of all representatives to discuss any new elements in a question or any factor that might concern a resolution must not be restricted. The delegation of Cuba wished to defend the right of all Members to express their views freely.

39. Mr. KOVALENKO (Ukrainian Soviet Socialist Republic) emphasized that the amendment to rule 59 would introduce a change not only in the procedure of the United Nations, but also in its structure and organs. At the preceding meeting, the representative of France had expressed surprise at the objections raised to the amendment and had stated that the wording was not very different from that of the original rule. If that were true, why did he wish to amend the rule? The new wording did, in fact, introduce a new element: it attempted to change radically the procedure of the General Assembly. Those defending the amendment said that it would shorten the sessions of the General Assembly; he wished to say that it could go so far as to eliminate altogether the plenary meetings of the General Assembly. The proposed amendment would transfer all the work of the plenary meetings to the Committees.

40. The representative of the United Kingdom, in explaining the wording of the amendment, had said that, in the Committees, a vote of two-thirds of the members was required for the reconsideration of proposals which had been adopted or rejected, while, under the new rule 59, one-third of the Members of the General Assembly could decide to re-open a discussion of proposals. Such

an argument defeated the logic of his speech. The work of the General Assembly was entirely different from that of the Committees; different procedures had been provided for dealing with their work.

41. The Sixth Committee should not reduce the General Assembly's work to merely voting on proposals which had been decided upon in Committees. It sometimes happened that, after consideration of such proposals, the General Assembly reversed the decisions of the Committees. That had occurred in the case of the question of the disposal of the former Italian colonies, the Palestine question, and the adoption of Spanish as a working language.

42. If the amendment under consideration were adopted, it would have the effect of eliminating the work of the plenary meetings; it might even lead eventually to the reduction of the number of Committees from six to two. That would, indeed, be economy.

43. The Sixth Committee was faced with a paradox. It had been dealing with a series of rules designed to give the President further rights to limit debates; but if the new rule 59 were adopted and no discussions were permitted in the General Assembly, the President would need no further rights.

44. In his opinion, the new text of rule 59 introduced radical changes in procedure. Its effect would be so extensive as to alter the structure of the United Nations and it might place the Organization in a dangerous position. The Ukrainian delegation therefore opposed the amendment of the Special Committee and the amendment of France, and proposed that the original rule should be retained.

45. Mr. STABELL (Norway) stated that his delegation strongly supported the amended text of rule 59 proposed by the Special Committee.

46. As stated in the Committee's report (A/937, paragraph 27), the main purpose of the proposed new wording of rule 59 was to clarify the meaning of the existing rule. He shared the French representative's astonishment at the heated debate generated by the question.

47. The Norwegian delegation supported the principle of the freedom of speech no less fervently than other delegations. Freedom should not, however, be permitted to degenerate into licence, and the provision proposed by the Special Committee struck a happy balance in a delicate situation.

48. He could not agree with the view of the USSR representative that the Main Committees were auxiliary organs of the General Assembly; they were, rather, integral parts of the General Assembly, which, whether it sat in plenary meeting or in committee, remained the General Assembly.

49. To his regret, he was unable to support the French amendment, which, as the Canadian representative had correctly pointed out, would make it all too easy for any one representative to defeat the whole purpose of the Special Committee's text and, by introducing an amendment, to cause the debate to be re-opened in plenary meeting.

50. Mr. GOTTLIEB (Czechoslovakia) associated himself with the numerous speakers who had

voiced objections to the proposed rule 59. He wished to join in the defence not only of the principle of free discussion, but also of that of conducting the work of the General Assembly effectively and expeditiously without at the same time curtailing the rights of all Members and the legitimate right of the minority to present its views.

51. The Special Committee stated in its report that the proposed text of rule 59 was intended to clarify the old text. Any change, however, which made it impossible for the minority to state its case in plenary meeting went far beyond mere clarification and constituted a fundamental alteration of the existing procedure.

52. He reminded the Committee that rule 59 as it stood already represented so severe a limitation of the right of free speech that it had not as yet been applied in practice. The proposed text would not only strengthen that rule, by stating negatively what had been previously stated in positive form, but would also, by providing that the vote must be taken without debate, make it impossible for representatives who thought that a report should be considered in plenary meeting to convince one-third of the General Assembly of that fact. The Committee, if it was really anxious to raise the efficiency of the General Assembly's work, should strive to do so by conciliatory means.

53. With regard to the question whether the Main Committees were subsidiary organs of the General Assembly, he quoted the Goodrich-Hambro commentary on the Charter to the effect that "the basic rule for all such bodies is that their authority cannot exceed that of the General Assembly from which it is derived". The proposed text of rule 59 would, by excluding debate on the necessity of discussing the report of a Main Committee in plenary meeting, deprive the General Assembly itself of its right under the Charter.

54. He therefore urged the Committee to reject the proposed text of rule 59.

55. Mr. CHAUMONT (France) remarked that he had submitted his amendment in a spirit of compromise, hoping thereby to reconcile the two widely divergent views expressed in the Committee. As the amendment (A/C.6/L.7) had failed in its purpose, he withdrew it.

56. He congratulated the United Kingdom representative on his lucid exposition of the reasons which had prompted the Special Committee to amend rule 59, an exposition which made it unnecessary to go further into the subject.

57. He could not accept the distinction drawn by the USSR representative between the Main Committees and the General Assembly. They were identical in composition; there were no delegations of additional States in the General Assembly to review the work of the Committees. Moreover, there was no reason to suppose that the General Assembly was any more subject than the Committees to the influence of public opinion. The representatives on all those bodies obeyed the express instructions of their Governments; the role of public opinion must consequently be only a passive one. As the meetings of the Main Committees were open to the public and to the Press, they could easily be given as much publicity as plenary meetings.

58. In view of the fact that his attempt at conciliation had failed, he would vote, for reasons he

had stated the previous day, in favour of the text of rule 59 proposed by the Special Committee.

59. Mr. BARTOS (Yugoslavia) observed that the length of the discussion was in itself a proof of the political importance of the question at issue.

60. He could not share the view that the Legal Committee should not take political considerations into account. It was, in fact, the duty of lawyers drawing up a text, to consider all possible aspects of the matter; if a rule had political implications, those implications had to be examined at the same time as the technical question involved. No lawyer could possibly ignore the disastrous political consequences to which an imperfect rule might lead.

61. It had been said that the mission of the Special Committee had been to devise ways and means of expediting the work of the General Assembly. Assuredly, however, that mission had not been to imperil the basic principles of parliamentary law and practice on which that body rested, and which had been accepted at the San Francisco Conference by the very Governments whose representatives were now seeking to curtail freedom of expression.

62. When, at the first part of the first session, the Sixth Committee had prepared the rules of procedure of the General Assembly, it had been said that any gaps in those rules could easily be filled on the basis of parliamentary precedent. The United Kingdom representative at that time had remarked that it was not necessary to write in a rule providing for a minority report because that procedure existed in English parliamentary practice.

63. The principles adhered to at that time were, however, being discarded. For it was surely not parliamentary practice to deny the minority the very right to state in plenary meeting its views on the report of a Main Committee; it was not parliamentary practice thereby to deny the minority the right to take part in the work of one of the principal organs of the United Nations, namely the General Assembly.

64. Needless repetition of debate could be avoided in other ways. The minority had not protested in the past when the General Assembly had limited the number of speakers on a given subject, because on those occasions it had at least been able to state its views and to present its arguments. The proposed rule 59 would rob it of even that opportunity and would thereby violate parliamentary practice.

65. The issue before the Committee was, therefore, whether the General Assembly should adhere to the basic principles of parliamentary law and practice or abandon them altogether.

66. Mr. TATE (United States of America) said that he had listened carefully to the debate on the proposed rule 59. In his opinion, it was a liberal provision, designed merely to give a clear basis to a power which the General Assembly already had under the existing rule, the power to eliminate the needless repetition in plenary meeting of debate on a question exhaustively discussed in Committee.

67. Beyond doubt, the minority had rights; but the majority had rights, too, among them the right to freedom from the tyranny of constant repetition. The suggested provision was not new. The rules of procedure of the San Francisco Conference had provided that in plenary meeting there

should be "no discussion of or statements concerning the substance of the texts approved, full opportunity for discussion and statements having been afforded in the Commission meetings". Furthermore, when rule 59 had been written into the rules of procedure, there had been no intention to render it inoperative; the proposed amendment therefore could hardly be said to involve a change of substance. If it was adopted, the President would simply ask the General Assembly to exercise the power it already had and to indicate whether one-third of the Members present and voting was in favour of a debate. The requirement that only one-third should be in favour was a modest one; far more drastic suggestions had been made in the Special Committee. The text proposed by that Committee would merely enable the General Assembly to make use of a rule which was already in existence.

68. In reply to the USSR representative, who had said that the General Assembly should never vote on a question without previous debate, he remarked that representatives had been known to speak at great length in plenary meetings when they had known very well that the vote would be against them and that they could not hope to change it. Such needless repetition of arguments already exhaustively presented and publicity speeches were more harmful to the prestige of the General Assembly than the modest revision of rule 59 proposed by the Special Committee.

69. The charge that the General Assembly would be transformed into a voting machine was equally groundless. All of the Main Committees were committees of the whole and their meetings were open to the Press and the public; the representatives of all Governments were therefore afforded full opportunity to express their views before the world. There was no need to re-open in the General Assembly debate on questions with which all Members were fully familiar; nothing but final action was required. If a question had not been fully discussed in a Committee, or if the issue was an important one, he had full confidence that at least one-third of the representatives would vote to discuss it in plenary meeting.

70. Not all of the sixty-six items on the General Assembly's agenda, however, should be debated all over again in plenary; selection must be exercised, so that only the really important items would receive such treatment. The General Assembly should conduct its business in a reasonable and orderly manner. As the United Kingdom representative had pointed out at the preceding meeting, only then would the Assembly be able to complete its work in the time at the disposal of the eminent men whose presence gave significance, authority and moral weight to its achievements. The prestige of the General Assembly would suffer if the length of its sessions precluded such men from attending them.

71. In the view of the United States Government, the problem, which was a serious one, could not be solved by limiting the right of Members to place items on the agenda, and the United States delegation had opposed proposals to that effect in the Special Committee. It was essential to preserve the wide competence of the General Assembly under Article 10 of the Charter. At the same time, the General Assembly should be enabled to conduct its business with dignity, proper delibera-

tion, and reasonable dispatch; that could be achieved not by curtailing debate but by eliminating repetition. Not only would the right of all Members to free expression thus be preserved, but the General Assembly would retain its character of a forum for high Government officials and leaders of public opinion.

72. Mr. SHOUKAIRI (Syria) wished to speak while he was still free to do so; if the proposed rule 59 were adopted, his opportunity to speak in plenary meetings, at any rate, would be severely curtailed.

73. His objection to the proposed rule was that it represented an open violation of the letter and spirit of the Charter. When amending the rules of procedure, the Committee should take care not to destroy the very basis of the United Nations, that freedom to address the General Assembly which was the best consolation for some of its failures.

74. He could not agree with the United Kingdom representative that the Committee should ignore the political implications of the proposed rule. It was the duty of the Legal Committee to make sure that the rules it adopted were legal and constitutional and that they protected fundamental freedoms. It was the duty of the Legal Committee to judge whether or not a rule contravened the provisions of the Charter. It was the duty of the Legal Committee to defend such basic rights as the right of the accused to defend himself, the right of the plaintiff to lodge a complaint, the right of a representative to voice the opinion of his Government.

75. Real tyranny would not lie in subjecting the majority to a repetition of debate, as the United States representative thought, but in preventing debate on an important matter. The Special Committee had merely wished to economize the General Assembly's time, but the result of its proposal would be to deprive the General Assembly of freedom of speech. The question was therefore not a procedural one; there was grave danger that the rights of the General Assembly might be destroyed. If its function were reduced to voting on questions already debated, there was no reason not to take a further step and empower the Main Committees to take the final vote.

76. There was, furthermore, no ground for the assumption that the General Assembly would necessarily take the same attitude as a Committee; between the discussion in the Committee and in plenary meeting new facts might come to light, important events might occur, further deliberation might be given and fresh arguments advanced, all of which would require an independent discussion and decision by the General Assembly.

77. He recalled that the Committee had recommended adoption of a new rule calling for a minute of prayer and meditation at the opening of each session; it was surely not too much to hope that earnest meditation might indeed aid representatives to consider with all gravity questions which required such consideration.

78. The amendments already adopted by the Committee were all restrictive in character. That represented a dangerous tendency, which should not be pursued too far, lest the General Assembly find itself completely paralysed.

The meeting rose at 1 p.m.