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METHODS AND PROCEDURES OF THE GENERAL ASSEMBLY: REPORT OF THE SPECIAL COMMITTEE

Report of the Sixth Committee

Rapporteur: Mr. E. FERRER VIEYRA (Argentina)

I. INTRODUCTION

1. On 29 April 1949 the General Assembly adopted resolution 271 (III), in which it expressed its concern at the increasing length of its sessions and at the growing tendency towards protracted debates in plenary meetings and in committees. A Special Committee was established to consider methods and procedures which would enable the General Assembly and its committees to discharge their functions more effectively and expeditiously.
2. The Special Committee, which consisted of representatives of fifteen Member States, met during the months of June, July and August 1949. It examined proposals introduced by the members of the Special Committee, as well as suggestions transmitted by Member States not represented on the Special Committee and by the Secretary-General.
3. As provided in resolution 271 (III), the report of the Special Committee (A/937) was circulated to all Member States before 15 August 1949. The Committee's report was placed on the agenda of the fourth session of the General Assembly and, on 22 September 1949, was referred by the Assembly to the Sixth Committee for consideration.
4. Nineteen meetings of the Sixth Committee were devoted to a thorough examination of the Special Committee's report. The Committee first examined those proposals of the Special Committee, the effect of which was to amend the text of the present rules of procedure either by a revision of existing rules or by the addition of new rules; it then examined the recommendations of the Special Committee which did not require a change in the text of the rules of procedure; and, finally, it dealt with the questions on which the Special Committee had made no specific recommendations.

/II. TEXTUAL

II. TEXTUAL CHANGES IN THE RULES OF PROCEDURE

5. The proposals of the Special Committee to amend the text of the rules of procedure of the General Assembly at present in force were examined by the Sixth Committee in numerical order. The texts approved by the Sixth Committee were then reviewed by a Drafting Committee of seven members which met under the chairmanship of the representative of India, Mr. Chaudhuri. The revised rules and the new rules of procedure which the Sixth Committee proposes for final adoption by the General Assembly are annexed to the draft resolution at the end of the present report.

6. Some members of the Sixth Committee were of the opinion that the revised rules and the new rules of procedure should become operative at the earliest practicable moment, on the ground that the improvements in the rules would have a beneficial effect on the progress of the work of the present session. The majority of the Committee felt, however, that the delegations and the Secretariat should have sufficient time to familiarize themselves with the new amendments and additions to the rules. It was also considered that it would not be advisable to bring about important changes in the procedure of the General Assembly in the course of a session. On the proposal of the representative of Lebanon, it was decided by 30 votes to 9, with 6 abstentions, to recommend to the General Assembly that the amendments and additions to the rules of procedure should enter into force on 1 January 1950. The Committee left it to the Secretary-General to renumber the rules in accordance with the General Assembly's decisions and to publish at an early date a revised printed edition.

7. The Special Committee's proposal for a new rule 1(a), relating to the fixing by the General Assembly at the beginning of each session of a target date for the closing of the session, was adopted by 44 votes to none, with 3 abstentions. An amendment designed to make the fixing of a target date optional, presented by the representative of Czechoslovakia, was rejected by 37 votes to 1, with 4 abstentions.

/8. The special

8. The Special Committee's proposal for a new rule 11 (a), dealing with explanatory memoranda to accompany all requests for the inclusion of an item in the agenda of a session was adopted, in an amended form, by 43 votes to none, with 7 abstentions. On the proposal of the representatives of the United Kingdom and New Zealand, the word "explanatory" was added before the word "memorandum" in the first part of the new rule, and, on the joint proposal of the representatives of Australia and Egypt, the words "if appropriate" were replaced by the words "if possible" in the second part of the new rule. On the recommendation of the Drafting Committee the new rule was placed as rule 19, under the general heading "Regular and special sessions."

9. An amendment to delete the second part of new rule 11 (a), and an amendment partially altering its wording, were rejected respectively by 21 votes to 16, with 6 abstentions, and by 24 votes to 10, with 14 abstentions. The new rule was adopted on the understanding that only the memorandum accompanying a proposal for inclusion in the Assembly's agenda would be obligatory, the advisability of transmitting basic documents and of submitting a draft resolution being left to the discretion of the authors of the request for inclusion. Full agreement was also expressed with the passage of the Special Committee's report stating that the General Assembly could not refuse to include an item in its agenda on the sole ground that the memorandum accompanying the request was inadequate.

10. The Sixth Committee did not accept the Special Committee's recommendation that the inclusion of additional items in the agenda of a regular session should be decided by a two-thirds majority of the Members present and voting. It was noted in this connexion that a simple majority was sufficient, under the rules of procedure, to summon a special session of the General Assembly. It was recalled that in the past only a small number of new items had been submitted during Assembly sessions, and that the ones which were accepted for inclusion in the agenda secured a very high majority. It was stated that questions considered as important and urgent by certain Member States might arise in the course of an Assembly session or shortly before the session and it was felt that the Members concerned should not be prevented from placing them before the Assembly. Doubts were also expressed as to whether the inclusion of a new item in the agenda could be considered as an important question in the sense in which the term was used in Article 18 of the Charter.

/11. It was

11. It was stated, in favour of a two-thirds majority requirement, that in accordance with rule 14 only additional items of an important and urgent character could be placed on the agenda, and that it was fair to consider that, unless a two-thirds majority was obtained, a new item could not justifiably be regarded as genuinely important or urgent. It was also noted that the present rules of procedure provide in several other cases for a two-thirds majority on questions of a procedural character.

12. The text of revised rule 14 proposed by the Special Committee was rejected by 28 votes to 13, with 6 abstentions. On the proposal of the delegations of Australia, Sweden and Yugoslavia, a text identical to that of the Special Committee, but providing for the placing of additional items on the agenda by an affirmative vote of the majority of the Members present and voting, was then adopted by 33 votes to none, with 7 abstentions. The revised text makes it clear that the provisions of rule 14 apply to all additional items, whether proposed during the session, or during the thirty-day period which precedes the opening of the session.

13. The text of new rule 19(b), as proposed by the Special Committee, was adopted by 39 votes to none, with 5 abstentions.

14. The Special Committee proposed the adoption of a new rule of procedure (now new rule 19(c)), designed to limit the debate in a plenary meeting on the inclusion of an item in the agenda of the session. The proposal of the Special Committee was that such a debate should be limited to three speakers in favour of the inclusion and three against. It was, moreover, proposed to give power to the President to limit the time to be allowed to speakers under this rule.

15. A general discussion on the extent of the powers of the President of the Assembly and of committee Chairmen took place in connexion with the second sentence of the proposed new rule 19(c). On the one hand, members of the Sixth Committee were generally in agreement with the recommendation of the Special Committee that it was desirable that the rules of procedure should lay greater stress on the responsibilities of the President of the Assembly and committee Chairmen for ensuring that the proceedings are conducted as effectively and expeditiously as possible. They agreed that the President and committee Chairmen should be able at any time, and without any reflection upon

/their impartiality,

their impartiality, to draw members' attention to measures likely to expedite the proceedings (new rules 31 and 97). The Special Committee's recommendations broadening the powers of the President and of Chairmen to enable them to limit the time to be allowed to speakers wishing to speak on procedural matters (rules 67, 68, 69 and 105, 106, 107) or to other explanations of votes (rules 80 and 117) were accepted. On the other hand, there was also general agreement in the Sixth Committee that the General Assembly and its committees should remain the final masters of the conduct of their proceedings, and that therefore it was not desirable to confer upon the President or the Chairmen any powers of decision which would be without appeal to the organ over which they preside. Some members felt that these rights and powers of the General Assembly and its committees were implicit in the rules of procedure. Others felt that a specific rule in this respect was necessary.

16. In the course of the discussion, a joint proposal by India, Poland and the Union of South Africa (A/C.6/L.3) was rejected at the 145th meeting by 15 votes to 14, with 16 abstentions. A proposal by the representative of China (A/C.6/L.13) was rejected at the 151st meeting by 12 votes to 7, with 25 abstentions. It was finally decided, on the proposal of the representative of France, to add to the rules of procedure new rules 31 (a) and 97 (a), applicable respectively to plenary meetings and to committees, which state that the President, or the Chairman as the case may be, in the exercise of his functions, remains under the authority of the organ over which he presides. New rule 97 (a) relating to committees was voted upon first and was adopted by 39 votes to none, with 11 abstentions. The corresponding proposal for a new rule 31 (a) was adopted by 22 votes to 15, with 7 abstentions.

17. With reference to the first sentence of new rule 19 (c), it was stated in the Sixth Committee that the new provision would not be applicable in case of a negative recommendation of the General Committee on a request for inclusion of an item. This sentence was adopted by 30 votes to none, with 4 abstentions. A proposal by the representative of Yugoslavia to delete the second part of rule 19 (c) was rejected by 26 votes to 7, with 8 abstentions, and rule 19 (c) as a whole was adopted by 29 votes to none, with 12 abstentions.

18. Rule 31, dealing with the general powers of the President of the Assembly, was adopted, as revised by the Special Committee, by 31 votes to 4, with 7 abstentions. The corresponding rule 97, dealing with the functions of Chairmen of committees, was adopted by 28 votes to 11, with 8 abstentions.

A proposal of the Union of Soviet Socialist Republics to delete from rule 97 the words "the limitation of the number of times each representative may speak on any question" was rejected by 24 votes to 14, with 10 abstentions.

19. The proposal of the Special Committee with respect to Rule 67 on adjournment of debate in plenary meetings was adopted by 30 votes to 6, with 3 abstentions. The corresponding rule for committees (revised rule 105) was adopted by 33 votes to 1, with 10 abstentions. It was noted, at the request of the representative of Yugoslavia, that the drafting change in the last sentence of the French text of these rules, accepted by the Sixth Committee on the proposal of the Drafting Committee, did not imply any change of substance. (This also applies to rules 63, 69, 106 and 107, where the same drafting change was made).
20. The proposal of the Special Committee with respect to rule 68 on closure of debate in plenary meetings was adopted by 26 votes to 8, with 3 abstentions. The corresponding rule for committees (revised rule 106) was adopted by 35 votes to 3, with 6 abstentions.
21. The proposal of the Special Committee with respect to rule 69 on suspension or adjournment of the meeting in the plenary was adopted by 42 votes to 3, with 5 abstentions. The corresponding rule for committees (revised rule 107) was adopted by 36 votes to 1, with 6 abstentions.
22. The proposal of the Special Committee with regard to rule 80 on conduct during voting in plenary meetings was adopted by 26 votes to 7, with 3 abstentions. The corresponding rule for committees (revised rule 117) was adopted by 35 votes to 2, with 7 abstentions.
23. New rule 34 (a), proposed by the Special Committee, on the participation in meetings of the General Committee of Chairmen of committees other than Main Committees which are established by the General Assembly to meet during the session and upon which all Members have the right to be represented, was adopted by 46 votes to none, with 1 abstention. It was then decided, by 32 votes to one, with 11 abstentions, to incorporate this new rule into rule 33 on the composition of the General Committee.
24. The new text of rule 35 proposed by the Special Committee, which deals with the functions of the General Committee with respect to the agenda of the session, was adopted by 46 votes to none, with 2 abstentions, the word "directly" in the English text and the corresponding words in the Spanish and Russian texts having been deleted. Rule 35 (a), dealing with the other functions of the General Committee, was adopted by 46 votes to none, with no abstentions.

/25. A new rule

25. A new rule 35 (b), proposed by the Special Committee and dealing with meetings which the General Committee is to hold from time to time throughout the session to review the progress of the work of the General Assembly, was replaced by a text proposed by the United Kingdom representative and amended by the representative of Czechoslovakia. This rule, which was adopted by 40 votes to none, with 5 abstentions, provides, in its second sentence, that meetings of the General Committee shall also be held at such times as the President deems necessary or upon the request of any other of its members.

26. The Special Committee's text of new rule 56(a), relating to a minute of silent prayer or meditation, was adopted by 44 votes to none, with 7 abstentions. On the recommendation of the Drafting Committee, it was decided to place this rule in a special chapter (Chapter I(a)).

27. The Sixth Committee examined with care the proposal made by the Special Committee with respect to rule 59. Several members expressed their apprehension at what they considered to be a far-reaching infringement of the right of minorities to present their case to the plenary meetings. They feared that the adoption of a procedure for voting without preliminary debate would too frequently reduce the plenary meeting of the Assembly to the role of a voting machine. It was pointed out that in the past, important draft resolutions approved by Main Committees had been modified as a result of the discussion in the plenary meeting.

28. Other members were of the opinion that the revision of rule 59 proposed by the Special Committee merely clarified and strengthened the present text, but did not amount to any substantial change from the existing situation. It was pointed out that the present rule had not been applied in the past, and that the work of the General Assembly would be greatly expedited if abusive repetition of debate in plenary meetings could be avoided.

29. The text of rule 59 as proposed by the Special Committee was rejected by 24 votes to 22, with 3 abstentions. A proposal made jointly by the delegations of Chile, Canada and Venezuela (A/C.6/L.11) was then voted upon in parts. The first sentence was adopted by 16 votes to 12, with 13 abstentions. A proposal to delete the words "in each case" in the second sentence was rejected by 12 votes to 5, with 29 abstentions. The second sentence, with the exception of the words "and shall be decided without debate" was adopted by 23 votes to 12, with 12 abstentions. The words "and shall be decided without debate" were adopted by 25 votes to 21, with 3 abstentions. The whole of the second sentence was then rejected by 22 votes to 21, with 7 abstentions, and the remainder of the proposal was rejected by 20 votes to 10, with 14 abstentions.

/30. Finally, the

30. Finally, the Sixth Committee adopted, by 22 votes to 21, with 4 abstentions, a proposal submitted by the representative of Iran, which consisted of the addition to the present text of rule 59 of the following sentence: "Any proposal to this effect shall not be debated but shall be put immediately to the vote." The representative of Iran explained, in the course of the discussion on his proposal, that debate on a Main Committee's report would be allowed in the plenary unless it appeared from a vote taken upon the request of any Member that more than two-thirds of the Members present and voting did not consider such a discussion to be necessary.

31. Rule 64, relating to points of order in plenary meetings, as revised by the Special Committee, was adopted by 25 votes to 5, with 11 abstentions. The corresponding rule relating to committees (revised rule 102) was adopted by 42 votes to none, with 2 abstentions.

32. As to the revision of rule 65 on the time limit for speeches in plenary meetings, a proposal presented by the representative of the Union of Soviet Socialist Republics to delete the words "and the number of times each representative may speak" was rejected by 25 votes to 13, with 4 abstentions. A USSR proposal to delete the proposed second sentence of the rule was rejected by 22 votes to 15, with 5 abstentions. The text as proposed by the Special Committee was then approved by 25 votes to 13, with 4 abstentions. The corresponding text for committees (revised rule 103) was adopted by 21 votes to 8, with 5 abstentions, after a USSR proposal to delete the words "and the number of times each representative may speak on the question" had been rejected by 26 votes to 7, with 11 abstentions.

33. The Special Committee has drawn the attention of the General Assembly to the ambiguity of rules 72 and 110 relating to motions calling for a decision on the competence of the General Assembly. In order to eliminate future difficulties of interpretation, the representative of the United Kingdom proposed that the word "immediately" should be deleted in rule 72, as well as in rule 110. The United Kingdom proposal with respect to rule 72 was adopted by 34 votes to 8, with 6 abstentions; the proposal with respect to rule 110 by 29 votes to 8, with 7 abstentions. In adopting these changes, the Sixth Committee confirmed the present interpretation of the rules that motions on competence, as well as proposals on questions of substance, were to be discussed simultaneously, but that when it came to voting the Assembly or the committee, as the case might be, had to decide first on the question of competence.

34. Another United Kingdom proposal; amended by the representative of Belgium which suggested the addition in rule 110, of the words "or of the Committee" after the words "the competence of the General Assembly" was adopted by 40 votes to 1, with 7 abstentions.

35. The Special Committee noted that the existing rules of procedure do not indicate whether amendments to proposals requiring a two-thirds majority for adoption, or parts of such proposals voted upon separately, also required a two-thirds majority for adoption. In view of the difficulties which had arisen in the past in this connexion, and the particular importance of this question, which relates to the application and the interpretation of Article 18, paragraphs 2 and 3, of the Charter, the Special Committee recommended that this problem should be examined by the General Assembly with particular care and the final decision reached only on the basis of a thorough legal analysis. The representative of Belgium in the Sixth Committee made a proposal for a new rule 76 (a) providing that decisions of the General Assembly on amendments bearing on proposals relating to important questions and on parts of such proposals put to the vote separately, should be made by a two-thirds majority of the Members present and voting.

36. Several members stressed the complexity of the problem and examined various legal and technical aspects of the proposed solution. The suggestion was made that the question should be studied further by the Secretary-General or by a special committee meeting between sessions. The representative of France thought that, if the Sixth Committee were unable to accept the Belgian proposal at the present session, the Assembly should be recommended to request the International Court of Justice for an advisory opinion, and he submitted a proposal to that effect (A/C.6/L.27). The majority of the members felt, however, that the Sixth Committee itself should reach a decision, and the Belgian proposal for a new rule 76 (a) was adopted by 28 votes to 7, with 14 abstentions.

37. The Special Committee proposed that the wording of the rules of procedure of the Economic and Social Council on the question of the division of proposals should be adopted by the General Assembly in rules 81 and 118 relating to plenary meetings and committees respectively. A proposal introduced by the representative of Egypt stating that parts of a proposal should be voted on separately if a representative so requested and if the author of the proposal did not object (A/C.6/L.18) was withdrawn in the course of the discussion.

38. The representative of the Netherlands submitted a further proposal for the revision of rules 81 and 118. In this proposal the last two sentences of the Special Committee's draft were retained and a change was
/suggested

suggested in the first sentence to the effect that any representative could move that parts of a proposal should be voted on separately, but that if the motion for division were contested, the General Assembly (or the committee), would decide upon the request, after two speakers had been allowed to speak in favour of and two speakers against the motion for division. Some of the members of the Sixth Committee opposed the Netherlands' proposal because they considered that it would be contrary to democratic parliamentary practice to refuse to vote on parts of a proposal when this was requested by a representative. They also thought that the procedure proposed by the Netherlands' representative would result in a loss of time.

39. The first three sentences of the Netherlands proposal relating to rule 81 as amended by the representative of Australia, were adopted by 21 votes to 18, with 8 abstentions. A USSR proposal to delete the last sentence was rejected by 23 votes to 13, with 5 abstentions. The revised text of rule 81 was then adopted by 21 votes to 19, with 5 abstentions. The first three sentences of rule 118, as proposed by the delegations of the Netherlands and Australia, were adopted by 22 votes to 16, with 8 abstentions. A USSR proposal to delete the last sentence of the rule was rejected by 24 votes to 12, with 6 abstentions. The revised text of rule 118 as a whole was adopted by 22 votes to 15, with 7 abstentions.

40. Drafting changes, including specific references to amendments, were made in the text of revised rules 81 and 118, on the recommendation of the Drafting Committee. The drafting of both rules was further improved at the 165th and 166th meetings of the Sixth Committee, on proposals made by the representatives of the United Kingdom and France.

41. The United Kingdom representative suggested that an additional sentence be inserted in rules 82 and 119 relating to the procedure on voting on amendments, to the effect that, when the adoption of one amendment necessarily implied the rejection of another amendment, the latter amendment should not be put to the vote. Several members of the Sixth Committee opposed the adoption of the United Kingdom proposal, fearing that it might give rise to prolonged procedural discussions on whether one amendment excluded another. The United Kingdom proposal with respect to rule 82 was adopted by 25 votes to 17, with 9 abstentions. The United Kingdom proposal with respect to rule 119 was adopted by 24 votes to 17, with 8 abstentions.

42. The Special Committee's proposal for a new rule 89 (a) on priorities in committees was adopted by 45 votes to none.

/43. The revision

43. The revision of rule 98 proposed by the Special Committee to enable Chairmen of committees to open the meeting as soon as one-third of the members were present, was adopted in an amended form, the new text providing that the presence of a majority of the members would be required for a question to be put to the vote. Some members raised objections to the establishment of a practice permitting members to vote on questions referred to a committee without having been present during the debate. They felt that the reduced quorum would be detrimental to the efficiency and prestige of the General Assembly. Other members pointed out, however, that considerable time had been lost in the past because meetings were prevented from beginning at the scheduled hour by the lack of a quorum. They thought that representatives would be more punctual if they knew that meetings would begin on time. It was indicated that the rule was merely permissive and that Chairmen would not be obliged to open a meeting as soon as one-third of the members were present. It was stressed that the presence of a majority of members would still be required for voting both on matters of substance and on procedural questions. A USSR proposal to delete the first sentence of the proposed rule 98 was rejected by 16 votes to 9, with 17 abstentions, and the rule as a whole, with the first sentence redrafted in conformity with a proposal made by the representative of Iran, was then adopted by 19 votes to 15, with 9 abstentions.

III. RECOMMENDATIONS NOT INVOLVING TEXTUAL CHANGES IN THE RULES OF PROCEDURE

44. Having examined the proposed new rules and revisions of the existing rules of procedure, the Sixth Committee reviewed the recommendations contained in the Special Committee's report which did not require textual changes in the rules of procedure. It decided to propose for the formal approval of the General Assembly some of the paragraphs of the Special Committee's report which contained specific recommendations and proposals. The approved paragraphs have been appended to the draft resolution at the end of the present report (Annex II).

45. Paragraph 13 of the Special Committee's report relating to the consideration by the Assembly of international conventions which have been negotiated by international conferences in which all the Members of the United Nations have been invited to take part, and on which they have been represented not only by experts but also by Government representatives, was approved by 19 votes to 16, with 6 abstentions. On the proposal of the representative of the Union of Soviet Socialist Republics, it was decided by 20 votes to 5, with 14 abstentions, to replace in the second sub-paragraph of this paragraph the words "for the benefit of international legislation by means of conventions" by the words "for the benefit of international co-operation".

46. Paragraph 14 of the Special Committee's report, dealing with the consideration of international conventions by ad hoc committees set up during the session or special committees meeting between sessions or by conferences of plenipotentiaries convened between sessions, was approved by 16 votes to 12, with 14 abstentions.

47. In paragraph 15 of its report, the Special Committee informed the General Assembly that it had examined several proposals designed to relieve the General Committee of part of its responsibilities by entrusting some of its functions to a special agenda committee meeting before the opening of the session. The Special Committee made no recommendation in this respect, but transmitted to the Assembly the various written proposals which it had received. It also requested the Secretary-General to prepare a study on proposals previously examined, to report on the technical, legal and financial aspects of the question, and to submit to the Assembly his views on the composition and functions of an agenda committee.

/48. The Sixth

48. The Sixth Committee examined paragraph 15 of the Special Committee's report, together with the memorandum prepared by the Secretary-General (A/997). The representative of the United Kingdom presented to the Sixth Committee a formal proposal for the establishment of an agenda committee, but this proposal was subsequently withdrawn by its author. In the course of the discussion, it was suggested that the Interim Committee of the General Assembly, if it were re-established, could perform the functions of an agenda committee. The conclusions of the Secretary-General concerning the establishment of an agenda committee were approved by 24 votes to 4, with 17 abstentions.

49. Paragraph 20 of the Special Committee's report dealing with certain meetings of the General Committee to be held concurrently with meetings of the plenary or Main Committees and of certain meetings of Main Committees to be held concurrently with plenary meetings, was approved by 27 votes to 7, with 7 abstentions.

50. Paragraph 22 of the Special Committee's report dealing with the allocation of items to committees, was approved by 35 votes to none, with 8 abstentions.

51. Paragraph 23 of the Special Committee's report which recommends that on an experimental basis a greater number of questions should be examined directly in plenary meetings without previous reference to a Main Committee, was approved by 25 votes to one, with 17 abstentions.

52. The Special Committee made no specific recommendations with respect to the greater use of mechanical and technical devices in the proceedings of the General Assembly (paragraph 29 of the Special Committee's report). At the request of the Special Committee, a memorandum on this subject was prepared by the Secretary-General (A/937, Annex II). The Sixth Committee decided, by 40 votes to none, with 5 abstentions, that the Secretary-General should be requested to pursue his studies of the financial, technical and other aspects of this question and to present at the appropriate time proposals to the General Assembly.

53. Another subject referred to in the Special Committee's report was that of the conditions under which the application of the rules of procedure could be suspended. The representative of Canada requested that the Secretary-General should be asked to examine this question and to present at the appropriate time his conclusions to the Assembly. Certain representatives were of the opinion that, under the present rules of procedure, no suspension of the rules was possible.

/The representative

The representative of the Secretary-General expressed his personal agreement with this point of view, and stated that, if the draft resolution proposed by the Sixth Committee were adopted by the General Assembly, the Secretary-General would include the subject of the suspension of the rules among the ones to be studied and would present at the appropriate time his proposals to the General Assembly.

54. Paragraph 39 of the Special Committee's report on the role of the President of the General Assembly and of the Chairman of committees and the assistance which they should receive, was approved by 28 votes to none, with 11 abstentions, after a proposal by the USSR that this paragraph should not be submitted to the approval of the General Assembly had been rejected by 20 votes to 6, with 16 abstentions.

55. The representative of the United Kingdom drew the attention of the Sixth Committee to the fact that the wording of certain of the rules governing the proceedings of committees was almost identical with that of some of the rules relating to the proceedings of the General Assembly. He suggested that all rules of this kind should be amalgamated into one set of rules so worded as to be applicable both to the General Assembly and to committees. This proposal was rejected by the Sixth Committee by 24 votes to 11, with 11 abstentions. On the suggestion of the representative of Sweden, the Committee decided to request the Secretary-General to find a practical method of cross-reference between the rules applicable to plenary meetings and the corresponding rules applicable to committees which are identically worded.

IV. CONSIDERATION OF THE DRAFT RESOLUTION

56. At its 166th meeting the Sixth Committee examined the text of a draft resolution presented jointly by the delegations of Denmark, Iceland, Norway and Sweden (A/C.6/L.23). Amendments were submitted by the delegations of Egypt (A/C.6/L.26), of Lebanon (A/C.6/L.28) and of China (A/C.6/L.36).

57. The representatives sponsoring the draft resolution accepted the Egyptian amendment to delete a paragraph noting the contents of paragraph 12 of the Special Committee's report and a consequential drafting change, suggested by the representative of Israel.

58. The second change proposed by the representative of Egypt in the text of the draft resolution, relating to the recommendations and suggestions of the Special Committee, was adopted by 22 votes to 5, with 17 abstentions.

59. On the suggestion of the representative of the Union of Soviet Socialist Republics, it was decided to reproduce in an annex to the draft resolution the text of the paragraphs of the Special Committee's report which were proposed for approval by the General Assembly. Consequential drafting changes were made in the draft resolution.

60. The amendment of the representative of Lebanon expressing satisfaction with the work done by the Special Committee was adopted by 36 votes to none, with 4 abstentions. The amendment presented by the representative of Lebanon to the effect that the amendments to the rules of procedure and the new rules should enter into force on 1 January 1950 was adopted by 30 votes to 9, with 6 abstentions.

61. The amended draft resolution was adopted by 37 votes to 6, with 2 abstentions.

62. The representative of Yugoslavia explained that he had voted against the draft resolution because he was opposed to some of the amendments and additions to the rules of procedure approved therein, which he considered prejudicial to the democratic functioning of the General Assembly and to co-operation between the nations. The representative of the Union of Soviet Socialist Republics explained that, while he had voted in a spirit of co-operation for some of the proposals which he nevertheless had not regarded as entirely satisfactory, he had voted against the draft resolution as a whole in view of the fact that some of the amended rules of procedure mentioned therein, in particular rules 59, 81, 98 and 118, artificially limited the rights of Member States in the General Assembly and thus violated the democratic principles on which the United Nations was based.

/The representative

The representative of Guatemala explained that he had abstained in the vote on the draft resolution calling for the approval of the proposed amendments and additions to the rules of procedure, a number of which he had opposed during the general debate.

63. The Sixth Committee recommends to the General Assembly the adoption of the following resolutions:

METHODS AND PROCEDURES OF THE GENERAL ASSEMBLY

The General Assembly,

Having regard to its resolution 271 (III) relating to the appointment of a Special Committee on Methods and Procedures of the General Assembly,

Having considered the report of the Special Committee and the conclusions reached therein,

Mindful of the importance of adapting its organization and procedures to its increasing responsibilities,

1. Expresses its satisfaction with the work performed by the Special Committee;

2. Approves the amendments and additions to its rules of procedure, as set forth in annex I to the present resolution;

3. Decides that these amendments and additions shall enter into force on 1 January 1950;

4. Approves the recommendations and suggestions of the Special Committee on Methods and Procedures, as set forth in annex II to the present resolution;

5. Considers these recommendations and suggestions to be useful, and worthy of consideration by the General Assembly and its committees, and requests the Secretary-General to prepare a document embodying the above-mentioned recommendations and suggestions in convenient form for use by the General Committee and the delegations of Member States in the General Assembly;

Considering that the study of factors affecting the duration of General Assembly sessions should be pursued by making use of the experience gained during future sessions of the General Assembly,

Without prejudice to any initiative which Member States may take in this respect,

6. Requests the Secretary-General to carry out appropriate studies and to submit, at such times as he may consider appropriate, suitable proposals for the improvement of the methods and procedures of the General Assembly and its committees, including proposals to extend the use of mechanical and technical devices.

ANNEX I

AMENDMENTS AND ADDITIONS TO THE RULES OF PROCEDURE
OF THE GENERAL ASSEMBLY

New Rule 1 (a)

Duration of session

On the recommendation of the General Committee, the General Assembly shall, at the beginning of each session, fix a target date for the closing of the session.

Revised Rule 14

Additional items

Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a regular session or during a regular session, may be placed on the agenda, if the General Assembly so decides by a majority of the Members present and voting. No additional item may be considered until seven days have elapsed since it was placed on the agenda, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides otherwise, and until a committee has reported upon the question concerned.

REGULAR AND SPECIAL SESSIONS^{1/}

New Rule 19

Explanatory memoranda

All items proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft resolution.

New Rule 19 (b)

Amendments and deletions of items

Items on the agenda may be amended or deleted by the General Assembly by a majority of the Members present and voting.

^{1/} Existing rule 19 will become rule 19 (a).

New Rule 19 (c)

Debate on inclusion of items

Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of and three against the inclusion. The President may limit the time to be allowed to speakers under this rule.

Revised Rule 31

General powers of the President

In addition to exercising the powers which are conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the session, shall direct the discussions in plenary meeting, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order, and, subject to these rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat. The President may, in the course of the discussion of an item, propose to the Assembly the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion.

New Rule 31 (a)

The President, in the exercise of his functions, remains under the authority of the General Assembly.

Revised Rule 33

Composition

The General Committee shall consist of fourteen members no two of whom shall be members of the same delegation, and shall be so constituted as to ensure its representative character. It shall comprise the President of the General Assembly, who shall preside, the seven Vice-Presidents and the Chairmen of the six Main Committees. Chairmen of other committees upon which all Members have the right to be represented and which are established by the General Assembly to meet during the session, shall be entitled to attend meetings of the General Committee and may participate without vote in the discussions.

Revised Rule 35

Functions

The General Committee shall, at the beginning of each session, consider the provisional agenda, together with the supplementary list, and shall make recommendations to the General Assembly with regard to each item proposed, concerning its inclusion in the agenda, the rejection of the request for inclusion, or the inclusion of the item in the provisional agenda of a future session. It shall, in the same manner, examine requests for the inclusion of additional items in the agenda, and shall make recommendations thereon to the General Assembly. In considering matters relating to the agenda of the General Assembly, the General Committee shall not discuss the substance of any item, except insofar as this bears upon the question of whether the General Committee should recommend the inclusion of the item in the agenda, the rejection of the request for inclusion, or the inclusion of the item in the provisional agenda of a future session, and what priority should be accorded to an item the inclusion of which has been recommended.

New Rule 35 (a)

The General Committee shall make recommendations to the General Assembly concerning the closing date of the session. It shall assist the President and the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in the co-ordination of the proceedings of all committees of the General Assembly. It shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

New Rule 35 (b)

The General Committee shall meet periodically throughout each session to review the progress of the General Assembly and its committees and to make recommendations for furthering such progress. It shall also meet at such other times as the President deems necessary or upon the request of any other of its members.

X(a) MINUTE OF SILENT PRAYER OR MEDITATION

New Rule 56 (a)

Immediately after the opening of the first plenary meeting and immediately preceding the closing of the final plenary meeting of each session of the General Assembly, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation.

Revised Rule 59

Discussion of committee reports

Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the Members present and voting at the plenary meeting consider such a discussion to be necessary. Any proposal to this effect shall not be debated, but shall be put immediately to the vote.

Revised Rule 64

Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall immediately be put to the vote and the President's ruling shall stand unless overruled by a majority of the Members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Revised Rule 65

Time limit on speeches

The General Assembly may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.

Revised Rule 67

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Revised Rule 68

Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the General Assembly is in favour of the closure, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

Revised Rule 69

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

Revised Rule 72

Decisions on competence

Subject to rule 70, any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

New Rule 76 (a)

Decisions of the General Assembly on amendments bearing on proposals relating to important questions, and on parts of such proposals put to the vote separately, shall be made by a two-thirds majority of the Members present and voting.

Revised Rule 80

Conduct during voting

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The President may permit members to explain their votes, either before or after the voting. The President may limit the time to be allowed for such explanations.

Revised Rule 81

Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Revised Rule 82

Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the General Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where however the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

New Rule 89 (a)

Priorities

Each Main Committee, taking into account the target date for the closing of the session fixed by the General Assembly on the recommendation of the General Committee, shall adopt its own priorities and meet as may be necessary to complete the consideration of the items referred to it.

Revised Rule 97

Functions of the Chairman

The Chairman shall declare the opening and closing of each meeting of the committee, shall direct its discussions, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the committee and over the maintenance

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of order at its meetings. The Chairman may, in the course of the discussion of an item, propose to the committee the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion.

New Rule 97 (a)

The Chairman, in the exercise of his functions, remains under the authority of the committee.

Revised Rule 98

Quorum

One third of the members of a committee shall constitute a quorum. The presence of a majority of the members of the committee is, however, required for a question to be put to the vote.

Revised Rule 102

Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the Chairman in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairman. The appeal shall immediately be put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Revised Rule 103

Time limit on speeches

The committee may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When the debate is limited and a representative has spoken his allotted time, the Chairman shall call him to order without delay.

Revised Rule 105

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

Revised Rule 106

Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the committee is in favour of the closure the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule.

Revised Rule 107

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

Revised Rule 110

Decisions on competence

Subject to rule 108, any motion calling for a decision on the competence of the General Assembly or the committee to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

Revised Rule 117

Conduct during voting

After the Chairman has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The Chairman may permit members to explain their votes, either before or after the voting. The Chairman may limit the time to be allowed for such explanations.

Revised Rule 118

Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of

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the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Revised Rule 119

Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where however the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

ANNEX II

RECOMMENDATIONS AND SUGGESTIONS OF THE SPECIAL COMMITTEE
ON METHODS AND PROCEDURES APPROVED BY THE GENERAL ASSEMBLY

13.* The Special Committee found that in the past some of the Main Committees of the General Assembly had devoted a particularly large number of meetings to the detailed consideration, article by article, of texts of international conventions. This was even the case where the text of a convention had been drawn up by an international conference on which all Member States had been represented. It was pointed out in this connexion that experience had shown that a Main Committee, by the very fact of its size, was not particularly fitted to draft conventions, and that when it was entrusted with the detailed study of conventions, it often did not have time to deal satisfactorily with the other questions for which it was responsible.

The Special Committee recognizes the importance of the sponsorship of conventions by the General Assembly. It believes that the authority of the General Assembly and the powerful influence its debates have on public opinion should, in many cases, be used for the benefit of international co-operation. It therefore favours the retention by the General Assembly of the necessary freedom of action.

The Special Committee therefore confines itself to recommending that, when conventions have been negotiated by international conferences in which all the Members of the United Nations have been invited to take part, and on which they have been represented, not only by experts acting in a personal capacity but by representatives of Governments, and when these conventions are subsequently submitted to the General Assembly for consideration, the Assembly should not undertake a further detailed examination, but should limit itself to discussing them in a broad manner and to giving its general views on the instruments submitted to it. After such a debate, the General Assembly could, if desirable, adopt the conclusions reached by the conferences and recommend to Members the acceptance or ratification of such conventions.

This procedure might be applied in particular to conventions submitted to the General Assembly as a result of conferences of all Member States convened by the Economic and Social Council under Article 62, paragraph 4 of the Charter.

* The numbers refer to the paragraphs of the report of the Special Committee on Methods and Procedures (A/937).

14. Furthermore, when it is proposed that the General Assembly should consider conventions prepared by groups of experts not acting as governmental representatives, or by conferences in which all Members of the United Nations have not been invited to take part, it would be advisable for the General Committee and the General Assembly to determine whether one of the Main Committees, especially the Legal Committee, would have enough time during the session to examine these conventions in detail, or whether it would be possible to set up an ad hoc committee to undertake this study during the session.

If this is not possible, the Special Committee recommends that the General Assembly should decide, after or without a general debate on the fundamental principles of the proposed convention, that an ad hoc committee should be established to meet between sessions. Alternatively, the General Assembly might decide to convene a conference of plenipotentiaries between two of its own sessions, to study, negotiate, draft, and possibly sign, the convention. The conference of plenipotentiaries might be empowered by the General Assembly to transmit the instruments directly to Governments for acceptance or ratification. In this case too, the General Assembly might, at a subsequent session, express its general opinion on the convention resulting from the conference, and might recommend to Members its acceptance or ratification.

With regard to the drafting of legal texts, the Special Committee strongly recommends that small drafting committees should be resorted to whenever possible.

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20. In order that more frequent meetings of the General Committee should not delay the work of plenary and committee meetings, the Special Committee wishes to mention that it would be desirable for the General Committee to be enabled to meet, whenever necessary, at the same time as the plenary or the Main Committees. (In such cases, one of the Vice-Presidents could take the chair at plenary meetings and the Vice-Chairman could replace the Chairman at Main Committee meetings).

The Special Committee also considers that in order to save time at the beginning of the session, some of the Main Committees should not wait until the end of the general debate before starting their work.

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22. In the past, some of the Main Committees have been allocated more items requiring prolonged consideration than have others. This has especially been the case for the First Committee. The Special Committee noted, however, that, during the third session of the General Assembly, exception had been made to the principle laid down in rule 89, that "items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subject."

The Special Committee feels that the allocation of items to committees might be effected in a less rigid manner and that questions which may be considered as falling within the competence of two or more committees, should preferably be referred to the committee with the lightest agenda.

23. Another means of lightening the task of any given Main Committee would be to consider directly the plenary meeting, without preliminary reference to committee, certain questions which fall within the terms of reference of the Main Committee. This procedure would moreover have the great advantage of reducing to a notable extent repetition of debate.

It is felt that the amount of time saved by this method would be considerable, especially if the Main Committee and plenary meetings could be held concurrently.

If the Main Committee could not meet at the same time as the plenary meeting, the fact that the Committee was not meeting would enable another Main Committee to meet in its place.

The consideration of questions in plenary meetings would have the benefit of the attendance of leaders of delegations and of greater solemnity and publicity. The slightly higher cost to the United Nations of plenary meetings, due in particular to the distribution of verbatim records of the meetings, would undoubtedly be compensated by the shorter duration of the session.

The General Committee would be responsible for suggesting to the General Assembly which items on the agenda might be dealt with in this manner. The Special Committee recommends that this method should be introduced on an experimental basis at future sessions.

The Special Committee is of the opinion that this procedure would be especially appropriate for certain questions, the essential aspects of which are already familiar to Members, such as items which have been considered by the General Assembly at previous sessions and which do not require either the presence of representatives of non-member States or the hearing of testimony.

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39. At this point the Special Committee desires to stress once more the importance of the role of the President of the General Assembly and of the Chairmen of committees. The satisfactory progress of the proceedings depends essentially on their competence, authority, tact and impartiality, their respect for the rights both of minorities as well as majorities, and their familiarity with the rules of procedure. The General Assembly, or the Committee, as the case may be, is the master of the conduct of its own proceedings. It is, however, the special task of the Chairmen to guide the proceedings of these bodies in the best interests of all the Members.

The Special Committee considers that everything possible should be done to help Chairmen in the discharge of these important functions. The President of the General Assembly and the General Committee should assist the Chairmen of committees with their advice. The Secretary-General should place his experience and all his authority at their disposal.

The Special Committee is happy to note the Secretariat's valuable practice of holding daily meetings of the committee secretaries, under the chairmanship of the Executive Assistant to the Secretary-General, where the procedural questions arising from day to day in the General Assembly and committees are thoroughly examined. Furthermore, the Special Committee stresses the value of having, as in the past, a legal adviser from the Secretariat in attendance at meetings to give the Chairmen or the committee such advice as they may need for the conduct of their business and the interpretation of the rules of procedure.
