

United Nations
**GENERAL
ASSEMBLY**

FOURTEENTH SESSION
Official Records



**SPECIAL POLITICAL COMMITTEE, 135th
MEETING**

Friday, 23 October 1959,
at 3.30 p.m.

NEW YORK

CONTENTS

Agenda items 19, 20 and 21:

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the number of non-permanent members of the Security Council and the number of votes required for decisions of the Council (continued).....

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the membership of the Economic and Social Council (continued).....

Question of amending the Statute of the International Court of Justice, in accordance with the procedure laid down in Article 108 of the Charter of the United Nations and Article 69 of the Statute of the Court, with respect to an increase in the number of judges of the International Court of Justice (continued).....

Page

37

Chairman: Mr. Charles T. O. KING (Liberia).

In the absence of the Chairman, Mr. Voutov (Bulgaria), Vice-Chairman, took the Chair.

AGENDA ITEMS 19, 20 AND 21

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the number of non-permanent members of the Security Council and the number of votes required for decisions of the Council (A/SPC/L.32/Rev.1, A/SPC/L.33 and Add.1) (continued)

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the membership of the Economic and Social Council (A/SPC/L.32/Rev.1, A/SPC/L.33 and Add.1) (continued)

Question of amending the Statute of the International Court of Justice, in accordance with the procedure laid down in Article 108 of the Charter of the United Nations and Article 69 of the Statute of the Court, with respect to an increase in the number of judges of the International Court of Justice (A/SPC/L.32/Rev.1, A/SPC/L.33 and Add.1) (continued)

1. Mr. SANZ (Argentina) recalled that, at the General Assembly's second and third sessions, his delegation had already raised the questions under discussion. At the current session it had wished to provide a fresh stimulus for the consideration of those questions, and had been joined in its efforts by the delegations of

Colombia, of other Latin American countries, and of countries outside that group. The Argentine delegation believed that in future it would no longer be possible merely to postpone consideration of those questions to the following session, and was convinced that, whatever the Committee might decide, its decision would have to reflect a new position. Consequently, his delegation, which had no direct interest at stake, had wished to make a constructive analysis based on authoritative interpretations of the Charter. Its stand was not directed against anyone and was not based on any political considerations. It considered that the United Nations should be adapted to present-day conditions by the application of the provisions for amendment of the Charter which were laid down in the Charter itself. That would in no way affect the Powers' freedom of decision at the second stage of the procedure provided for in the Charter. His delegation pledged its wholehearted co-operation in the efforts of all delegations which favoured the changes it considered necessary.

2. Mr. DAROM (Israel) observed that the two draft resolutions before the Committee reflected both a desire to amend the relevant Articles of the Charter and the conviction that that could not be done successfully under present circumstances. However, the Salvadorian draft resolution (A/SPC/L.32/Rev.1) broke new ground. It would have been very difficult to sum up in one draft resolution the wide range of considerations underlying the three items under discussion; hence the proposal mentioned only the Economic and Social Council by name, and intentionally used the vague phrase "other principal organs" in order to allow for the reservations expressed by several delegations concerning the Security Council and the International Court of Justice. That attitude was shared by his delegation, which endorsed the arguments advanced in favour of enlarging the Economic and Social Council but reserved its position on items 19 and 21 of the agenda. It would therefore vote in favour of the Salvadorian draft resolution.

3. U ON SEIN (Burma) pointed out that some thirty new Members had been admitted to the United Nations since the San Francisco Conference in 1945. Other Asian and African countries would be joining as soon as they attained independence. His delegation therefore considered that the membership of the Security Council and the Economic and Social Council should be increased and the seats distributed more equitably. At the same time, it was necessary to face facts. Under Article 108 of the Charter, amendments to the Charter could come into force only if they were ratified by all the permanent members of the Security Council. That fact immediately raised a serious political problem—the representation of the People's Republic of China. Burma had been the first non-communist State to recognize the People's Republic of China, and its delegation had voted every year for that country's representation in the United Nations.

4. His delegation hoped that unanimous agreement among the permanent members of the Security Council was not too far distant and considered that the question should meanwhile be kept alive. It had therefore become a sponsor of the twelve-Power draft resolution (A/SPC/L.33 and Add.1).

5. Mr. JHA (India) said he understood that discussions were going on with a view to drafting another resolution which might be acceptable to the large majority of members of the General Assembly. While reserving the right to state later on his final position on such draft resolutions as might be laid before the Committee, he wished to state his delegation's preliminary views at the present stage of the discussion.

6. Although his delegation was not among the sponsors of the twelve-Power draft resolution (A/SPC/L.33 and Add.1) it had been fully associated with the discussions preceding its introduction, and was prepared to support it. The proposal faithfully reflected the consensus of opinion in the Committee which, on the whole, preferred to leave the matter for consideration at the fifteenth session in the hope that more favourable circumstances would soon make it possible to expand the principal organs of the United Nations through amendments to the Charter.

7. The distinctive feature of the Salvadorian draft resolution (A/SPC/L.32/Rev.1) was that it sought to set up a good offices committee. Its sponsor had shown praiseworthy initiative, but good offices committees, which had often been set up in the past, had not always achieved very satisfactory results. In the present case a good offices committee would be faced with unyielding positions, which left no leeway for concessions. The question of the representation of the People's Republic of China was raised at every session of the General Assembly and, as consideration of the question was postponed each time, nothing tangible had been achieved. In the circumstances, failing an unexpected shift in the position of the Soviet Union, a good offices committee would be bound to report failure after some months of negotiation. That would only complicate matters, exacerbate the issue and create a situation embarrassing to the Committee, to the good offices committee and to the Soviet Union. He felt that the Committee should avoid giving the impression that it was trying to exercise pressure on the Soviet Union. If a great Power held certain views, whatever they might be, with conviction and sincerity, they should be respected even if they were inconvenient to other countries or groups of countries. It was only through tolerance, the exchange of views and persuasion that the Charter could be amended with the agreement of the Soviet Union and the other great Powers.

8. Mr. CASSELL (Liberia) noted with regret that the view which seemed to prevail in the Committee was that at the moment nothing positive or concrete could be done to remedy an unjust situation. Yet it was admitted that the States of Asia and Africa not merely lacked fair representation in the principal organs of the United Nations but in some cases could not even be heard there. Those States had an incontestable and absolute right to participate fully in the work of the principal organs. The fact was that the exercise of that right had been subordinated to a political issue—the representation of China in the United Nations. With all due respect to the views expressed on that subject, the Liberian delegation considered that the two questions

were unrelated. There was a danger that the present situation would continue indefinitely. In the circumstances his delegation felt that the General Assembly should wait no longer before deciding to amend certain Articles of the Charter in order to increase the membership of the principal organs of the United Nations. It would then be for States which did not approve those amendments to exercise, if they saw fit, their right not to ratify them; but the Assembly would at least have taken a step forward.

9. Neither of the two draft resolutions before the Committee provided for amendments to the Charter. Furthermore neither of them reflected the opinion which had been expressed by several delegations, that it should be possible at any rate to redistribute the seats in the principal organs of the United Nations in order to ensure more equitable geographical distribution. His delegation would therefore have to vote against or abstain from voting on both the draft resolutions before the Committee.

10. Mr. NONG KIMNY (Cambodia) said that the twelve-Power draft resolution (A/SPC/L.33 and Add.1), of which his delegation was a sponsor, reflected what seemed to be the general view expressed in the discussion. The deadlock in which the General Assembly had been fast since 1956 was no reason for losing hope and, in view of the current improvement in international relations, an agreement among the great Powers in the near future was not out of the question. The draft resolution was expressly designed to create an atmosphere favourable to agreement. It represented the most that could be done in existing circumstances.

11. His delegation had given all due consideration to the Salvadorian draft resolution (A/SPC/L.32/Rev.1) and had been glad to note that the purpose of its operative paragraphs 1 and 2 was the same as that of the operative part of the twelve-Power proposal. With regard to the establishment of a good offices committee proposed in paragraph 3, his delegation recognized the merit of the arguments advanced by the sponsor in support of his proposal. It was true that the Committee of Good Offices established in 1953 by resolution 718 (VIII) to facilitate the solution of the problem of the admission of new Members had proved useful, and that its efforts had been crowned with success. Cambodia had been among the new States admitted to the United Nations as a result of the hard work of the Committee of Good Offices, to which it was still grateful. It should not be forgotten, however, that in dealing with the question of the admission of new Members the Committee of Good Offices had been in a good position to negotiate with the Soviet Union; it had had a bargaining point—the "package deal" for admission of States as a group. The good offices committee now proposed would not be in such an advantageous position and would have little chance of success in its consultations; hence his delegation did not consider that its establishment would be justified.

12. Mr. URQUIA (El Salvador) expressed his gratitude to the Argentine and Colombian delegations for their efforts to induce the Assembly to adopt, at the current session, specific draft amendments to the Charter for the purpose of increasing the membership of the Security Council and the Economic and Social Council. The Salvadorian delegation appreciated the spirit of compromise which those delegations had shown in the matter.

13. In the hope of achieving, if not unanimity, at least a large majority in favour of his delegation's draft resolution, he would lay before the Committee a new revised version of the proposal ^{1/}taking into account the observations and objections expressed during the discussion.

14. Mr. ASHA (United Arab Republic) said that in his opinion the twelve-Power draft resolution (A/SPC/L.33 and Add.1) reflected the line of thought which had emerged during the debate. His delegation felt that no pressure should be exerted on any Member of the

United Nations, and that time would do more than any statement to bring about an agreement. It therefore considered that the establishment of a good offices committee as proposed in the Salvadorian draft resolution would be untimely and fruitless. However, since a new revised version of that proposal was to be laid before the Committee, his delegation would defer its decision until it had examined the new version and proposed that the discussion should be suspended until it had been circulated.

It was so decided.

The meeting rose at 4.30 p.m.

^{1/}Subsequently submitted as document A/SPC/L.32/Rev.2.