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GENERAL ASSEMBLY

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SUMMARY RECORD OF THE EIGHTEENTH MEETING

Held at Lake Success, New York,
on Thursday, 8 September 1949, at 2.45 p.m.

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- Draft resolution presented by the delegation of the United States of America (A/AC.28/W.20, A/AC.28/W.22).
- Draft resolution presented by the delegation of Australia (A/AC.28/W.21).

Chairman:

Mr. GERIG

United States of America

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<u>Members:</u>	Mr. HOOD	Australia
	Mr. RYCKMANS	Belgium
	Mr. JOBIM	Brazil
	Mr. TIEH-TSENG LI	China
	Mr. LANNUNG	Denmark
	Mr. de MARCHENA	Dominican Republic
	Mr. FARRAG	Egypt
	Mr. GARREAU	France
	Mr. SHIVA RAO	India
	Mr. SPITS	Netherlands
	Mr. LAKING	New Zealand
	Mr. GRAFSTRÖM	Sweden
	Mr. SOLDATOV	Union of Soviet Socialist Republics
	Mr. FLETCHER COOKE	United Kingdom of Great Britain and Northern Ireland
	Mr. STOLK	Venezuela

Representatives of Specialized Agencies:

Mr. METALL	International Labour Organisation (ILO)
Miss WEHRWEIN	Food and Agriculture Organization (FAO)

Secretariat:

Mr. HOO	Assistant Secretary-General
Mr. BENSON	Secretary of the Committee

JOINT DRAFT RESOLUTION PRESENTED BY THE DELEGATIONS OF VENEZUELA, CHINA, EGYPT AND INDIA (A/AC.28/W.19).

The CHAIRMAN invited the Committee to examine the three draft resolutions in the order in which they had been presented, as well as the Belgian amendment to the United States draft resolution (A/AC.28/W.22).

Mr. HOOD (Australia), recalling a suggestion he had made at an earlier meeting, proposed that the Committee should not take a vote on the question of its future. He felt that it would be sufficient if the different views expressed on the subject were noted in the report to the General Assembly; in point of fact it was the General Assembly which had to take a decision on that question, not the Committee.

Mr. STOLK (Venezuela) stated that in the case in point the Committee should take a vote, in view of the importance of the question; if the Committee were to confine itself to giving an account in the report of the different views expressed during the debates, the General Assembly might gain a false impression of the situation, since certain members had not stated their views on that particular question.

Mr. SHIWA RAO (India) fully shared the Venezuelan representative's point of view. A vote on the question would have the advantage of explaining the position to the General Assembly.

Mr. GARREAU (France) announced that he would withdraw, in favour of the Belgian amendment, the amendment which he had presented to the United States draft resolution at the preceding meeting, to replace the words "for a three year period" by the words "for the period of one year" in the first paragraph of the operative part of the draft resolution.

With regard to the Australian representative's suggestion, he felt that it would be well to hear the views of the various members of the Committee before proceeding to a vote.

He would not be able to vote in favour of the joint draft resolution presented by the delegations of Venezuela, China, Egypt and India. He would also vote against the United States draft resolution, unless the Belgian amendment to it was adopted. He admitted that the Committee was of use, but only if it adhered strictly to the terms of reference it

/had

had received from the General Assembly. Furthermore, it had not yet completed its task, for certain questions were still pending, including that of the revision of the Standard Form. He could not, however, accept the idea of giving a permanent status to a body not expressly provided for in the Charter.

Mr. JOBIM (Brazil) agreed with the representatives of Venezuela and India. He felt that a vote should be taken on the resolutions which had been submitted to the Committee, on the joint resolution first and then on the United States proposal. Only in the event of the vote not being decisive would the Committee be called upon to vote on the Australian suggestion.

Mr. RYCKMANS (Belgium) observed that the Committee had not been asked by the General Assembly to express its views regarding its own fate. If, however, the Australian proposal was intended to raise the question of the Committee's competence, a vote should be taken first on that point.

Mr. STOLK (Venezuela) supported the Brazilian representative's remarks and considered that the Committee should vote on the draft resolutions which had been submitted, unless the authors themselves decided to withdraw them; the fact of not voting upon them would create a dangerous precedent.

With regard to the question raised by the Australian representative, Mr. Stolk did not consider that it cast doubts upon the Committee's competence; the Australian representative's intention was simply to suggest a practical solution.

Mr. FLETCHER-COOKE (United Kingdom) thought that if the Australian proposal was simply an appeal to the Committee not to express an opinion on its future, there was no need, from a procedural point of view, to put that proposal to the vote. If only one member asked for a vote on a draft resolution, that request could not be refused; there would therefore have to be a vote on the various proposals, unless the authors withdrew them. If it was the intention of the representative of Australia to raise the question of the Committee's competence, he should make that clear.

He himself, however, felt that it would be preferable not to put the draft resolutions to the vote, since all except one of the members of the

Committee had stated their views on the question, and, furthermore, whatever the Committee's decision might be, the question would undoubtedly be re-examined by the Fourth Committee.

Mr. SOLDATOV (Union of Soviet Socialist Republics) stated that so long as the draft resolutions had not been formally withdrawn by their authors, it was impossible to adopt a proposal designed to prevent a vote on them; there was nothing in the rules of procedure to permit such procedure.

Mr. FARRAG (Egypt) also felt that the draft resolutions which had been presented must of necessity be put to the vote.

Mr. HOOD (Australia) explained that his suggestion was not actually designed to raise the question of the Committee's competence; in submitting it, he had considered that it was quite usual to consider the possibility of postponing a final decision on a matter which the General Assembly had not asked the Committee to resolve, without necessarily seeing in it an intention to refuse to anyone the right to present draft resolutions.

Mr. GRAFSTROM (Sweden) felt that it would be better not to vote; he hoped the Chairman would find a solution along those lines.

The CHAIRMAN concluded from the discussion that the Australian proposal was unacceptable. He put to the vote the joint draft resolution proposed by the delegations of Venezuela, China, Egypt and India.

The joint draft resolution was rejected by 8 votes to 6.

DRAFT RESOLUTION SUBMITTED BY THE DELEGATION OF THE UNITED STATES OF AMERICA (A/AC.28/W.20)

The CHAIRMAN put to the vote the amendment submitted by the Belgian delegation (A/AC.28/W.22).

The amendment was rejected by 8 votes to 6.

/Mr. JOBIM

Mr. JOBIM (Brazil) thought that the Committee should be established on a permanent basis. Since, however, a proposal to that effect had just been rejected, he would vote for the United States resolution, reserving the right to support any proposal at the forthcoming session of the General Assembly for a permanent committee. He requested a vote by roll-call.

Mr. STOLK (Venezuela) said that he also would vote in favour of the United States draft resolution, reserving the right to vote for a permanent committee in the General Assembly.

Mr. SOLDATOV (Union of Soviet Socialist Republics) recalled that the USSR delegation had always considered that the Committee should be established on a permanent basis, since that would make it easier to implement the principles of the Charter concerning Non-Self-Governing Territories. He would therefore vote in favour of the United States draft resolution, reserving the right to support the principle of a permanent committee in the General Assembly.

Mr. FARRAG (Egypt), Mr. SHIVA RAO (India) and Mr. TIEH-TSENG LI (China) stated they would vote for the United States draft resolution, reserving the right to reconsider the question when it came before the General Assembly.

Mr. HOOD (Australia) pointed out that the Committee might be taking up an inconsistent attitude if it adopted the draft resolution, since a certain number of representatives who were going to vote in favour of that resolution were at the same time reserving the right to defend before the General Assembly a different point of view from that expressed in the draft resolution.

Mr. GARREAU (France) remarked that the observations which certain representatives had just put forward in favour of the United States draft resolution only confirmed the opinion which he had already expressed, namely that it served as a compromise. He reminded the representatives who had reserved their right to raise the question of the permanence of the committee before the General Assembly that the

establishment of a permanent committee was contrary to the Charter and in particular to the provisions of Chapter XI. It was not enough to invoke certain General Assembly resolutions, since the General Assembly was not infallible; the Charter was the final authority.

He would therefore have to reserve his Government's position should it be decided to establish the Committee on a permanent basis.

The CHAIRMAN, speaking as the representative of the United States, noted that his draft resolution was unfortunately receiving support more for the sake of convenience than through recognition of its intrinsic value, since several delegations had announced their desire to support a different proposal in the General Assembly. He would therefore be justified in withdrawing his draft resolution, but would not do so since he was still convinced that the solution proposed in it was the wisest.

A vote was taken by roll-call on the draft resolution submitted by the United States.

In favour: Brazil, China, Denmark, Egypt, India, Union of Soviet Socialist Republics, United States of America, Venezuela.

Against: Belgium, France, Netherlands, United Kingdom.

Abstaining: Australia, Dominican Republic, New Zealand, Sweden.

The United States draft resolution was adopted by 8 votes to 4, with 4 abstentions.

Mr. de MARCHENA (Dominican Republic) stated that he was entirely in favour of the principle of the Committee's permanence; he had nevertheless abstained from voting, as his delegation had abstained in a similar vote at the last session of the General Assembly. He wanted to be free to take a more direct position at the forthcoming session of the General Assembly.

DRAFT RESOLUTION PRESENTED BY THE DELEGATION OF AUSTRALIA (A/AC.28/W.21)

Mr. HOOD (Australia) explained that his draft resolution could be considered to supplement the Indian resolution which had been adopted the previous day. It drew attention to the programmes of technical assistance which had been put into effect under the auspices of the Economic and Social Council and it stressed the importance of obtaining the participation of the specialized agencies in any inter-governmental action on a regional basis. By inviting the specialized agencies to devote their attention to the Non-Self-Governing Territories, the draft resolution indicated one way in which those agencies could assist the Administering Powers to carry out their obligations to the territories in question. He therefore considered that the Committee was quite competent to formulate such a recommendation.

Mr. SHIVA RAO (India) fully supported the draft text submitted by the Australian representative.

He thought that it was extremely important to establish contacts between the regional inter-governmental organizations and the specialized agencies. Certain inter-governmental conferences had already invited representatives of those agencies to attend as observers. The Australian resolution went still further and requested the specialized agencies to inform the Secretary-General of any regional action which concerned the Non-Self-Governing Territories.

Since it was to the Committee's interest to ascertain to what extent the Administering Powers were calling on the specialized agencies, he proposed that the following phrase should be added to the end of Mr. Hood's text: "and to the results of that assistance".

Mr. RYCKMANS (Belgium) did not quite understand the scope of the draft resolution. The significance of the third paragraph was not very clear in view of the wording of the first paragraph: was it a question of technical assistance provided by the specialized agencies or of the assistance which the inter-governmental organizations gave the Non-Self-Governing Territories? Furthermore, it was not very clear how the resolution could be put into effect.

Inter-governmental bodies working on a regional basis often had a specific character, as, for example, the conferences convened by the United Kingdom, France, Belgium and Portugal on such questions as cattle-plague, leprosy, and locusts in Africa. Was the Secretary-General to be requested to establish contact with all conferences of that nature? He would like some clarification, to enable him to discuss the text in full knowledge of the facts.

Mr. FLETCHER COOKE (United Kingdom) agreed with Mr. Ryckmans. He did not understand the significance of the third paragraph in view of the reference to the Economic and Social Council resolution. Its purpose seemed to be to provide the Secretary-General with additional information on the Non-Self-Governing Territories. The Secretary-General would have to use that information in the report which he would probably have to submit to the Economic and Social Council. Mr. Fletcher Cooke did not quite see how the Committee could intervene in a system established by a body which had not given it any terms of reference.

Mr. HOOD (Australia) agreed to the addition of the words proposed by Mr. Shiva Rao. He explained that the purpose of his own text was simply to enable the Committee and the General Assembly to be informed of any measures concerning Non-Self-Governing Territories taken by the specialized agencies within the framework of the regional programmes.

Mr. GARTEAU (France) pointed out that the regional bodies mentioned in the draft resolution did not deal exclusively with Non-Self-Governing Territories. Moreover, they functioned outside the framework of the United Nations; some of their members, such as Portugal, were not even United Nations Members. He wondered, therefore, whether the Committee had the right to extend its competence to a field which had nothing to do with the work of the United Nations.

Mr. HOOD (Australia) suggested that, in order to avoid any misunderstanding, the third paragraph should be amended to begin as follows: "Requests the Secretary-General to include in his reports to the Economic and Social Council information on the nature, etc."

/Mr. FLETCHER COOKE

Mr. FLETCHER COOKE (United Kingdom) questioned the Committee's right to make requests to the Secretary-General concerning the content of his reports to another organ of the United Nations.

Mr. LAKING (New Zealand) agreed with the Australian representative that the Committee should encourage the specialized agencies to establish contact with inter-governmental organizations in connexion with the question of technical assistance to the Non-Self-Governing Territories.

He was, however, opposed to the Indian amendment, as he thought it would be impossible to put such a measure into effect. The specialized agencies would not be in a position to know the results of their technical assistance.

Mr. GARREAU (France) felt that the resolution would put the specialized agencies in an embarrassing position if it obliged them to give the Secretary-General information on all the conferences to which their representatives were invited as mere observers or as experts.

Mr. RYCKMANS (Belgium) wished to know the exact meaning of the third paragraph: was the Secretary-General to be requested to establish contact with inter-governmental organizations? Were the specialized agencies to be invited to report on the work of those organizations? Or were the specialized agencies to be asked to furnish information concerning the technical assistance which they themselves had given the Non-Self-Governing Territories?

He therefore asked that the vote on the draft resolution might be postponed until those questions had been clarified.

Mr. GARREAU (France) thought the question deserved more serious consideration. As it stood, the Australian draft resolution was liable to give rise to the difficulties which he had already pointed out. For that reason, he asked for at least twenty-four hours in which to consider the text before giving a final opinion on it.

Mr. SHIVA RAO (India), replying to Mr. Laking, stated that in some cases the specialized agencies would obviously be unable to appraise the results of technical assistance; but there would be other cases in which they would have every means of doing so, and provision should be made for that in a resolution.

/With regard

With regard to Mr. Ryckman's objections, while some regional bodies operated on a provisional basis, others, such as the Caribbean Commission and the South Pacific Commission, were in permanent session and it was quite possible to maintain constant contact with them.

He stressed, moreover, that the Australian proposal had the advantage of making it possible to avoid any overlapping in the work of the inter-governmental organizations and that of the specialized agencies.

Furthermore, the draft resolution would provide a link between the two kinds of international co-operation.

Mr. HOOD (Australia) quoted the relevant paragraph of resolution 222 (IX) of the Economic and Social Council and pointed out that the Committee would not be going beyond its competence by adopting his resolution, since the latter merely asked for information.

In view, however, of the fact that some representatives had evinced a desire to study the text more closely, he was prepared to withdraw it for the time being, reserving the right to submit it to the Fourth Committee at its forthcoming session.

Mr. FLETCHER COOKE (United Kingdom) was not opposed to the Committee's asking for information concerning the results of the work of regional bodies in fields covered in Article 73 e. As, however, those bodies had only recently been set up and had not yet established a definite modus vivendi with the specialized agencies, he thought it better to postpone consideration of the Australian draft resolution not until the coming session of the General Assembly but until the following session of the Special Committee.

It was decided to adjourn sine die the consideration of the Australian draft resolution.

The CHAIRMAN stated that the following meeting would be held the next day at 3 p.m., in order to enable the Rapporteur to finish his report in the course of the morning. If the Committee did not complete its consideration of the report at that meeting, a further meeting would be held on Monday, 12 September.

The meeting rose at 5 p.m.