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AGENDA ITEM 8

Adoption of the agenda (concluded)

**SEVENTH REPORT OF THE GENERAL COMMITTEE
(A/5131) (concluded)**

1. The PRESIDENT (translated from French): The General Assembly has before it the seventh report of the General Committee [A/5131] concerning the inclusion of an additional item in the agenda of the sixteenth session, entitled "The question of Southern Rhodesia".

2. In paragraph 2 of this report the Committee recommends that the item should be included in the agenda and should be considered by the General Assembly itself in plenary meetings.

3. A number of speakers have asked for the floor in connexion with the General Committee's recommendation. I consider it advisable to point out that for the present we are not required to discuss the substance of the question: the discussion is to bear only on the inclusion of the item in the agenda and on the organ to which the item should be referred.

4. Rule 23 of the rules of procedure reads as follows:

"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."

5. Mr. DIOP (Senegal) (translated from French): I have the honour to speak from this rostrum on behalf of the States of the African and Malagasy Union. As you all know, these States include the Republic of the Ivory Coast, the Republic of Dahomey, the Republic of Upper Volta, the Republic of Cameroon, the Islamic Republic of Mauritania, the Republic of the Congo (Brazzaville), the Central African Republic, the Republic of Gabon and the Republic of Senegal. These States have delegated me to request the inclusion of the question of Southern Rhodesia in the agenda of this session.

6. We consider that this matter is sufficiently urgent to be taken up and discussed immediately. What is involved here, indeed, is a question of decolonization in a territory which forms what is commonly called a colony of settlers.

7. In this territory, a white minority has just drafted an anti-democratic constitution and the mere fact of having postponed until 1963 the elections for which it provides does not remove its discriminatory character. Here, as in Algeria, as in Kenya, as in South Africa, a white minority has monopolized economic positions and political power and is endeavouring to maintain its privileged position by including in the Constitution a system of voting based on both income and education, the clearest result of which is to gag, if not to destroy, democracy.

8. For, if Her Britannic Majesty's Ministers told those members of the Special Committee of Seventeen^{1/} who went to London for discussions with them that with this system of voting the Africans would have a majority in about twelve years, it must not be overlooked that Sir Roy Welensky, unfortunately, made a contrary statement. He sought to reassure his white compatriots by telling them that with the present system of voting it would be 200 years before the Africans could have a majority in an election.

9. That is how matters really stand. That is why we now ask the United Kingdom not to give up its reserved powers until a democratic constitution has been prepared which allows for the law of numbers by instituting universal suffrage, with all its political consequences. We do not think that this is too much to ask of the United Kingdom, which has already distinguished itself in the efforts made over the past ten years to bring about decolonization in the world. A tribute must be paid here to the United Kingdom on that account. It was among the first to take the lead in that immense effort of human emancipation, both in Africa and in Asia.

10. We think that it is possible to give Southern Rhodesia a truly democratic constitution that will include guarantees of justice for the white minority, as has just been done in Algeria.

11. We shall then turn to the United Nations with the request that it use all the means at its disposal and act until this democratic reform has been carried out, in accordance with resolution 1514 (XV) of 14 December 1960 on decolonization.

12. Those are the reasons which led the twelve States of the African and Malagasy Union to ask the General Assembly to include the question of Southern Rhodesia in its agenda immediately [see A/5127 and Add.1 and 2].

13. The question is sufficiently serious and important. A tense and storm-laden atmosphere prevails in Southern Rhodesia and it is the duty of the United Nations to prevent the fearful upheaval. This problem must be settled equitably without delay; international

^{1/} Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

peace and security in this region of the world are at stake.

14. Sir Patrick DEAN (United Kingdom): First, I should like to thank my predecessor at this rostrum, the representative of Senegal, for the moderate terms in which he made his statement and for the generous words he used about my country. The request for the inscription of Southern Rhodesia on the agenda of the General Assembly [see A/5127 and Add.1 and 2] has already been discussed in the General Committee [146th meeting] and the arguments for and against have been fully set forth there. I explained my Government's views on the question at some length during that debate. I adhere to those views and consequently am bound to oppose the recommendations of the General Committee.

15. As regards the proceedings of the Special Committee of seventeen members, the Assembly is well aware of the attitude of my Government on the questions of intervention by the Committee in the affairs of our dependent territories, of hearing petitioners, of proceeding by way of resolution to the Assembly. We have also made repeatedly clear our position in regard to the special constitutional situation which exists in Southern Rhodesia. I have nothing new to say about these matters at this stage.

16. It will be well known to the Assembly that, in the view of my delegation, the activities of the Committee have in a number of respects been *ultra vires*. We of course understand that other delegations have different views on this. I do not wish to take up the Assembly's time now with any further lengthy re-statement of our position. All that I would say here is this. Members of the Assembly will be aware that my Government believes that a debate in the United Nations about Southern Rhodesia not only exceeds what is permissible under the Charter, but at the present stage particularly could do harm in the territory. I propose to revert to this latter point later in my statement.

17. The point on which I would ask the Assembly first to concentrate its attention is a narrower one, namely whether, as alleged by the signatories to the request for inclusion of the item, the situation in Southern Rhodesia is so urgent that the item should be inscribed as an extra item on the agenda of the resumed session, notwithstanding the previous decision by the Assembly to restrict our agenda to the question of Ruanda-Urundi. It is the contention of my delegation that in so exceptional a situation the proposers of the item must show beyond doubt that the urgency is sufficient to justify such a step.

18. In our opinion they have not done so. There is no escaping this point of urgency. It is not enough, in my submission, in the present circumstances to assert abnormality or gravity. The explanatory memorandum circulated in document A/5127 flows directly from the conclusions reached by the members of the Special Committee of seventeen members on the situation in Southern Rhodesia. The Special Committee adopted a report on this question which concluded:

"... that, in the absence of favourable developments, the situation in Southern Rhodesia should be considered by the General Assembly at its resumed sixteenth session or at a special session, as a matter of urgency." [A/5124, para. 45.]

I stress again those final words, "as a matter of urgency".

19. The most important consideration which led to this conclusion was that it was intended until recently to hold elections in Southern Rhodesia in October 1962 and that concurrently with the holding of these elections effect would be given to the central provisions of the 1961 Constitution. This would have resulted in a new constitutional position in Southern Rhodesia. It was therefore argued that the General Assembly should be given the opportunity to debate the question before the new constitution had come fully into force, that to wait until the General Assembly had met and debated the matter in the autumn would have been too late.

20. But since then the Southern Rhodesian Government has announced that these elections will not be held before March or April 1963, and the situation which existed when the Special Committee reached its conclusions no longer obtains. This means that there will be no alteration at all in the constitutional position in Southern Rhodesia between now and some time in the spring of 1963 and, therefore, that the whole basis of the argument for urgency has been removed.

21. It was alleged in the General Committee by the representative of Ghana that the decision by the Southern Rhodesian Government to hold the elections in March or April 1963, instead of in October 1962 as originally planned, was a political manoeuvre. No evidence has been produced for this contention and I do not now propose to go into such arguments, which I certainly cannot accept. We must come back to the essential point that the elections are not to be held until a date five to six months later than that envisaged by the Special Committee. Consequently, the element of urgency in the situation will be the same during the seventeenth session as it is now.

22. I said at the outset of my statement that in the opinion of my delegation a debate on this subject at this moment could do harm. Predictions in the political field are always hazardous, and I realize that many representatives here, in good conscience, believe that a debate might do good. For this reason they are prepared to put aside the procedural and other arguments which I have used here and in the General Committee.

23. But surely we can all agree that there is a risk here that the General Assembly, perhaps from a desire to do good, may do precisely what it ought not to do, namely, raise passions and make more difficult the task which confronts those responsible for the political evolution of the territory.

24. What is needed, on the contrary, is the creation of an atmosphere in which change can be achieved in order and peace.

25. Surely, in these circumstances, it would really not be wise to have a debate here on this matter now, especially at a time when, as is well known, the whole future of the Central African Federation is under scrutiny.

26. Here we have a complex of questions—political, economic and constitutional—which is engaging the close and continuing attention of my Government.

27. My Government regards these questions very seriously indeed, and is looking again at the whole complex. It is for this reason that the most senior Minister in the Cabinet, next to the Prime Minister, has been personally charged with responsibility in

this regard and is devoting so much of his time to these problems.

28. The British influence in all the territories for which we have any responsibility is used toward the achievement of liberal constitutions. I say this without fear of contradiction.

29. I ask those representatives who are most closely interested in this question and who are—many of them—those with the most experience of British policies and methods, to reflect once more before they ask the Assembly to take the responsibility for having a debate which might do serious harm.

30. In all earnestness, I ask that the Assembly should take note of the statement I have now made and, on reflection, in the light of it, decide not to adopt at this time the recommendation of the General Committee [see A/5131, para. 2].

31. Mr. PACHACHI (Iraq): I have asked for the floor to support the inclusion of the item entitled "The question of Southern Rhodesia" on the agenda of the present session. I will comply with the President's wish, and will confine my remarks to the procedural aspect of the problem, namely, whether it should or should not be included on the agenda of this present session. I shall try, as far as possible, to avoid any substantive discussion of the question. The representative of Senegal has clearly and eloquently outlined the main issues involved in the problem of Southern Rhodesia; and I do not feel there is very much I can add to that aspect of the question.

32. I must confess, however, that we were disappointed by the attitude of the United Kingdom. It must be quite evident to the United Kingdom Government that a substantial majority of the Members of the United Nations, including almost all of the African States, have considered the question of Southern Rhodesia important enough to warrant its consideration during this third part of the sixteenth session. This factor, itself, should have carried sufficient weight to dissuade the British Government from opposing inclusion of this item on the agenda.

33. The argument advanced by the British delegation, which we have just heard from the representative of the United Kingdom, is that the element of urgency has disappeared by virtue of the postponement of the elections in Southern Rhodesia. The assumption underlying this argument is that we asked for the inscription of this item solely for the purpose of delaying the elections; and the argument goes that since the elections have been postponed there is no need for a discussion now, especially since a full debate is expected to be held at the next regular session.

34. With all respect, I must say that this assumption is quite incorrect. The element of urgency is not solely connected with the elections. In fact, the question of elections is not mentioned even once in the explanatory memorandum attached to the request for inclusion of the item [A/5127 and Add.1 and 2]. Urgency arises from the explosive nature of the situation in Southern Rhodesia itself, irrespective of the elections or their date.

35. The Special Committee of seventeen members was fully aware of this fact, as can be seen from paragraphs 43, 44 and 45 of its report [A/5124].

"The Sub-Committee considers it necessary, in the larger interests of Southern Rhodesia and in the

interests of peace and freedom in Africa and on a broad consideration of the United Kingdom's own responsibilities and record, that the same processes which went into the making of the proposals now embodied in the constitutional enactment of 6 December 1961 should be initiated again without delay to bring about the necessary reconsideration of these proposals in full consultation with the leaders of all political parties." [A/5124, Annex I, para. 43.]

36. This seems to be one of the main objectives of the Special Committee of seventeen members regarding Southern Rhodesia. Further on, it is mentioned that: "The situation in Southern Rhodesia appears to the Sub-Committee to be of great urgency and gravity". [*Ibid.*, para. 44.] Finally, in paragraph 45, the Special Committee of seventeen members endorsed the view of the Sub-Committee that "... in the absence of favourable developments, the situation in Southern Rhodesia should be considered by the General Assembly at its resumed sixteenth session, or at a special session, as a matter of urgency" [*ibid.*, para. 45].

37. The question arises: have there been any favourable developments to alter the situation and make urgent consideration by the Assembly unnecessary? The answer is "No". The fact that elections have been postponed does not materially change the situation. The Constitution of December 1961 has not been repealed. The British Government has not expressed any intention of changing its policy. In fact, the postponement of the elections, we are told, was due to technical reasons and should not be construed as indicating a basic change of policy.

38. In the light of this, and owing to the fact that the situation in Southern Rhodesia remains dangerous, it must be quite apparent that the African population is deeply concerned by these developments; and nothing has been done to allay its legitimate fears and anxieties. No African in Southern Rhodesia can ignore the dark prospects presented by the installation of a régime dominated by a racially-minded and fanatic minority. It is precisely for this reason that forty-one Member States have considered it necessary not to delay any further a serious consideration of the question of Southern Rhodesia by the General Assembly. A full debate will undoubtedly help to clarify the issues and give the Members of the United Nations the opportunity to express their views on a matter of great importance.

39. If the United Kingdom Government is really interested in a peaceful and just solution of the problem, then it should try to make use of the massive moral weight that a decision of the General Assembly has in its future dealings with the minority Government of Southern Rhodesia.

40. The contention that a debate in the United Nations will do harm is not a new contention. We have heard it over and over again in this hall whenever an issue—especially if it is a colonial issue—has been brought to the attention of the Assembly.

41. This argument, which I had hoped we should never hear again in this Assembly, is generally used by those who do not wish to have a situation which is embarrassing to them publicly debated. But it is our sincere belief that a debate in the Assembly would help the United Kingdom Government in its dealings with the minority Government in Southern Rhodesia.

Far from hurting the chances of reaching an agreement, it is our sincere belief that the United Kingdom Government, armed as it is with a decision of the General Assembly, can perhaps put more pressure on the minority authorities in Southern Rhodesia.

42. Moreover, the discussion during this session will not preclude a further debate next October. In fact, the debate which will in any event take place at the seventeenth session will be greatly facilitated and expedited, we hope, by a preliminary discussion now. For let us not forget that, with the exception of the limited and rather hasty debate which took place during the last two days of the second part of this session, the question of Southern Rhodesia has not been adequately considered by the General Assembly despite its serious implications for the peace and harmony of Africa.

43. The time has come to rectify a situation that has been allowed to drift too long and is now on the verge of exploding, with disastrous consequences. For this reason, nothing should be allowed to divert the General Assembly from its duty toward the people of Southern Rhodesia. An early debate may avoid the necessity of future debates under less favourable circumstances. Therefore, while there is time, the General Assembly should do everything in its power to deal with the problem before it gets out of hand and endangers the cause of peace in the entire African continent.

44. Therefore, on behalf of many delegations that have asked me to speak, I call on the General Assembly to give its endorsement to the recommendation of the General Committee to include this item on the agenda of the General Assembly.

45. Mr. IGWE (Nigeria): It is my desire to be brief, because many of the relevant points have already been made very ably by the representatives of Senegal and Iraq.

46. The delegation of the Federation of Nigeria has the honour to be a signatory of the letter [A/5127 and Add.1 and 2] requesting the inscription of a second item, the situation in Southern Rhodesia, on the agenda of the current resumed sixteenth session of the General Assembly. Together with thirty-eight other delegations which signed the original letter and the several other delegations which have since added their names to the request, we acted in all responsibility.

47. We listened attentively to the exhaustive debate which went on in the General Committee before the decision in that Committee to recommend to the General Assembly that the question of Southern Rhodesia be inscribed on the agenda. We now have before us a favourable report from the General Committee [A/5131]. I must express our disappointment that the delegation of the United Kingdom has seen fit to re-open again the debate on the inscription of this particular item.

48. We do not, however, doubt the sincerity and good faith of the United Kingdom delegation in this matter. As a friendly delegation whose country has passed through all the processes of British colonialism and tutelage, as the delegation of a country belonging to an association of independent Commonwealth States still typified by some common usages and attitudes as regards just and effective government, and, finally, as the delegation of an independent African State, the Nigerian delegation opposes its judgement to that of

the United Kingdom delegation in this most important matter, which affects the fundamental rights and the future well-being of three million Africans oppressed and abused by a small minority of less than 300,000 settlers of European origin, about half the population of Liverpool.

49. The British delegation has informed us that the local authorities in Southern Rhodesia—who by the way are not accountable to us—that those unrepresentative authorities in Southern Rhodesia have postponed the so-called elections originally scheduled for October 1962 to some time in the spring of 1963. Further, we are told that the postponement of the "elections" has been decided upon not because the Constitution which is already in effect is to be revised, not because of the boycott by the Africans of the electoral arrangements, but purely for administrative reasons. It has been said that more African voters have to be registered. There is also mention of the rainy season in some quarters.

50. But we all know that all sorts of tactics are being used to register reluctant African voters in keeping with the provisions of this obnoxious Constitution. These tactics are being resisted. African political leaders are being arrested and detained; African political parties are prevented from normal political activity in their own country, given to them by God; they are denied access to their supporters in the African areas and so they are prevented from campaigning effectively because their purpose is to boycott and sabotage the present Constitution. At the same time the settler parties campaign freely among Africans. African political parties live under the perpetual threat of banning and the confiscation of their property; they suffer all manner of harassment designed to break their spirit and their will to genuine freedom. Incidents of forcible repression of Africans peacefully demonstrating against injustice increase in frequency.

51. We must profit, where possible, from the past and indeed from the present. It is therefore imperative that the General Assembly examine this item now.

52. Our intention will be to urge the administering Power, the United Kingdom, to implement certain concrete measures designed to set the territory of Southern Rhodesia on the proper path of evolution into an independent African State, in keeping with the solemn declarations of successive British Governments stretching back to the closing years of the nineteenth century.

53. Before attaining its independence Nigeria received, tried, and revised many constitutions in co-operation with the British. We know how lengthy are these processes. It may require months or even more than a year to fashion a constitution which is practicable and attuned to the democratic aspirations of a people in a particular territory. It is necessary that a new election in Southern Rhodesia be held under a just constitution. Therefore, if indeed new elections are to be held in March 1963, time is very short and the General Assembly must not only consider this question now but must do so with all speed so that the liberal forces in Britain and Southern Rhodesia may be reinforced and encouraged by the responsible opinion and suggestions of this solemn and authoritative Assembly.

54. There need be no fear that the situation may not be improved by the actions of this Assembly. Quite the contrary. We appeal to the United Kingdom delegation to reconsider its stand and let us proceed to co-operate in constructing for Southern Rhodesians, of all colours, a true basis for responsible, just and peaceful partnership in the enjoyment of genuine independence.

55. The delegation of the Federation of Nigeria supports the inclusion of this item as a matter of great importance and of pressing urgency.

56. Mr. STEVENSON (United States of America): I was very much impressed, as I am sure were all present here, with the temperance and the respect for our rules and procedures that was evidenced by the speakers who preceded me this morning. I shall try to continue the discussion in the same vein and spirit. I must also preface what I say by expressing, in advance, my disappointment that I must disagree with some of the representatives whom I respect very much indeed, in so far as they have expressed personal conclusions on the basis of the facts as we know them here this morning.

57. No one can dispute the importance of the situation in central Africa and in Southern Rhodesia in particular. It presents a problem of great complexity and difficulty, with a bearing on wider issues that affect the whole future of Africa. As my delegation has previously indicated in the course of the debate on Southern Rhodesia in the Special Committee of seventeen members [15th meeting], we are gravely concerned by the situation in that country and its implications. Thus, we agree with those delegations who believe that the question of Southern Rhodesia should be discussed by the General Assembly at an early date. Indeed, we all know that the question of Southern Rhodesia will be debated at the seventeenth session of the General Assembly and that this sixteenth session of the Assembly has already taken action to that end through its instructions to the Special Committee of seventeen members. The only real issue that divides us at this juncture is not whether the question of Southern Rhodesia should be included on the agenda, but whether the matter should be discussed now or at the seventeenth session of the General Assembly in the fall. It is not a question, then, of "whether" but of "when".

58. When the Special Committee of seventeen members was considering the status of Southern Rhodesia, it was confronted by one fact of conspicuous importance, that is to say, that the new Constitution introduced in 1961 was scheduled to become effective in October. While representing a gain in some respects, this Constitution was felt to be, in other vital respects, a step in the wrong direction for the people of Southern Rhodesia. The Special Committee of seventeen members acted energetically, in the light of the danger that it foresaw. In the first place, it sent a special Sub-Committee to London to hold discussions with Ministers of the United Kingdom Government. Next, it recommended that this resumed session take up the question of Southern Rhodesia "in the absence of favourable developments" [A/5124, annex I, para. 45]. Underlying that recommendation was the fact that by October the situation would have reached "a point of no return" [*ibid.*, para. 36].

59. Members of the Special Committee of seventeen members expressed the fear that, once the 1961 Constitution was in effect, Great Britain would have little

chance to stimulate and encourage further constitutional progress in Southern Rhodesia because under that Constitution, as was pointed out here this morning, it relinquished even its limited powers. The representative of the United States expressed the hope that the United Kingdom would not wash its hands of this problem. The majority of the Committee, believing the Assembly as a whole would share its views, wanted the Assembly to have an opportunity to express itself while it might still have some effect. An early debate was therefore required and this resumed session offered an opportunity.

60. We therefore sympathize with the feeling of urgency which compelled some forty-one countries to request an extraordinary addition to our agenda [see A/5127 and Add.1 and 2], in spite of the suggestion that our agenda should be limited exclusively to Ruanda-Urundi.

61. In the meantime, however, something definite and important which can be called "a favourable development", to use the language of the Special Committee of seventeen members, has happened, and on this score I must take issue with my friend, the representative of Iraq, because the October elections have been postponed until at least March of 1963. The 1961 Constitution, to which the Committee objected, has not come fully into effect and cannot become effective until these elections have taken place. To afford this time for further forward steps and the appointment of the senior Minister of the British Government to find a way to take such steps is certainly "a favourable development", to say the very least. This postponement of the effective date of the 1961 Constitution has eliminated the special reason for urgency on which the recommendation of the Special Committee of seventeen members was based.

62. Therefore, I repeat, the question of Southern Rhodesia is a most important question, one which causes us great concern; but extraordinary importance and extraordinary urgency are by no means the same thing. The United Nations is confronted by a number of problems of great importance—nuclear testing, disarmament, apartheid, and many others. But these problems are dealt with at regular Assembly sessions, unless there is some overwhelming reason to the contrary. No delegation favours frequent resumed sessions or special sessions which have the effect of keeping the Assembly in virtually constant session. Moreover, hasty sessions, called in response to insistent pressures, sweeping declarations and impetuous resolutions, may not serve well the ends of those who propose them. Precisely because a peaceful solution of this menacing problem of Southern Rhodesia is most important for Africa and for the world, my delegation believes that the United Kingdom Government should have an opportunity to pursue further the steps that it has begun to take.

63. That Government, animated by the same sense of the seriousness of the situation, recently charged Mr. Butler, the deputy Prime Minister, with the special task of dealing with the problems of the Rhodesias and Nyasaland. He has just returned to London after extended consultations in those countries. A start has been made toward the review and solution of the problems of the Federation. As the representative of the United Kingdom confirmed in his statement, they are looking at the whole complex problem again. It is an intricate and delicate task which demands sympathetic understanding and aid, not im-

patient or provocative action. It needs, if I may say so, time. Any such review must include the components of the problem of the Federation, including the grave situation in Southern Rhodesia, where the vast majority of the people appear to reject the 1961 Constitution. Surely Mr. Butler, the Minister, must have time to weigh the issues, to pursue his discussions and, if possible, to find a way to resolve the infinite and fearsome political difficulties of this mixed society of Africans and white settlers, many of whom have been there for a generation or more.

64. Because of the degree of self-government long exercised by the electorate of Southern Rhodesia, the United Kingdom is not in a position abruptly to impose any given solution. It must achieve its objectives through persuasion which, in turn, requires a degree of co-operation and adjustment from all elements in Southern Rhodesia. Mr. Butler and his colleagues in the United Kingdom Government will be fully aware in this work of the currents of opinion here at the United Nations. These were not only fairly aired in the Special Committee of seventeen members but they were also presented in detail by a Sub-Committee which included three African, two Asian and one Latin American State to the responsible Ministers of Her Majesty's Government in London.

65. The United Kingdom is thus well aware of the strong views held by many delegations on this subject, and no new debate or resolution would add to that knowledge. What the United Kingdom needs now is goading, as I say, but time—time for reflection, for reconciliation of diverse and opposing elements and for more constructive steps in the direction in which everyone wants to go, the United Kingdom no less than the rest of us.

66. Surely Great Britain, on its record, is entitled to that courtesy and to that confidence, and surely the rest of us, African, European or Asian, all recognize the imperative importance of keeping Britain seized with this responsibility, for were she to let go, the future in Southern Rhodesia would become opaque and menacing, to say the least.

67. The United Kingdom has a unique record of decolonization—this Assembly is dotted with representatives of countries it formerly ruled. As it has given independence to country after country, virtually without violence, it has left behind liberal constitutions and working political institutions based on consent. Southern Rhodesia presents one of the most difficult problems the United Kingdom has had to face in this whole process of decolonization. It is by reason of this very difficulty and this complexity that it remains a problem today. Untimely and hasty debate, charged with understandable emotion, is not likely to reduce the difficulties. It is likely to harden the positions of the various parties involved just at the time when a spirit of mutual accommodation and conciliation is most needed.

68. If, by next fall, there are no further indications of the progress many of us would like to see in the direction of a political solution acceptable to all of the people of Southern Rhodesia, we should have a better perspective on what the General Assembly might be able to do to help. The United States supports, and has worked steadily for, an orderly and rapid decolonization in Africa. We consider this to be one of the great political processes of our time. Obviously, the people of Southern Rhodesia is entitled to share in that process. The objective is progressive

liberalization of the franchise in the direction of universal adult suffrage, so as to permit true self-determination for all of the people. We hope that all concerned, and very particularly the Government of the United Kingdom, will not cease to exert their influence and their best efforts in that direction.

69. We do not believe that a debate now, rather than in September or October, will contribute to that objective. It may well impede its attainment, with long-term political consequences in England and in Rhodesia, and to public opinion about the United Nations in many places, which are unpredictable.

70. I conclude that there is no question about whether there is to be a debate about Southern Rhodesia—the question is, when; that the urgency which influenced the Committee's report no longer exists; that hopeful steps are in process towards constitutional progress; and that what we need now is some time, and not sweeping declarations that can only make Britain's task more difficult.

71. Mr. BOLAND (Ireland): My delegation is not in favour of the inclusion of this item on the agenda of the resumed session, and I should like to explain in a very few words the reason why we take this view.

72. I should like to make it quite clear at the outset that we do not doubt or dispute for a moment the great importance of the question of Southern Rhodesia in the context of current developments in Africa. Indeed, the importance of the question is far too obvious to need any emphasis. Southern Rhodesia forms part of what is rapidly coming to be one of the most sensitive areas in Africa from the political point of view. Not only that, but there are aspects of the present situation in the territory which constitute a serious challenge not merely to the new forces which are gradually and irresistibly shaping Africa's future but also to the principles of the Charter of the United Nations itself.

73. In Southern Rhodesia today the pre-existing order stands confronted with the demand for change and reform, which cannot be long denied without endangering the peace and stability of that part of Africa, and, much as we respect and appreciate the earnest efforts which are at present being made to reconcile the opposing positions, my delegation is among those which believe that there can be no just and lasting accommodation between the interests involved which fails to give full satisfaction to the legitimate national aspirations of the African population of the territory.

74. While we are very conscious, therefore, of the great significance and gravity of the question of Southern Rhodesia, we cannot regard its importance as constituting good reason for taking up the question now at this resumed sixteenth session instead of at the seventeenth regular session of the General Assembly which is due to open in three months' time. The idea seems to have developed and to have gained some ground in recent years that, in some way or other, major political issues gain added significance and importance from being dealt with at resumed or special sessions of the Assembly. We do not share that view. On the contrary, we are opposed to any developments or innovations in the practice of this Organization which tend to detract from the importance of the annual regular session of the Assembly, and we think that that is what the course recommended in the report of the General Committee tends to do.

75. We fully recognize, of course, that circumstances may arise in which resumed or special sessions are necessary, either because the matter which it is proposed to discuss is of special urgency or because deadlines have to be met which make it impossible to wait until the opening of the next regular session. But there is now no such element of urgency in the present case, and, in the absence of any factor of urgency, the course which the General Committee recommends that the Assembly should adopt can only help to establish a precedent of a kind which, in our view, must be prejudicial to the best interests of the Organization.

76. As all of us know as a matter of experience, it is in September, when our Foreign Ministers and other political leaders meet here for the annual regular session, that the proceedings of this Assembly command the greatest degree of interest and attention on the part of our respective Governments and, indeed, of world opinion as a whole. That is the best and the most appropriate time for raising major political issues, with whatever degree of priority the circumstances of the time may appear to call for. To anticipate the work of the annual regular session by taking up such issues at resumed sessions such as this, which do not command anything like the same degree of publicity or attention as the annual regular session normally does, would seem to us not only to be of doubtful value from the point of view of the purpose which it is intended to serve but, for the reasons I have explained, to depreciate to an undesirable extent the importance which, rightly in our view, has always attached in the past to the annual regular sessions of the Assembly in the fall.

77. For these reasons we are opposed to the recommendation that the question of Southern Rhodesia should be considered at this resumed session.

78. The PRESIDENT (translated from French): We have now heard the last of the speakers who asked, under rule 23 of the rules of procedure, to speak on the inclusion of the item in the agenda. We have heard three speakers in favour of and three against its inclusion.

79. I call on the representative of Ghana on a point of order.

80. Mr. QUAISON-SACKY (Ghana): The delegation of Ghana is pained by the fact that, in spite of the General Committee's recommendation to the Assembly that the item "The question of Southern Rhodesia" be included in the agenda [see A/5131, para. 2], there has been opposition here in the Assembly. I have come here to intervene briefly to say that, should there be a vote on this matter, then it is rule 15 of our rules of procedure which should apply: that is to say, that the voting on this issue requires only a simple majority, not a two-thirds majority. I say this because at the moment there is no question of a reconsideration of any proposal, as is envisaged under rule 83 of our rules of procedure; here it is a question of an additional item, as is made very clear in the General Committee's report to the Assembly. Should the Assembly go by the two-thirds rule, it will mean that issues which affect international relations, international peace and security or the relations among States cannot be brought before the Assembly while it is in session. Surely that was not what the proponents of the rules of procedure intended; surely this is not what the Assembly would maintain. Were the Assembly to go by the two-thirds rule, it would

be inconsistent with the arrangements under which the Assembly could, in special session, discuss this item. As is well known, in a special session only a simple majority would be required to discuss this item, and therefore the Assembly might put itself in a very absurd position where, under one rule of procedure, only a simple majority was required, but because opposition had arisen to a recommendation of the General Committee a two-thirds majority rule might be invoked.

81. The delegation of Ghana therefore submits that in this particular case rule 15 should apply, and I now move that the General Committee's recommendation that the question of Southern Rhodesia be included in the agenda should be endorsed by the Assembly by a simple majority.

82. The PRESIDENT (translated from French): The representative of Ghana has just asked that rule 15 of the rules of procedure should apply with respect to the vote on the question now under discussion, that is, that the decision on the recommendation of the General Committee [A/5131, para. 2] should be taken by a simple majority. Does anyone wish to speak on the point of order raised by the representative of Ghana?

83. Sir Patrick DEAN (United Kingdom): May I draw the President's attention to operative paragraph 10 of resolution 1743 (XVI), which is the resolution on the question of the future of Ruanda-Urundi. Paragraph 10 of that resolution reads as follows:

"Decides to maintain this item on the agenda of the present session without closing the debate thereon and authorizes the Commission, should circumstances so require, to return to United Nations Headquarters and request the President of the General Assembly immediately to reconvene the Assembly to consider exclusively the question of Ruanda-Urundi."

84. The President, in his closing remarks at the end of the second part of the sixteenth session, said the following:

"As has been noted, the General Assembly has completed consideration of all the items referred to the second part of the session. It now remains for me only to adjourn the session until the date when it will again be resumed at the beginning of June, in accordance with the resolution which has been adopted, with a view to considering solely the question of Ruanda-Urundi and the report of the Commission which has been appointed at this meeting." [1106th meeting, para. 104.]*

In the President's statement, he was referring to that same paragraph 10 of resolution 1743 (XVI), on Ruanda-Urundi, to which I have already referred.

85. May I also draw the President's attention to rule 83 of our rules of procedure, which reads as follows:

"When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the General Assembly, by a two-thirds majority of the Members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote."

*Provisional English version taken from the interpretation.

86. In my submission, in the light of the passages to which I have drawn the President's attention, it is clear that in order to adopt the General Committee's report [A/5131] of 8 June, which recommends the inscription of the additional item on the question of Southern Rhodesia, it is necessary under rule 83, to which I have just referred, to have a two-thirds majority, because such a decision must constitute a reconsideration of operative paragraph 10 of the resolution on Ruanda-Urundi.

87. Mr. TCHOBANOV (Bulgaria) (translated from French): I asked for the floor precisely because I had intended to raise the matter which the representative of Ghana has just submitted to the Assembly. It is a matter of deciding, before we proceed to vote, what procedure is to be followed and which of our rules of procedure is to be applied to determine the necessary majority.

88. I must state at the outset that my delegation wholeheartedly endorses the view expressed here so convincingly by the representative of Ghana. My delegation maintains that it is not rule 83 of the rules of procedure which should apply in the case under consideration, but the rule concerning changes in the agenda which are contained in chapter II of the rules of procedure (Agenda) under the heading "Regular sessions", and, more particularly, rule 15.

89. I must emphasize immediately that the President himself implicitly adopted this point of view since, if he had thought that rule 83 of the rules of procedure applied in the case in question, he would not have allowed three representatives to speak in favour of and three against the proposal of the General Committee [A/5131, para. 2] but only two speakers opposing an alleged modification of a decision previously taken.

90. I would venture to point out that when the President implicitly adopted that point of view, which, in my delegation's opinion, is the only correct one, neither the representative of the United Kingdom nor any other representative in this hall objected to the application of rule 23, which forms part of the same chapter as rule 15. No one disputed the President's decision to give the floor to three speakers in favour of and three against the inclusion of the item, instead of calling only on two speakers opposing the motion. Thus, as I see it, the whole Assembly, including the United Kingdom representative, implicitly acknowledged that in the case we are considering it was precisely chapter II, and specifically rules 15 and 22, which should apply, and not chapter XII, to which rule 83 belongs.

91. I should therefore like to ask the President now to give a ruling, with a statement of his reasons, confirming what he has already implicitly recognized by applying rule 23. I ask him, consequently, to state that the decision on the question now under discussion will be taken by a simple majority and not by a two-thirds majority, which applies in other cases.

92. The following are the reasons for the point of view I have just expressed. The lawgiver—in this case, the General Assembly—deemed it appropriate to establish special rules governing decisions concerning the agenda. In accordance with the Latin term, we have special rules (*lex specialis*) for the inclusion of items in the agenda, which differ from the general rules (*lex generalis*) applicable to all other decisions. As I said just now, the President himself implicitly acknowledged the correctness of this view since he applied rule 23, and not rule 83.

93. In drafting its rules of procedure, the General Assembly made certain stipulations with regard to agenda items. I venture to remind all Members of the Assembly of the terms of rule 15 of the rules of procedure:

"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"—in other words, at any stage of our discussions—"may be placed on the agenda, if the General Assembly so decides by a majority of the Members present and voting"—that is to say, by a simple majority. "No additional item may be considered until seven days have elapsed . . ."

94. There is a different rule for special sessions, namely, rule 19, which reads as follows:

"During a special session items on the supplementary list and additional items may be added to the agenda by a two-thirds majority of the Members present and voting."

95. That provision relates to special sessions. It is not by chance that at the last meeting of the General Committee [146th meeting] certain delegations tried to persuade the Committee that the present session was not the continuation of a regular session but a sort of special session or emergency special session. However, it is clear to us all that at the present time we are not meeting in a special session; we are meeting in continuation of a regular session. Consequently, it is not the provisions of rule 19 which apply at this time, but those of rule 15.

96. What do the rules of procedure say about the resumption of sessions? We see from rule 6 that "the General Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date". At the sixteenth session, the Assembly has twice already decided to do this. In December 1961 [1083rd meeting], it decided to adjourn its work which it had been unable to conclude before the Christmas and New Year holidays, and to resume in mid-January. At the end of February 1962 [1106th meeting], the General Assembly, at its resumed sixteenth session, again applied rule 6: it again decided to adjourn at the end of February and to resume in June. Both in January and February of this year we held and now in June we are holding meetings of the resumed sixteenth regular session: there can be no question either of a special session or of an emergency special session, as some speakers claimed at the last meeting of the General Committee.

97. Since it is meeting in regular session, the Assembly may at any time in its proceedings and pursuant to the provisions of chapter II of the rules of procedure, more particularly rule 15, decide to include an additional item in its agenda.

98. Could any question of changing a previous decision be involved in the case before us? Rule 83, to which the United Kingdom representative had referred, reads as follows:

"When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the General Assembly, by a two-thirds majority of the Members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote."

99. The President himself, however, did not apply this rule and the United Kingdom representative did not object to that procedure. Of what proposal, already adopted or rejected, indeed, could there be a request for reconsideration at the present time?

100. Could the Assembly, at its sixteenth session, at any moment in its proceedings, validly adopt a decision not to include any additional items in its agenda until the closure of the session? Did it adopt such a decision? Could it have done so and have still acted in conformity with its rules of procedure and, indeed, with the general rules of common sense? I think that for all delegations the answer to this question can only be in the negative. The General Assembly did not and could not validly take any decision of the kind since to do so would have been truly absurd.

101. Reasonably speaking, therefore, there is no proposal, previously adopted or rejected which would now require reconsideration pursuant to rule 83. I wish to repeat that for matters relating to the inclusion of additional items in the agenda the drafters of the rules of procedure established a special rule constituting a departure from the general rules governing the adoption of proposals of all kinds. In accordance with a Latin expression known to all jurists, *lex specialis derogat legi generali*.

102. Chapter II of the rules of procedure, concerning the agenda, derogates from the other rules and—I venture to remind you a third time—at the opening of this meeting, without the slightest hesitation, the President began by applying the rules in chapter II, and not those in chapter XII. The United Kingdom representative did not raise the least objection; he was not disturbed at the fact that the President gave the floor to three speakers in favour of and three against the proposal, instead of calling only on two speakers opposing it. He undoubtedly acknowledged, therefore, like all other representatives here present, that it is chapter II that is applicable in the case under consideration.

103. I shall accordingly ask the President to give a ruling, to take a position on the arguments I have advanced and to rule that the decision about to be taken on the General Committee's recommendation will be taken by a simple majority, in accordance with rule 15, and not by a two-thirds majority in accordance with rule 83.

104. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): Merely from the objections raised by the United Kingdom representative to the proposal made here by the representative of Ghana it is clear that this matter—even from the standpoint of the United Kingdom delegation and of the arguments which have been adduced against that proposal—is only in the slightest degree controversial.

105. I shall endeavour to go further and show that the question raised here by the delegation of Ghana is completely uncontroversial in the specific sense of the proposal made by that delegation.

106. Paragraph 10 of the General Assembly resolution [1743 (XVI)] on the question of Ruanda-Urundi has already been quoted here. In view of the fact that this paragraph is of cardinal importance for the United Kingdom representative's argument, I venture to quote this short text once again, in order to draw attention to certain facts which were not brought out at the time when the United Kingdom representative made use of it—facts of great importance for the

whole course of our consideration of the proposal made by Ghana.

107. Paragraph 10 of this resolution states that the Assembly "Decides to maintain this item [i.e., the question of Ruanda-Urundi] on the agenda of the present session". I wish to stress these words: "on the agenda of the present session."

108. I shall not quote any more from this document for the moment, in order to try to explain what we are to understand by the words: "to maintain this item on the agenda of the present session."

109. They mean that at the time when we decided this question, when the resolution on Ruanda-Urundi was adopted, the Assembly had before it the whole list of items which had been placed on the agenda of the sixteenth session. They mean that, out of the whole list of items on the Assembly's agenda for the current session, the Assembly decided to retain one item on the agenda of the proposed summer portion of the session. That item was the question of Ruanda-Urundi.

110. They mean that the Assembly decided not to retain on its agenda any of the items which had been placed on it other than the question of Ruanda-Urundi.

111. Having given this, the only possible interpretation of the words "to maintain this item on the agenda of the current session", I shall quote further from this document.

112. The resolution continues with the words: "without closing the debate thereon and authorizes the Commission, should circumstances so require, to return to United Nations Headquarters and request the President of the General Assembly immediately to reconvene the Assembly to consider exclusively the question of Ruanda-Urundi."

113. Let us now pass to the interpretation of this second element of great importance for our present discussion—the word "exclusively". It is, of course, possible to remove any word from its context and to read only the word "exclusively" in this text. This is precisely what Sir Patrick Dean, the United Kingdom representative, did when he decided to read out and base his entire argument on the word "exclusively", interpreting it to mean that no other questions of any kind can be placed on the agenda for the resumed session of the General Assembly.

114. He did not go so far as to assert that paragraph 10 of the General Assembly resolution on Ruanda-Urundi abrogates rule 15 of the Assembly's rules of procedure. He did not say that in so many words, but the conclusion to be drawn from his statement is undoubtedly that rule 15 of the General Assembly's rules of procedure—and he asked us not to apply it—is abrogated by paragraph 10 of the resolution on Ruanda-Urundi, since that paragraph contains the word "exclusively".

115. This whole chain of logic is flawed throughout, because the word "exclusively" must not be removed from its context but must be taken in conjunction with the beginning of the sentence, which states that the General Assembly examined the agenda of the current session—an agenda which already existed, had already been approved—and, of that agenda, decided to retain "exclusively" one item—the question of Ruanda-Urundi.

116. So, if anyone today mounted this rostrum and proposed the inclusion of an item not from the old

agenda, the agenda that existed at the time when the Assembly considered this matter, but some other item with which the General Assembly had already dealt, and not merely the question of Ruanda-Urundi—in that case a two-thirds majority would be needed to alter the decision we took with regard to the question of Ruanda-Urundi.

117. However, no one is making such a proposal. It is not being argued that some other items ought to be retained from the agenda of the sixteenth session with which we have already dealt, and not only or exclusively the question of Ruanda-Urundi. No one is proposing this.

118. Consequently, the whole argument of the United Kingdom representative is completely wide of the mark and has no bearing on the problem now raised in connexion with the inclusion of a new item.

119. Let us go on from here. What we are dealing with as a concatenation of juridical arguments and interpretations relating to the exact meaning to be given to this text on the basis of analysis.

120. From the standpoint of plain common sense, who could assume that the Assembly, in taking a decision on Ruanda-Urundi, was taking into account not only the considerations that were known to it and not only the agenda for the sixteenth session of the General Assembly which the Assembly had approved and of which it knew, but all considerations of every kind of which it could not be and was not aware at that time?

121. Who can assert that paragraph 10, as it is to be read and interpreted correctly, means that the Assembly a priori deprived itself of the right to apply rule 15 of the rules of procedure and, in accordance with and on the strict basis of that rule, to include any other items of which there could not be any question at that time because they did not exist, at least as items to be included in the Assembly's agenda?

122. There is therefore no foundation whatever for the attempt to prove that in adopting paragraph 10 of the resolution on Ruanda-Urundi the General Assembly so to speak renounced the right of primogeniture and the right to regulate its proceedings by means of the rules which exist for that purpose.

123. That is why I consider that the proposal that has been made here by the representative of Ghana is perfectly in order. I do not, of course, think that this is a matter for a ruling, for rule 15 states that the General Assembly decides whether to place any additional item on the agenda and this item, after the General Committee has submitted a report and a recommendation on it, must be put to a vote; for this vote a two-thirds majority is, of course, not needed—here I agree with the relevant portion of the Bulgarian representative's statement; what is needed is a simple majority of the votes which, if it is in favour of the General Committee's recommendation, will be sufficient to have the item in question placed on our agenda.

124. That is how matters really stand and that is why the Soviet delegation will vote for the proposal made by the representative of Ghana.

125. Mr. JHA (India): Naturally, I do not propose to speak on the substance of the matter, nor do I wish to refer to the substantive points in this question.

126. It seems to me that the point of order raised by the representative of Ghana is a very interesting

one and has a great deal of substance. Rule 15 of the rules of procedure relates to additional items. Such additional items can be proposed "less than thirty days before the opening of a regular session or during a regular session". We happen at the present moment to be "during a regular session". The rule states:

"Additional items of an important and urgent character ... may be placed on the agenda, if the General Assembly so decides by a majority of the Members present and voting."

The rule states further: "... unless the General Assembly, by a two-thirds majority of the Members present and voting, decides otherwise", such an item cannot be considered within seven days of its being placed on the agenda.

127. There is a distinction in the rule itself in that a simple majority is necessary for inscription, whereas a two-thirds majority is required for a discussion of the matter within seven days.

128. Resolution 1743 (XVI) was adopted at this session. That resolution was in reference to the "Question of the future of Ruanda-Urundi" and, as has been pointed out by the representative of the United Kingdom, paragraph 10 of that resolution states:

"Decides to maintain this item"—that is, Ruanda-Urundi—"on the agenda of the present session ... and request(s) the President of the General Assembly immediately to reconvene the Assembly to consider exclusively the question of Ruanda-Urundi."

129. The question that we have to consider is: what is the effect of that resolution on rule 15 of the rules of procedure? It seems to my delegation that, whatever might have been the intention at the time when that word was embodied in paragraph 10 of resolution 1743 (XVI), we could not, by virtue of the word "exclusively", nullify a very important article in the rules of procedure, that is, rule 15, which relates to additional items. That rule gives the Members of the General Assembly the right to bring an additional item before the Assembly for consideration, and the description of that item is, of course, to be regulated in a particular manner, given in the rules of procedure. As I have said, this rule is specific.

130. The question is, whether paragraph 10 of General Assembly resolution 1743 (XVI) had the effect of changing the words "majority of the Members present and voting" to "a two-thirds majority of the Members present and voting". My submission is that it cannot possibly have that effect, because that would be tantamount to an amendment of rule 15 of the rules of procedure, and rule 164 of the rules of procedure states: "These rules of procedure may be amended by a decision of the General Assembly taken by a majority of the Members present and voting", only "after a committee has reported on the proposed amendment."

131. It does not seem to us that by an incidental resolution—incidental in the sense that the word "exclusively" was used there in reference to a completely different set of circumstances—an important rule of procedure can in effect be amended in this fashion.

132. Another point that strikes my delegation is that this is really not a reconsideration of any particular proposal. The proposal is not to reconsider paragraph 10 of General Assembly resolution 1743 (XVI).

That, of course, would require a two-thirds majority. Actually, there could be no reconsideration of that because there is no parallel between the context of circumstances at the time resolution 1743 (XVI) was adopted and those at the present time. As a matter of fact, the particular question that this Assembly is considering now could not very well have been predicted at that time. Therefore, the two really do not stand on the same footing. You cannot reconsider something which it is not possible to reconsider in the context of the present circumstances.

133. There is yet another point. That is, if for the inscription of an additional item a two-thirds majority is required now, then the Assembly will be reducing this regular session to a special session. In this connexion I invite attention to rule 19, which says that supplementary or additional items in a special session can only be added to the agenda by a two-thirds majority.

134. These are the points which seem to be very important. As I said, I am not speaking on the substance, but there is a very important point of principle involved. It seems to us that the Assembly cannot, by a blanket decision of an incidental nature, rule out of consideration additional items whose consideration may be very well justified by the circumstances referred to by the representative of Ghana, circumstances which, for example, give rise to difficult relations between States, international friction and very many other things. This is a kind of democratic right of the Members of the Assembly. Of course, if the Assembly wishes, it can decide by a majority vote not to have this item on the agenda at this resumed session by virtue of what Members themselves thought in paragraph 10 of resolution 1743 (XVI). That would be perfectly understandable and would be perfectly legal. But to say that just because the word "exclusively" was used in paragraph 10 no future discussion of any matter, even if it is urgent and important—and rule 15 refers to important and urgent matters—can be undertaken without a two-thirds majority in the General Assembly is unjustified.

135. I am speaking only on the principle and I feel that that principle is important. Either the President should make a ruling or the Assembly should take a decision as to what the exact situation is with regard to the rules of procedure.

136. Mr. BARTON (Canada): I shall be very brief, because I think the point is a very simple one. We were discussing a report of the General Committee [A/5131] and the procedure for discussing that report is laid down in rule 23 of the rules of procedure. But the fact remains that we are also in effect reconsidering a resolution which we adopted earlier during this session. I do not share the doubts about the meaning of the word "exclusively" which the preceding speaker put to the Assembly. We certainly had no doubt about what we meant when we voted for the word "exclusively" at the resumed session before. It was aimed exclusively at trying to keep the discussion to Ruanda-Urundi and nothing else.

137. Now we feel that, irrespective of whether rule 15 is to be applied one must first apply rule 83. Therefore, we feel that the first vote that must be taken requires a two-thirds majority, in order to constitute a reconsideration under rule 83.

138. Mr. ZOLLNER (Dahomey) (translated from French): My delegation has listened very carefully to

the statement made by the United Kingdom representative. I noted that his entire argument was based on General Assembly resolution 1743 (XVI) adopted at the second part of the sixteenth session and concerning the question of the future of Ruanda-Urundi. It is on the basis of the provision in that resolution which states that at the second resumed session the Assembly would consider exclusively the question of Ruanda-Urundi that the United Kingdom representative invokes rule 83, which reads as follows:

"When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the General Assembly, by a two-thirds majority of the Members present and voting, so decides."

139. But did the Assembly, at any time during the session, decide not to consider the question of Southern Rhodesia? Quite clearly, the answer is "No". The Assembly did, however, decide to consider exclusively the question of Ruanda-Urundi at the second resumed session. It could decide validly to consider only a particular item of its agenda at that resumed session. That is what it did when it adopted that decision. It is in that spirit that the resolution in question was adopted. Was there any question of prohibiting the Assembly from placing any additional item on its agenda? Certainly not, for such a decision would abrogate rule 15 of the rules of procedure, which states categorically that:

"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"—and I would point out that our sixteenth regular session is still continuing—"may be placed on the agenda, if the Assembly so decides by a majority of the Members present and voting."

140. The word "exclusively" therefore did not relate to the inclusion of an additional item, but to the consideration of items already on the agenda. The Assembly accordingly could not, without contradicting itself, have voted for the word "exclusively" in that meaning; otherwise rule 15 would have fallen to the ground.

141. I would observe, however, that rule 15 still appears in the rules of procedure of the General Assembly. It was in quite a different spirit, therefore, that its terms were adopted and it is in that sense that my delegation supported the resolution in question.

142. Accordingly, my delegation formally supports the view expressed by the representative of Ghana, which is that rule 15 should apply in the present case. I would also ask the President to give a ruling to that effect.

143. The PRESIDENT (translated from French): There are no further speakers wishing to address the Assembly on the point of order raised by the representative of Ghana. Several representatives have spoken in favour of the motion, others against it.

144. It seems to me that in view of the complexity of the arguments advanced for and against this motion it would be appropriate to ask the Assembly to decide by a vote whether rule 15 of the rules of procedure is or is not applicable in the present case.

145. I therefore invite the Assembly to vote on the proposal of the representative of Ghana, who has asked that the recommendation of the General Com-

mittee [A/5131, para. 2], to the effect that the question of Southern Rhodesia should be placed on the agenda, should be decided by a simple majority vote. A roll-call vote has been requested.

A vote was taken by roll-call.

Tanganyika, having been drawn by lot by the President, was called upon to vote first.

In favour: Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria.

Against: Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Canada, China, Colombia, Denmark, Dominican Republic, El Salvador, Finland, France, Greece, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, South Africa, Spain, Sweden.

Abstaining: Thailand, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Haiti, Iran, Ivory Coast, Laos, Mexico, Pakistan, Panama.

The proposal was adopted by 55 votes to 35, with 13 abstentions.

146. The PRESIDENT (translated from French): I accordingly consider that the General Assembly has decided that the simple-majority rule provided for in rule 15 of the rules of procedure will be followed in the vote on the recommendation of the General Committee [A/5131, para. 2].

147. I call on the representative of the United Kingdom on a point of order.

148. Sir Patrick DEAN (United Kingdom): If I understand its position, the General Assembly has just decided, by a majority vote, that rule 15 of the rules of procedure applies to the voting on the recommendation contained in the report of the General Committee to the General Assembly [A/5131, para. 2].

149. May I ask the President, also, to put to the vote this proposition: that there is a previous question which requires consideration? Under rule 83 of the rules of procedure, which has been referred to earlier, an earlier decision of the General Assembly can be reversed only as a result of two-thirds majority.

150. May I ask the President to put to the vote whether this rule applies and must be voted on, before the voting under rule 15, on the General Committee's report?

151. The PRESIDENT (translated from French): I should be glad if the United Kingdom representative would explain his point of order a little more clearly. What exactly is it that he is asking me to put to the General Assembly? I should be grateful if he would explain what he has in mind.

152. Sir Patrick DEAN (United Kingdom): My point of order is this: that there is a prior question which must be put to the vote by the General Assembly before it proceeds to vote, under rule 15, on the report of the General Committee. That prior question arises under rule 83 of the rules of procedure, and concerns paragraph 10 of the resolution of the General Assembly on Ruanda-Urundi [resolution 1743 (XVI)].

153. I do not want to repeat the arguments which have already been placed before the General Assembly on this point; but in my submission—and I ask the President to rule on this—this prior question should be voted on first: whether the decision which was embodied in paragraph 10 of the Ruanda-Urundi resolution should not first be voted on—and that requires a two-thirds majority before it can be reversed.

154. The PRESIDENT (translated from French): Is consideration of General Assembly resolution 1743 (XVI) on our agenda? I do not believe so and I frankly admit that I have still not clearly understood what is at issue. Is or is not the United Kingdom representative asking the General Assembly to decide whether, by voting on the General Committee's recommendation, it is reopening consideration of resolution 1743 (XVI)? Is that the motion he wishes to make, since the Assembly has just voted in favour of applying the simple-majority rule in voting on the recommendation of the General Committee?

155. Sir Patrick DEAN (United Kingdom): I understand very well the decision which was just reached by the General Assembly; but, in my submission, the recommendation of the General Committee involves reconsideration of a decision previously taken by this Assembly. Therefore, before article 15 can be held to apply, a decision must first be taken under rule 83 of the rules of procedure, agreeing that this reconsideration should take place; and under that rule a different majority is required from that specified in article 15. That is to say, this is a special circumstance: the decision of the General Committee is, in fact, a recommendation to this Assembly to reconsider a decision it already has taken and, therefore, rule 83 of the rules of procedure clearly applies and must apply before the decision to proceed under rule 15 and vote in accordance with that rule.

156. The PRESIDENT (translated from French): I think I now understand the idea expressed by the United Kingdom representative. It is his view that the recommendation of the General Committee implies a reconsideration of a question on which the Assembly has already taken a decision by adopting resolution 1743 (XVI). He therefore wishes me to ask the Assembly whether it agrees with that interpretation and he considers that to vote on the General Committee's recommendation would be to reopen consideration of the decision which the Assembly took when it adopted the resolution in question.

157. I call on the representative of the Soviet Union on a point of order.

158. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): Difficult times have come for those delegations that are defending or trying to defend an unjust cause; I am thinking of the policy of the United Kingdom Government with regard to Southern Rhodesia and the whole complex of related questions. But one cannot descend to the

extremes of desperation to which the United Kingdom representative is now going, with the last shreds of logic now disappearing from the proposals which he is once again persistently attempting to have voted upon in the General Assembly.

159. This is not a circus for legal hocus-pocus and acrobatics. This is the highest organ of the United Nations. I do not doubt what the result of the vote will be, Mr. President, if you put the matter before the Assembly in the form in which it has now, finally, been formulated as a result of the fourfold exchange of views between you and the United Kingdom representative. I have no doubts as to the results of the vote, at any rate in the sense that all progressive delegations which support the Declaration on the granting of independence to colonial countries and peoples will, even in this inverted and distorted presentation—when the pyramid has, so to speak, been turned upside down and they are trying to make it balance—vote in favour of the elimination of colonialism and against legal acrobatics of this kind.

160. However, a question of principle arises: how far is it possible to play with the will of the majority in the General Assembly, which expressed that will in the decision taken by the Assembly just a few moments ago? For if we took a vote and decided that rule 15 would apply in the case of the present specific instance in the present specific circumstances, the argument on the basis of which the United Kingdom representative, presenting the matter in a wholly absurd way, is calling for a fresh vote would mean that we should somehow have to alter or reconsider the decision which we took just now, when we decided to reject the entire argument of the United Kingdom delegation and of the few delegations, I am happy to say, which attempted to support that position. We decided just now that we would apply the simple majority rule in the present instance precisely because there is not the slightest question at the present time of reconsidering the resolution on the question of Ruanda-Urundi which we adopted at the second part of the sixteenth session.

161. We are not reconsidering paragraph 10 of that resolution. For precisely that reason the Soviet delegation and other delegations resolutely voted in favour of having rule 15 apply, because we are not engaged here in any experiments or legal acrobatics such as those to which the United Kingdom delegation is resorting—a fact that does nothing, of course, to enhance that delegation's prestige in the eyes of the peoples of Asia and Africa, but that is its own concern. It has already thrown prudence to the winds, but we, Mr. President, and you in particular, as the presiding officer at this plenary meeting of the highest organ of our United Nations, must give a ruling to the effect that the United Kingdom representative's statements and his proposal that we should vote in the manner he expounded are out of order and are aimed at reversing the decision which we have just taken, when 55 votes were cast in favour of certain specific conclusions.

162. I accordingly ask you, Mr. President, to exercise the right you possess and to declare that the proposal of the United Kingdom representative, at any rate in the form in which it has been put forward, is out of order and may not be put to the vote. If you do not do this, Mr. President, I shall move, on a point of order, that, before voting on the United Kingdom proposal, the Assembly should vote on my pro-

posal, namely, that that proposal is out of order and cannot be put to the vote. This will truly be a preliminary question which has a right to exist by the laws of logic, politics and common sense.

163. The PRESIDENT (translated from French): I call on the representative of Bulgaria, who has asked for the floor on the point of order raised by the United Kingdom representative.

164. Mr. TCHOBANOV (Bulgaria) (translated from French): My delegation feels that this is too serious a moment—for we will soon be discussing the independence of a people which has long been under the colonial yoke—for us to indulge in jokes that are in doubtful taste. I regret that this is how I am forced to describe the proposal made by the representative of the United Kingdom.

165. What was it that we voted on a few moments ago? If I understood the issue correctly, as the President formulated it before the vote, we voted to decide whether it was rule 15 that was applicable in the case before us, i.e., whether this was a question falling under chapter II of the rules of procedure, or whether it was a question of reconsidering a decision already taken by the Assembly. It was on that specific question that we voted and, by a majority vote, the Assembly decided that it was rule 15, and not rule 83, that was applicable—that it was a matter of including an item in the agenda, as defined in chapter II, and not of reconsidering a decision previously taken.

166. The Assembly has given its decision on this matter and the United Kingdom representative has, I repeat, just indulged in humour that is in very poor taste. He is asking us to vote once more on a question that we voted on just a few moments ago.

167. I accordingly ask the President to use the powers vested in him and to refuse to submit to the Assembly a question on which we have already voted. This is a matter that involves the respect that is due to this Assembly and to the colonial peoples awaiting their independence.

168. The PRESIDENT (translated from French): Does the representative of the United Kingdom wish to press his motion? May I appeal to him to facilitate the work of the Assembly?

169. Sir Patrick DEAN (United Kingdom): I am very loath to continue the debate, and I would like to respond to the President's appeal—but there is a point of principle here which is of importance. I would ask the President to put to the vote the following proposition, which I formulated earlier: that since the recommendation contained in the report of the General Committee [A/5131, para. 2] involves the reconsideration of a decision of the General Assembly there must therefore first be a decision under rule 83 to re-open this question. I think that is an important point, and a number of legal arguments have been addressed to it by a number of delegations. I do not think it is unreasonable of my delegation to ask that that should now be decided by this Assembly.

170. The PRESIDENT (translated from French): The United Kingdom representative presses his motion to the vote. I shall therefore put this motion to the General Assembly.

171. I call on the representative of the Soviet Union on a point of order.

172. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): Perhaps it is my

fault for not stating clearly enough what I had in mind. I shall therefore repeat it.

173. I think that we should vote on the preliminary question whether it is possible to put to the vote the proposal made by the United Kingdom representative, in view of all the arguments that have been advanced, partly by you, Mr. President, from your rostrum—several times you tactfully pointed out that the proposal we are about to vote upon was out of order—and also by a number of delegations.

174. I accordingly ask that as a preliminary question the Assembly should decide whether the proposal made by the United Kingdom can be put to the vote or is out of order.

175. I consider that this is a perfectly normal procedure to follow in dealing with this quite extraordinary proposal which in essence calls upon us to reconsider a decision we have just adopted. For it does in fact amount to a reconsideration of a decision just taken. Completely unsuccessful attempts have been made to prove that the decision adopted by the majority in the Assembly amounts to a reconsideration of paragraph 10 of the resolution on Ruanda-Urundi. However, the utter worthlessness of these assertions has been demonstrated here.

176. Yet now a real attempt is being made by means of this proposal to force us to reconsider the decision we have just taken. Since the United Kingdom representative nevertheless does not say that this will be a reconsideration of the decision we have just taken, I think that on the basis of the arguments that have been adduced here just now this proposal cannot be put to the vote.

177. I ask you, Mr. President, to put the preliminary question to the vote first of all, and then, after it, the proposal of the United Kingdom representative.

178. The PRESIDENT (translated from French): The Assembly has just heard the proposal, in the form of a preliminary question, made by the USSR representative. I must now rule on that proposal.

179. The United Kingdom representative has made a formal motion and has asked that it be put to the vote. Since that motion constitutes a reconsideration of the decision which the Assembly itself took a few minutes ago, to the effect that the vote on the recommendation of the General Committee falls under rule 15 of the rules of procedure; since, in other words, the motion of the United Kingdom representative formally re-opens consideration of a proposal which the Assembly adopted by 55 votes to 35, with 13 abstentions, the vote on it must be taken in accordance with rule 83 of the rules of procedure. This means that the majority required for the motion's adoption must be a two-thirds majority.

180. We thus have two proposals before us, submitted by the United Kingdom representative and the Soviet Union representative respectively. I hope that neither of these representatives will press the Chair to put this proposal to the vote. That would greatly expedite the work of this Assembly. May I appeal to them to take this course and may I have their agreement on this point?

181. Sir Patrick DEAN (United Kingdom): I think I must make it clear that what I am asking is not, in fact, a reversal of the previous decision of this General Assembly. I am asking the Assembly to take note of the fact that the recommendation contained in

the report of the General Committee [A/5131, para. 2] involves reconsideration of a decision of the General Assembly, and the General Assembly must, therefore, first agree to this reconsideration under rule 83 before it votes on the report of the General Committee.

182. There are, in fact, two questions involved, as I hoped I had made clear. Our contention is that the prior question, which should be dealt with first, is that which arises under rule 83. That is the situation, and that is the matter on which I asked to have a vote; it is not a reversal of a decision by the General Assembly to proceed to vote on the report of the General Committee under rule 15.

183. The PRESIDENT (translated from French): The United Kingdom representative presses his motion to a vote. As I explained, it is clearly understood that this proposal constitutes a reconsideration of the decision just taken by the General Assembly and, that being so, that the applicable rule is the two-thirds majority rule specified in rule 83 of the rules of procedure.

184. I put to the vote the proposal of the United Kingdom representative, that the Assembly, before voting on the recommendation of the General Committee, should decide to apply the provisions of rule 83 of the rules of procedure to the vote on the General Committee's recommendation [A/5131, para. 2].

The proposal was rejected by 54 votes to 28, with 12 abstentions.

185. The PRESIDENT (translated from French): We shall now proceed to vote on the recommendations in the seventh report of the General Committee [A/5131].

186. I put to the vote the General Committee's first recommendation, that the Assembly should place on its agenda the item entitled "The question of Southern Rhodesia". A roll-call vote has been requested.

A vote was taken by roll-call.

Venezuela, having been drawn by lot by the President, was called upon to vote first.

In favour: Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay.

Against: Australia, Austria, Belgium, Canada, Denmark, Dominican Republic, El Salvador, Finland, France, Greece, Honduras, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Paraguay, Peru, Portugal, South Africa, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Ecuador, Guatemala, Japan, Laos, Mexico, New Zealand, Panama, Thailand.

The recommendation was adopted by 62 votes to 26, with 15 abstentions.

187. The PRESIDENT (translated from French): I invite the Assembly to vote on the General Committee's second recommendation, that the item should be considered directly in plenary meetings, without being referred to a Committee. If there is no objection, I shall consider that the Assembly adopts this recommendation.

The recommendation was adopted.

188. The PRESIDENT (translated from French): I now invite the Assembly to vote on the third recommendation of the General Committee, that the Assembly waive the requirement contained in rule 15 of the rules of procedure for a seven-day interval between the inscription of an item on the agenda and its consideration by the Assembly. If no representative has any observations to make on this recommendation, I shall consider it adopted by the Assembly.

The recommendation was adopted.

189. The PRESIDENT (translated from French): I call on the representative of Israel, who wishes to explain his vote.

190. Mr. COMAY (Israel): My delegation is not unmindful of the difficult problems which now face the United Kingdom Government regarding the future of Southern Rhodesia in the context of the future of the Central African Federation. We have heard an important and somewhat encouraging statement from Sir Patrick Dean expressing the willingness of his Government to re-examine the whole complex of problems involved, and we cannot doubt the sincere desire of the United Kingdom Government to promote peaceful and liberal constitutional progress in that territory. We have also listened with respect to the view that this debate might well be deferred to the

next regular session of the Assembly having regard to the postponement of the elections in Southern Rhodesia as well as to the original decision to confine this resumed session to the single subject of Ruanda-Urundi. However, misgivings about the political developments in Southern Rhodesia are so strongly felt by a number of other States that they are unwilling to delay examination by the Assembly of the issues involved. Those who maintain that position include all the African countries, which feel a natural involvement in the affairs of this African territory and a special responsibility for ensuring the rights and status of the African majority.

191. Under these circumstances, my delegation was not persuaded that it would be helpful to thwart the request for a debate. We have therefore voted in favour of the inclusion of the item, thereby acting in line with our traditional practice in such matters. In doing so, we express the hope, the earnest hope, that the debate will be carried on in a moderate and constructive manner which will do good and not harm. We are deeply convinced that the most hopeful future for Southern Rhodesia lies in promoting multiracial equality and harmony instead of interracial conflict.

192. The PRESIDENT (translated from French): Before adjourning the meeting I wish to announce to the General Assembly that we shall begin debate on the question of Southern Rhodesia on Thursday, 14 June. All Members are aware that we would like to complete our work as quickly as possible. To facilitate our task, I wish to make an appeal to all delegations. Firstly, I would ask all who wish to participate in the discussion to place their names as soon as possible on the list which is now open for the purpose. Secondly, in order to facilitate and shorten the debate, it would be appropriate for two or three draft resolutions to be submitted as soon as the debate opens.

The meeting rose at 1.45 p.m.