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**SPECIAL POLITICAL COMMITTEE, 139th
MEETING**

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

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.33 and Add.1) (continued)

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1. The CHAIRMAN summed up the situation resulting from the votes taken at the Committee's 138th meeting. After having adopted the Salvadorian draft resolution (A/SPC/L.32/Rev.2), as amended, the Committee, by a roll-call vote of 36 votes to 34, with 10 abstentions, had adopted a motion submitted by El Salvador under rule 132 of the rules of procedure to the effect that the Committee should not vote on the twelve-Power draft resolution (A/SPC/L.33 and Add.1) and the four-Power amendment thereto (A/SPC/L.36). As soon as the Chair-

man had announced the result of the vote, the Hungarian representative had said that he wished to correct his vote from "Yes" to "No". Such a correction would modify the result of the voting.

2. In that connexion, the Chairman drew the Committee's attention to the report which the Secretary-General had submitted to the General Assembly at its tenth session on the question of the correction of votes in the General Assembly and its Committees (A/2977)^{1/} and the report on that matter (A/3040)^{1/} which had been submitted to the Assembly at the same session by the Sixth Committee, from which he quoted extracts. According to those reports, it appeared that the rule generally observed in the Assembly and its Committees was that the correction of a vote made after the announcement of the result of the voting could not modify that result. Nevertheless, since the Chairman's duty was to see that no injustice was done to any delegation, he felt it fair to ask the Hungarian representative to explain the circumstances which had led him to correct his vote.

3. Mr. HOLLAI (Hungary) recalled that the situation in which the Salvadorian motion had been voted upon had been somewhat confused. He had thought that the motion was that the draft resolution (A/SPC/L.33 and Add.1) should be put to the vote and for that reason he had been in favour, for both in the Assembly and in its Committees no delegation wishing to have a proposal put to the vote should be prevented from doing so. But the Salvadorian proposal had been put to the vote in a negative form and that had added to the confusion which already existed in the Committee. When he had realized his mistake, he had at once raised his hand to ask for the floor in order to correct his vote, but the Chairman had not noticed him and had announced the result of the voting. He hoped that the Chairman and the members of the Committee would take those circumstances into account and allow him to correct his vote.

4. The CHAIRMAN felt that in the circumstances a genuine mistake had been made, and he appealed to the spirit of fairness and common sense of the Committee to allow him to grant the request made by the Hungarian representative.

5. Mr. URQUIA (El Salvador) expressed his gratitude to the Chairman for having cited the reports which the Secretary-General and the Sixth Committee had submitted to the General Assembly at the tenth session on the question of the correction of votes and for having emphasized that the accepted practice in the General Assembly and in its Committees was that the correction of a vote made after the announcement of the result could not modify that result.

6. He supplemented the Chairman's quotation from the report of the Sixth Committee by quoting paragraphs 93 to 97 of the Secretary-General's report (A/2977). The

^{1/} Official Records of the General Assembly, Tenth Session, Annexes, agenda item 51.

impartial information given by the Secretary-General in those paragraphs threw light on the situation. When he (Mr. Urquia) had submitted his motion at the 138th meeting, he had been careful to explain its purport, and the representative of the Soviet Union had himself clearly indicated how it should be understood. Furthermore, the Chairman had made clear before the vote that the Committee was voting on the Salvadorian motion not to put to the vote the twelve-Power draft resolution. It was difficult to admit that the Hungarian representative had not heard any of those explanations. The Hungarian representative had said nothing at the preceding meeting about having raised his hand to correct his vote before the announcement of the result. No doubt he had since had time to think up a way of reversing the results of the vote taken the preceding day.

7. Mr. SOBOLEV (Union of Soviet Socialist Republics), speaking on a point of order, said that the Salvadorian representative had no right to impugn the good faith of a representative of a Member State.

8. Mr. PAZHWAQ (Afghanistan) regretted that the Committee had not succeeded in bringing about an atmosphere of understanding, co-operation and conciliation which reflected the spirit of the Charter. In order to dissipate any confusion and facilitate an agreement, he submitted to the Committee the following proposal: "Considering that a representative of a Member State has asked for the correction of his vote and has appealed to the understanding and to the courtesy of other Member States, and considering that the Chairman of the Committee has also appealed for such understanding and courtesy, the Committee decides that such courtesy should be shown to a representative of a Member State on the basis of mutual understanding among Member nations."

9. Mr. GARCIA ROBLES (Mexico) said he would strive to restore the peaceful atmosphere which should characterize the Committee's discussions. In order to supplement the information contained in the paragraphs of the Secretary-General's report which the Salvadorian representative had quoted, he read out General Assembly resolution 901 (IX) entitled "Question of the correction of votes in the General Assembly and its Committees". It had been in pursuance of that resolution that the Secretary-General had submitted the relevant report to the Assembly at its tenth session. The Committee should bear in mind the conclusions of that report, particularly those in paragraphs 98 and 103, which he read out. After having examined that document, the General Assembly had adopted resolution 983 (X) in which it had merely taken note of the report and decided "to take no further action thereon for the present". From the conclusions of that report and the accepted practice of the General Assembly and its Committees, it followed, firstly, that the rules of procedure of the General Assembly were silent on the correction of votes; secondly, that the General Assembly had adopted no provision concerning the substance of the matter; and, thirdly, that according to normal and accepted procedure, requests for the correction of votes could not be granted after the Chairman had announced the result of the voting except where it was shown that a clerical error had occurred. Consequently, in normal conditions, the Mexican delegation would oppose the Hungarian representative's request. However, the vote on the Salvadorian motion did not appear to have taken place under normal conditions. Indeed, the proponent of the motion himself had begun by voting against his own motion; the Ethiopian representative had also asked per-

mission to correct his vote; and another representative, when his country had been called upon to vote, had replied "Absent". Those mistakes, however, did not constitute adequate grounds for creating a precedent which would depart from the established practice. The Secretary-General had pointed out in paragraph 99 of his report that very few mistakes had ever been found to have occurred and that when they had been found they had been satisfactorily dealt with in most cases. The Committee could thus, on the basis of the suggestions made at the previous meeting by the representatives of Colombia and Ceylon, decide to hold a new vote on the grounds that the vote on the Salvadorian motion had taken place in abnormal circumstances.

10. Mr. URQUIA (El Salvador) said that, in a spirit of co-operation, he would accept the proposal which had been made by the representatives of Colombia and Ceylon at the preceding meeting and had just been endorsed by the representative of Mexico. He was prepared to consider the vote as null and void if a new vote was taken.

11. Mr. ESCOBAR (Colombia) said that he had no objection to that solution.

12. Mr. JHA (India) raised a point of order and recalled that at the preceding meeting the Chairman had appealed to the members of the Committee to accept the Indian proposal that a new vote should be taken. Thereupon, acting on a motion for adjournment, the meeting had adjourned. At the current meeting the Chairman had cited relevant documents from which it appeared that in abnormal circumstances—and there had clearly been some confusion at the time of the vote—action to correct the vote could be taken by the Chairman. He had understood that that had been the conclusion reached by the Chairman, and he felt that it was the correct one. The position now taken by the representative of El Salvador in making his acceptance conditional was one which his delegation did not consider valid. Reference had been made to pressure exerted on the Chairman. If pressure was being brought to bear, it had arisen from a certain quarter which Mr. Jha preferred not to mention by name. The Committee should not be dictated to by a particular delegation or by a number of delegations. He associated himself with the representative of the Soviet Union in stating that the motives of any delegation requesting a correction of vote should not be impugned, and his delegation accepted without qualification the explanations given by the Hungarian delegation. If an error was made at the time of a vote, a delegation should be able to correct it. The representative of El Salvador had cited examples taken from the practice in various parliaments. The United Nations was not, however, a parliament; its methods were those of diplomacy by conference. He recalled, in addition, that the representative of Ethiopia had also wanted his vote to be corrected.

13. The CHAIRMAN pointed out that if the Committee agreed to take a new vote the representatives of Ethiopia and Hungary would have the opportunity of casting their votes with a full knowledge of the facts. Since there seemed to be the possibility of an agreement, he appealed to all delegations, and specifically the Indian delegation, to agree to proceed to a new vote.

14. Mr. JHA (India) said that he was in no way opposed to a new vote, particularly as he had suggested such a procedure at the preceding meeting. He left the decision entirely up to the Chair.

15. The CHAIRMAN asked the representative of Afghanistan whether, in view of the new situation which had

arisen, he would not be willing to withdraw his proposal (paragraph 8 above).

16. After an exchange of views in which the CHAIRMAN, Mr. PAZHWAQ (Afghanistan), Mr. ESCOBAR (Colombia), Mr. SANZ (Argentina), Mr. URGUÍA (El Salvador) and Sir Claude COREA (Ceylon) took part, Mr. PAZHWAQ (Afghanistan) agreed to withdraw his proposal, since its purpose had been served.

17. The CHAIRMAN asked the Committee to vote on the motion of El Salvador, put forward by virtue of rule 132 of the rules of procedure, to the effect that the twelve-Power draft resolution (A/SPC/L.33 and Add.1) and the amendment thereto (A/SPC/L.36) should not be put to the vote.

A vote was taken by roll-call.

The Ukrainian Soviet Socialist Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Belgium, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Israel, Italy, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Australia, Austria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Czechoslovakia, Ethiopia, Federation of Malaya, Finland, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jordan, Laos, Lebanon, Libya, Mexico, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Tunisia.

Abstaining: Cuba, Iceland, Japan, Turkey.

The motion was rejected by 41 votes to 35, with 4 abstentions.

18. Mr. HOOD (Australia) said that the procedure followed by the Commission in the present case would no doubt be of considerable importance in the future as far as the procedures to be followed in the Assembly were concerned. It should therefore be made a matter of record that the Committee had unanimously agreed to take a second vote without reference to rule 124 of the rules of procedure—although that rule might well have been applied—and that the vote had been taken in full knowledge of the Secretary-General's report (A/2977) and of the conclusions contained therein as cited at the meeting.

19. Mr. SOBOLEV (Union of Soviet Socialist Republics) stated that the passages quoted from the report of the Sixth Committee (A/3040) were not binding, that they did not constitute a precedent and that they could not be interpreted in the future as modifying the rules of procedure in any way. There could be no question of a precedent to be recorded. His delegation fully reserved its position in that respect.

20. Sir Claude COREA (Ceylon) wished to state that, in spite of the reading of extracts from the Secretary-General's report and from other documents, there had been no substantive discussion on the right to correct a

vote, as an agreement had been reached that a new vote should be taken.

21. Mr. BEELEY (United Kingdom) said that the conclusion to be drawn from the documents read out at the meeting had seemed very clear to him—namely, that the accepted practice of the United Nations appeared to be that a representative was at full liberty to correct his vote and to ask that the correction be mentioned in the record, but, in doing so, he could not change the numerical result of the vote unless he had asked for the correction before the result of the voting had been announced to the Committee by the Chair. Although the Committee did not have the right to depart from the proper procedure in the matter of the correction of votes, it did, under rule 124 of the rules of procedure, have full discretion to proceed, if it so wished, to a second vote, as it had just done. In view of the conciliatory attitude of the representative of El Salvador, the Committee would undoubtedly have voted in favour of a new vote by a two-thirds majority.

22. Mr. DE VAUELLES (France) said that his delegation fully endorsed the remarks made by the representative of the United Kingdom.

23. Mr. URRUTIA APARICIO (Guatemala) stated that, in the opinion of his delegation, the draft resolution submitted by the twelve African and Asian countries was worthy of consideration. He would certainly have voted in favour of it if the Commission had not previously adopted the Salvadorian draft resolution, which incorporated the provisions of the twelve-Power draft resolution. As, under those circumstances, there was no point in considering the twelve-Power draft resolution, his delegation would abstain from voting on that draft and on the four-Power amendment thereto.

24. Mr. URQUIA (El Salvador) stated that since his draft was the same, with the exception of a few words, as the text of the twelve-Power draft resolution, he felt that it was unnecessary to vote on the latter draft resolution. His delegation thus felt logically bound to abstain from voting on that draft, and he was convinced that all the delegations which had supported the Salvadorian draft resolution would act in the same way.

25. Mr. LIU (China), in explanation of vote, stated that though his delegation shared the views of the sponsors of the twelve-Power draft resolution, he was opposed to its adoption as being entirely superfluous and incompatible with the practice of the General Assembly, in view of the previous adoption of the draft resolution submitted by El Salvador.

26. The CHAIRMAN put to the vote the amendment (A/SPC/L.36) submitted by Ethiopia, Liberia, Nepal and Tunisia to the second preambular paragraph of the twelve-Power draft resolution (A/SPC/L.33 and Add.1).

A vote was taken by roll-call.

El Salvador, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Laos, Lebanon, Libya, Mexico, Morocco, Nepal, Norway, Pakistan, Philippines, Saudi Arabia, Sudan, Sweden, Tunisia, Turkey, United Arab Republic, Venezuela, Yemen, Australia, Austria, Bolivia, Burma, Cambodia, Canada, Ceylon, Cuba, Ecuador.

Against: China.

Abstaining: El Salvador, France, Guatemala, Haiti, Honduras, Hungary, Italy, Jordan, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Spain, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia, Afghanistan, Albania, Argentina, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Colombia, Costa Rica, Czechoslovakia, Denmark, Dominican Republic.

The amendment was adopted by 40 votes to 1, with 41 abstentions.

27. The CHAIRMAN then put to the vote the twelve-Power draft resolution (A/SPC/L.33 and Add.1), as amended.

A vote was taken by roll-call.

Albania, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Australia, Austria, Burma, Cambodia, Canada, Ceylon, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Iceland, India, Indonesia,

Iran, Iraq, Ireland, Israel, Japan, Jordan, Laos, Lebanon, Libya, Mexico, Morocco, Nepal, Norway, Pakistan, Saudi Arabia, Sudan, Sweden, Tunisia, Turkey, United Arab Republic, Venezuela, Yemen, Yugoslavia, Afghanistan.

Against: None.

Abstaining: Albania, Argentina, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Honduras, Hungary, Italy, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Spain, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

The draft resolution, as amended, was adopted by 39 votes to none, with 43 abstentions.

The meeting rose at 1.20 p.m.