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President: Mr. DRISS (Tunisia)

AGENDA ITEMS 17, 10 (b) AND 3 (a)

Measures to improve the organization of the work of the Council (*continued*) (E/L.1486 and Add.1-9, E/L.1382, E/L.1408/Rev.2, E/L.1422, E/L.1431, E/L.1435, E/L.1451 (part. A), E/L.1458)

Science and technology:

(b) Future institutional arrangements for science and technology (*continued*) (E/4954 and Corr.1, E/4989, chap. VII; E/5012 (Part I), chap. I, sect. B; E/L.1400, E/L.1420 and Add.1, E/L.1451 (part B) and E/L.1451/Add.1, E/L.1458, E/L.1459)

Second United Nations Development Decade: review and appraisal of the objectives and policies of the International Development Strategy

(a) System of over-all appraisal of progress in implementing the International Development Strategy for the Second United Nations Development Decade: report of the Economic Committee (*continued*) (E/5029, annex; E/5059, E/L.1451 (part C) and E/L.1451/Add.1, E/L.1454 to 1458)

1. The PRESIDENT announced that as a result of the submission of draft resolution E/L.1451 the Council no longer had before it draft resolution E/L.1407 relating to agenda item 10 (b), which had been submitted by the United States at the fiftieth session. Furthermore, Kenya and the Sudan had stated that they were no longer sponsors of draft resolution E/L.1400.

2. Mr. ODERO-JOWI (Kenya) said that draft resolution E/L.1451, of which he was a sponsor, was a compromise

solution worked out after numerous consultations and was the best way to overcome the Council's present difficulties.

3. No one could question the first preambular paragraph, which reaffirmed the need to enhance the role of the Council, to revitalize it and to increase the effectiveness of its methods of work. That result could only be obtained by strengthening its representative character. The Council should not continue to be a kind of exclusive club reserved for a small number of permanent members; it must be enlarged so that all mankind could make its voice heard there. All countries, whatever their degree of development, had the right to express their aspirations in the Council, which should reflect the opinion of the majority, in accordance with the principles of democracy and equity. The ideal would of course be for the Council to have as many members as the United Nations but, failing that, it was enough that the main regions and groups of countries with common interests should be represented on it.

4. Several delegations, including that of the Soviet Union, had alleged that to enlarge the membership of the Council would merely be to multiply its problems. That argument was not valid, for in any case the problems would be multiplied since they were the inevitable consequence of the progress and evolution of the modern world; the Council must therefore be capable of coping with the tasks which awaited it. It had also been said that it was of capital importance to improve the quality of the services supplied by the Council. He too attached great importance to that aspect and in that respect he acknowledged the merits of the draft resolution submitted by Greece and New Zealand (E/L.1408/Rev.2). The draft resolutions submitted by the USSR (E/L.1382) and by Brazil, France, Tunisia and Uruguay (E/L.1435) were also serious efforts to improve the organization and methods of work of the Council. Nevertheless, only by increasing the number of its members could the Council fully achieve the objectives it had set itself; he would therefore vote against any amendment designed to change or delete part A of draft resolution E/L.1451.

5. The value of science and technology for development had often been emphasized and it was not fair that they should be the monopoly of a few developed countries. The role of the United Nations should be to help the developing countries to satisfy their legitimate desires and to acquire and use the technical knowledge which they needed for their development. That need had been recognized in Economic and Social Council resolution 1544 (XLIX), in which it was stated, in operative paragraph 1, that the Council "attaches the highest importance" to the strengthening of the activities of the bodies and organizations of the United Nations system dealing with specific problems of the application of science and technology to development

and with the question of the transfer of operative technology to developing countries. It was partly to fill those gaps that part B of draft resolution E/L.1451 recommended the establishment of a standing committee with enough members to represent all regions. That committee would provide policy guidance to the Council, and through it to the General Assembly, on matters relating to the application of science and technology to development. Paragraph 1 of part B clearly stated the committee's duties: it was to work out general policies and make recommendations in that field. The discussion at the current session had made it possible to form some idea of the direction which the committee's work might take but its terms of reference would have to be laid down by the Secretary-General, in consultation with the specialized agencies and taking into account the opinions of Governments.

6. With regard to part C of the draft resolution, it had been said that it was premature to establish machinery for review and appraisal of the results of the Second Development Decade, but that objection was not justified, since the Second Decade had begun and the results achieved should be examined forthwith in order to direct future efforts and develop valid working tools.

7. In reply to some remarks by the representative of the USSR, he pointed out that draft resolution E/L.1451 had been given substantial support when it had been submitted. He was grateful to the Sudanese representative for having shown clearly, at the previous meeting, that the membership of the Council must be enlarged before there could be the necessary co-ordination between its organs and its activities.

8. In conclusion, he said that all the parts of the "package" draft resolution were vitally important and that, in view of the extent of the problems awaiting solution, it was the duty of the Council to take a positive decision on it.

9. Mr. PATAKI (Hungary) said that, at the fiftieth session of the Council,¹ he had had occasion to state clearly his Government's position, which was that the Council had not explored all the avenues that might lead to an improvement of the organization of its work within the framework of the existing structures. It was regrettable that at the current session the discussion should be restricted to considering an increase in the number of members of the Council, as the sponsors of draft resolution E/L.1451 proposed. He reiterated the views he had expressed at the 1794th meeting and drew attention to the lack of any link between the three questions grouped together in the draft resolution. Since no explanation had been given to justify that grouping, the members of the Council might have doubts about the wisdom of adopting such a "package" draft resolution. It was of course important to improve the organization of the work of the Council and to increase its efficiency, but an increase in the membership of a United Nations organ was a serious decision, with far-reaching consequences, which in any case would call for detailed

study, and such study had not yet been carried out either by the Council or by the Secretariat. Since account must also be taken of the specific requirements resulting from the need for an appraisal of the results of the Second Development Decade, the members of the Council had every reason to use discretion before taking such a decision.

10. The only valid argument advanced in favour of enlarging the membership of the Council was that it would make the Council more democratic and more representative and could thus reflect the various points of view of the States Members of the United Nations. It had not, however, been logically explained how the expression of the various opinions would improve the working of the Council; nor had it been shown that the Council's present difficulties were due to the limited number of its members. In a world which was constantly evolving, changes must of course be made from time to time in the structures and methods of institutions, but it was doubtful whether such changes were justified in the case of the Council.

11. The second preambular paragraph of part A of draft resolution E/L.1451 referred to strengthening the representative character, the authority and the dynamism of the Council, and not to improving the organization of its work, which was the subject of agenda item 17; those were two different questions and the first priority should be given to ways of improving the Council's methods of work, eliminating duplication and filling in the gaps in its work. The USSR draft resolution (E/L.1382) provided a satisfactory way of tackling the problem and he hoped that it would be adopted; he drew attention in particular to paragraph 3, which referred to the range of problems on which the Council itself, in accordance with the United Nations Charter, considered it advisable to take final decisions and to submit its proposals to the General Assembly. Whatever the number of its members, the Council's influence depended on the nature and importance of the problems it was prepared to study. It was therefore more important to analyse the content of the activities of the Council than to increase its membership. In any case, if the principle of universality was to be respected, the German Democratic Republic would also have to participate in its work.

12. Lastly, under Article 60 of the Charter, the enlargement of the membership and powers of the Council was subject to approval by the General Assembly, which had higher authority than the Council. On the other hand, the General Assembly could entrust the Council with important responsibilities, even if the number of its members was not increased.

13. It should also be remembered that the Council had already been enlarged in 1967, less than six years earlier, and that the Charter had been amended to that effect. A new amendment to the Charter without serious justification would create difficulties and might produce results contrary to those hoped for by the sponsors of the draft resolution.

14. With regard to the standing committee on the application of science and technology to development, the establishment of which was proposed in part B of draft resolution E/L.1451, no one knew what would be its exact function. Paragraph 3 was not sufficiently explicit in that

¹ See *Official Records of the Economic and Social Council, Fiftieth Session, 1745th meetings.*

respect. He therefore endorsed the arguments against that proposal expounded by the representative of the Soviet Union at the 1795th meeting. It seemed that in the present circumstances the developing countries would obtain no benefit from the establishment of that new body.

15. There were many arguments against the establishment of the machinery for review and appraisal recommended in part C of the draft resolution. In particular, the third session of the United Nations Conference on Trade and Development was to be held early in 1972 and the Council would do well to await its conclusions and recommendations before taking any institutional steps concerning the appraisal of the results of the Second Decade.

16. He regretted that draft resolution E/L.1451 had been submitted in the form of a "package" and was being forced upon the Council by a majority of delegations. It was in fact more important to reach agreement among the members of the Council on common objectives than to obtain a majority in order to force the Council to take a hasty decision which might later be regretted. He therefore hoped that the fifteen sponsors of the draft resolution would listen to reason.

17. The draft resolution submitted by Greece and New Zealand (E/L.1408/Rev.2) merely proposed procedural machinery which would play only a subsidiary part in improving the organization of the Council's work and increasing its efficiency. Consequently, he was unable to support that draft resolution.

18. In conclusion, he said that, in his opinion, draft resolution E/L.1451 was not based on any serious consideration. He suggested that it should be re-submitted at the Council's next session, in order that delegations would have time to reflect on its possible consequences and to decide whether, at the present stage, it was necessary to enlarge the membership of the Council and to create new bodies.

19. Mr. PATHMARAJAH (Ceylon) pointed out that, having joined the United Nations only on the basis of a "package deal", Ceylon had nothing against package proposals as a concept, but in this case he thought that the Council had not had time to make a sufficiently thorough study of draft resolution E/L.1451 to enable it to come to a valid decision. Moreover, not all the interested parties had been consulted. It should be borne in mind that the members of the Council represented only a fraction of the States Members of the United Nations. He wondered whether the sponsors of the draft resolution were sure that they had the wholehearted support of the Member States not represented in the Council when they sought to induce the latter body to adopt a draft resolution whose effects would be felt by all Members of the United Nations. His delegation had spared no effort to find ways and means of persuading all the developing countries to agree on a draft resolution, but owing to lack of time it had not been possible to achieve unanimity; for that reason, his delegation recommended that the draft resolution that had finally been submitted (E/L.1451) should be considered with the greatest caution.

20. His delegation subscribed, of course, to the basic objectives of the draft resolution but it felt that the method recommended for achieving them – as well as the place and timing – were unsuitable, in particular because it would be inopportune for the Council to involve itself in institutional arrangements for science and technology, and in machinery for review and appraisal – as recommended in parts B and C of the draft resolution – at the present stage, on the very eve of the meeting of the Group of 77 to be held at Lima in October/November 1971, and of the third session of the United Nations Conference on Trade and Development, which was to take place at Santiago in April 1972, on both of which occasions those questions were to be the object of careful study and decisions.

21. The developing countries which had sponsored draft resolution E/L.1451 felt that the most important part was part A, concerning the enlargement of the membership of the Economic and Social Council. Nevertheless, it was surely not necessary to oblige the Council to adopt the ill-considered provisions in parts B and C and two questions of such crucial importance for the developing countries themselves as the transfer of technology and the machinery for review and appraisal of the Strategy for the Second Development Decade, merely because the provisions of part A had to be adopted at any price. He hoped that the developing countries had not forgotten that, when certain countries or groups of countries attached importance to matters which were normally the province of the Council, it was the General Assembly which took them up and decided to establish bodies with specific terms of reference or to convene conferences, as it had done and was still doing in regard to the exploitation of the sea-bed and the ocean floor beyond the limits of national jurisdiction, outer space, the environment, narcotics and psychotropic substances, and so on. It was astonishing that some developing countries, in their desire to draw attention to questions which, in their opinion, called for fresh institutional arrangements, could think of nothing to propose except the establishment of Council committees and sub-committees. He doubted whether the ideas proposed in parts B and C of the draft resolution really served the interests of the developing countries.

22. According to the developing countries which had sponsored the draft resolution and which were thus seeking above all to obtain an increase in the membership of the Council, the campaign which they were waging should not spread beyond the Council; they seemed to think that once the principle of enlarging the Council was conceded by the Council itself, the necessary revision of the Charter would follow automatically. He, for his part, considering the limited support and lack of unanimity which draft resolution E/L.1451 was at present commanding in the Council, doubted very much whether the proposal to enlarge the Council to fifty-four members would so easily obtain a two-thirds majority in the General Assembly and the support of all the permanent members of the Security Council, as required by Article 108 of the Charter. When, on 17 December 1963, it had been decided (General Assembly resolution 1991 (XVIII)) to increase the membership of the Council from eighteen to twenty-seven – a

decision which had taken effect on 31 August 1965 – the whole Council had been in favour of that increase and it had then been strong. Things were quite different at the present time.

23. In addition, on close examination, the provisions of part A of the draft resolution proved to be such as to confirm all the doubts to which the very principle of enlarging the Council could give rise. Even if the Council accepted the provisions of paragraph 1, he wondered what was to be understood by the word “early”. It was exceedingly vague.

24. Moreover, he wondered whether the developing countries which were sponsors of the draft resolution fully understand the implications of retaining the present geographical distribution of seats in the Council, as proposed in paragraph 1. It had not, apparently, occurred to them that they were in danger of binding both the Council and all the developing countries Members of the United Nations to a formula for geographical distribution of seats which had long been regarded as inequitable in the General Assembly and which the developing countries wanted revised, although their efforts in that direction had so far been fruitless.

25. Under the provisions of paragraphs 2 and 3 of part A, paragraph 1 of part B and paragraph 1 of part C, the present formula for geographical distribution in the Council, as laid down in rule 146 of the rules of procedure of the General Assembly, would be perpetuated; during an unspecified interim period, the sessional committees and the Committee on Natural Resources would have fifty-four members, while the Council itself would still have only twenty-seven. Consequently, the Council's subsidiary bodies, which would be numerically greater and hence more representative than the Council itself, would engage in “in-depth” consideration of substantive items on the agenda, in accordance with paragraph 4 of part A, and submit concrete recommendations to the smaller but senior parent body. Thus there was a danger that the Council would act as a filter for recommendations emanating from the sessional committees or else water them down, which would create an unfortunate precedent. Moreover, always bearing in mind the present formula for geographical distribution of seats and the provisions for the restructuring of the Council and its sessional committees, the countries whose terms of office on the Council expired in 1972 or 1973 would be unable to be members of the sessional committees during the long interim period – in other words, until the Charter was amended. The countries affected would be Brazil, Ceylon, Ghana, Greece, Italy, Kenya, Peru and Tunisia – whose terms of office would expire in 1972; the Democratic Republic of the Congo, Haiti, Hungary, Lebanon, Madagascar, Malaysia, New Zealand and Niger – whose terms of office would expire in 1973. As against that, Indonesia, Jamaica, Norway, Pakistan, Sudan, Uruguay and Yugoslavia, whose terms of office on the Council expired in 1971, could become members of the enlarged sessional committees. The above considerations led him to the conclusion that the developing countries which were sponsors of draft resolution E/L.1451 were wrong to place all their hopes in part A of

the draft resolution for it was the weakest of the three parts. They should take time to weigh the difficulties, to overcome them – for that was possible – and to incorporate in the provisions envisaged guarantees for effective application which at the moment were totally missing in the extremely loose and ill-prepared draft resolution.

26. Parts B and C, which in his opinion dealt with the matters that were the most important of all for the developing countries in general, embodied provisions that were useful but premature so long as the Council did not know what decisions were to be adopted at the third session of the United Nations Conference on Trade and Development. He therefore appealed once again to the sponsors of draft resolution E/L.1451 for caution, so that the Council would not transmit to the General Assembly recommendations which were doomed to failure.

Mr. Caranicas (Greece), Vice-President, took the Chair.

27. Mr. CHTOUROU (Tunisia), speaking on a point of order, reminded the Ceylonese representative that Tunisia was a developing country which was alive to its own interests. It had been in full cognizance of its responsibilities that his country had decided to formulate the recommendations which it had thought were right.

28. Mr. VIAUD (France) said that the Council had before it a great many proposals designed to improve the organization of its work, not only in draft resolution E/L.1451 but in other draft resolutions that had yet to be considered. The French delegation had submitted two draft resolutions, one on keeping the Advisory Committee on the Application of Science and Technology to Development in office (E/L.1420), the other on the preparation, translation and distribution of documents for the Council (E/L.1435), and it attached great importance to their being adopted.

29. The main question, however, was that of the increase in the membership of the Council. As the French delegation had already pointed out, that would involve an amendment of the Charter, which was in itself a serious matter. On that serious matter, however, the great Powers differed and the developing countries were divided among those which wanted the Council's powers in the United Nations to be strengthened and those which considered an enlargement of the Council less important than safeguarding the responsibilities of UNCTAD and concentrating the power of decision in the subsidiary organs of the General Assembly. That situation, and the discussions since the beginning of the fifty-first session had served only to increase his delegation's hesitation.

30. During the general debate (1775th meeting), his delegation had already asked why it was necessary to enlarge the Council. It understood the legitimate desire of the developing countries and of some industrialized countries that more of them should participate in the Council's work, but that did not justify the amendments to the Charter that would be necessary. There was no assurance that such a measure would put an end to the proliferation of new bodies or would even allow the existence of committees and sub-committees of no obvious

use to be questioned, and there was no proof that the discussion of development problems by fifty-four members would be more fruitful than by twenty-seven.

31. The reason why the answer to those questions was not clear was that there was too great a tendency to forget the nature of the Economic and Social Council; the Council, together with the General Assembly, the Security Council, the Trusteeship Council, the International Court of Justice and the Secretariat, was one of the "principal organs" of the United Nations. Bodies such as UNCTAD and UNIDO, which were not principal organs of the United Nations, had an irreplaceable part to play in the Organization, but their work related to specific subjects for which the agreement of the industrialized and the developing countries was required from day to day. The Economic and Social Council was quite another matter: it was the place where the problems of economic and social development as a whole could be understood, where the policies of Member States could be compared and where the guidelines laid down for the international community by the General Assembly from time to time could be elucidated. Such a responsibility could very well be entrusted to a small body such as the Council, and draft resolution E/L.1451 might deprive the latter of its *raison d'être* by making it into a little Assembly.

32. France's sole concern was to enhance the prestige of the United Nations by making the Council an effective body, and it felt that it had done its duty in the small bodies to which it belonged, in ways consonant with the general interest. It therefore felt justified in thinking that the sponsors of draft resolution E/L.1451 would have done well to give more thought to the problem of enlarging the Council, and to be content to take a pragmatic approach and set up within the Council the new committees necessary for appraisal of the Decade and for science and technology. His delegation would vote in favour of parts B and C of the draft resolution. The question of increasing the membership of the Council and its sessional committees, however, had been submitted to the Council in a hasty and peremptory fashion which would make it hard to find a compromise solution when the time came, both regarding the figure of fifty-four, for which there was no justification, and regarding the way in which the increase should be made. For that reason his delegation would vote against part A of draft resolution E/L.1451.

Mr. Driss (Tunisia) resumed the Chair.

33. Mr. FRAZAO (Brazil) recalled that at the beginning of the discussion his delegation had been unable to see any logical connexion between items 17, 10 (b) and 3 (a) which together formed the subject of draft resolution E/L.1451. The discussion had given it food for thought, however, and, particularly after hearing the representative of Pakistan, his delegation had tried to assess the scope of the draft amendment (E/L.1431) of which it was a sponsor.

34. It was still convinced that the Council should be made more representative, but the statements of the representatives of the USSR, the United Kingdom and France, in particular, had inclined it to a pragmatic approach. It was

clear that, whether the Council adopted part A of draft resolution E/L.1451 or the amendment in document E/L.1431, those provisions would remain inoperative for the time being since the revision of the Charter which was essential for their implementation would certainly not be easy. His delegation felt that, from both the practical and the political point of view, there was no longer any need for the Council to take immediate action on the proposal for the enlargement of its membership.

35. Nevertheless, the members of the Council were unanimous in their desire to improve the organization of the Council's work. In his opinion, the best way to put an end to the crisis of confidence in the Council was for it to deal vigorously with the substantive matters brought before it and to become once again the body in which economic and social policies were worked out. To enhance its prestige, the Council should take more frequent decisions of the kind that it had just adopted in resolutions 1616 (LI) and 1617 (LI) on the work of the Governing Council of UNDP, for it was such decisions that bore witness to the importance of the co-ordinating role which was the Council's by definition. It was obvious, therefore, that the Council could do good work, provided perhaps that it put limits to its ambitions.

36. His delegation saw no reason why the questions dealt with in parts B and C of draft resolution E/L.1451 should be considered at the same time as that dealt with in part A. Indeed, it denied that there was any connexion between the review and appraisal of the objectives and policies of the Development Strategy and the institutional arrangements for science and technology (two questions which should be considered separately, in accordance with the decisions of the General Assembly), and between those matters and the improvement of the Council's working methods. The fact that the system of general appraisal was of concern to other bodies which had to take their own options and decisions should not prevent the Council from carrying out its work and taking its own decisions on the matter. Moreover, he saw no reason why questions concerning science and technology should be considered by the Council. Should the Council also seek to settle questions about the environment, and was it wise to upset the order of priority in order to consider questions of direct interest to highly industrialized countries? His delegation did not see why the matter could not be deferred until the General Assembly itself had taken a decision on questions of science and technology.

37. With regard to part C of the draft resolution, he recalled that at the fiftieth session Brazil, Kenya, Sudan and Yugoslavia had submitted a draft resolution (E/L.1400) in which the Council recommended that the General Assembly should set up a standing committee to deal, at a general and planning level, with all questions related to science and technology. The sponsors had had to answer many questions on the subject, but today, when the General Assembly should be given an opportunity to carry out its duties and to decide where and when that committee should be set up, certain delegations were seeking to make the Council decide to set up a committee under its own auspices. The Brazilian delegation to the

Council was not so ambitious; it merely asked that the General Assembly itself should consider the matter. Moreover, if the General Assembly had wished to set up a Council committee, it would have taken a political decision to that end. Brazil would have been the first to comply with such a decision.

38. At the previous meeting the Soviet delegation had proposed that the Committee for Development Planning should be strengthened so that it could deal with questions of appraisal. Brazil had no objection to that proposal if it meant that the Committee would have at its disposal a number of specialists capable of reviewing the International Development Strategy and of preparing reports for the Council, for transmission to the General Assembly, which would enable the latter to take final political decisions on the Strategy. There was no reason why negotiations on that point should not be held.

39. If there was enough time for an exchange of views in an endeavour to eliminate prejudices, and if member countries, both developed and developing, could work together to achieve a consensus, a serious breach could be avoided. In any case, any decision would be reconsidered in many other forums, in particular at the meeting of the Group of 77, in the General Assembly and at the third session of the United Nations Conference on Trade and Development. The latter would certainly have views on the subject of appraisal.

40. The PRESIDENT said that he was convinced that all delegations were prepared to negotiate in order to arrive at an agreement.

41. Mr. ARIFF (Malaysia) said that only after considerable thought had his country joined the sponsors of the draft resolution. He thought that it was necessary to group the three agenda items together for a methodical examination of the question of the organization of the Council's work. His delegation was sure that others would show good will and agree to change their positions.

42. Mr. MOJSOV (Yugoslavia) said that the Sudanese representative had claimed (1795th meeting) that draft resolution E/L.1451 was the product of the efforts of the majority of the delegations. It was true that the text reflected certain ideas expressed by delegations other than those of the sponsors, but it was still far from providing a basis for the desired consensus. Not only was it impossible to adopt the proposed measures as they stood, but negotiations on a number of questions had not yet reached the point at which an acceptable solution could be found.

43. The chief defect of the draft resolution was that it artificially brought together items which were not directly connected and which should be considered independently if the widest possible agreement was to be achieved.

44. The decision on appraisal was not in fact urgent, since the appraisal was to be made every other year and would take place for the first time in 1973. In any case, in resolution 2641 (XXV) the General Assembly had laid down a specific procedure which would enable it to consider the question at its twenty-sixth session. While it

did not deny the Council's competence, his delegation could not agree that a decision taken by a small majority of the Council's twenty-seven members could frustrate the will of the General Assembly. A solution had been proposed by Brazil, Ceylon, Haiti, Uruguay and Yugoslavia in a draft resolution submitted to the Economic Committee. The latter had not, however, been able to take a decision and, at the suggestion of the Sudan, the discussion had been adjourned — an exceptional procedure for a sessional committee. Since the draft resolution had been transmitted to the Council by the Economic Committee (E/5059, para. 6), he hoped that no delaying tactics would be used to prevent the Council from considering it.

45. By proposing a procedure under which the Council would adopt a resolution contrary to the intentions of the General Assembly, the sponsors of draft resolution E/L.1451 might bring about a direct confrontation between the Council and the General Assembly, which would certainly not enhance the Council's prestige. If, however, the sponsors insisted on connecting the three questions artificially, it would be hard to avoid that situation.

46. Draft resolution E/L.1451 was centred on the enlargement of the Council, which required an amendment of the Charter, but it also proposed the establishment of new Council bodies responsible for considering questions relating to the review and appraisal of the results of the Second Development Decade and to science and technology. In that connexion, he drew attention to the amendment submitted by Brazil, Uruguay and Yugoslavia (E/L.1459). The sponsors, like all the developing countries, hoped that a central body to deal with questions of science and technology could be set up as soon as possible. They did not object to that body being a standing committee of the Council, but only after the Council had been enlarged. Meanwhile the body in question could act as a special committee reporting to the General Assembly through the Council.

47. An "all or nothing" or "now or never" policy could not produce any good results. There was reason to hope, however, that great progress could be made if, after the useful discussion that had taken place, delegations could be allowed enough time for consultations and negotiations on the various points.

48. Mr. CHAMMAS (Lebanon) said that he hoped that the thorough discussion which had been going on since the 1794th meeting could be continued and would lead to a consensus which took account of all the positive factors that had emerged.

49. As a sponsor of draft resolution E/L.1451, his delegation was entirely satisfied with the way in which the Sudanese representative had submitted it.

50. Lebanon was one of the sponsors of the amendment in document E/L.1421, the purpose of which had been to alter the draft resolution of Greece and New Zealand (E/L.1408) in such a way as to recommend to the General Assembly at its twenty-sixth session that it should consider all the necessary measures, including proposals for amending the Charter, for enlarging the membership of the

Council and for raising, in the interim period, the number of members of the sessional committees to fifty-four and of the Committee for Programme and Co-ordination to twenty-seven.

51. As a result of private consultations, it had been decided to redraft that amendment and to submit a new text to the Council for examination in plenary. That text was sponsored by Brazil, Ghana, Jamaica, Lebanon, Pakistan, Peru, Tunisia and Yugoslavia (E/L.1431). Those countries, taking due account of the position of the permanent members of the Security Council, thought that the time had come to raise the number of members of the Economic and Social Council to fifty-four.

52. His country recognized Brazil's right to reconsider its attitude with regard to that draft amendment and understood its desire to find a suitable basis for negotiation with regard to the enlargement of the Council. In any event, his country was convinced that the developing countries, without exception, were in favour of raising the number of members of the Council to fifty-four, without prejudice, of course, to the privileges and rights of the permanent members of the Security Council, whose consent was vital if the Charter was to be amended. The developing countries were not seeking in any way to deny the legitimacy of those privileges, which reflected the balance of power in the world and which they had endorsed on becoming Members of the United Nations, but they also believed in the efficacy of persuasion, for experience had shown that the permanent members of the Security Council were not insensitive to the opinion of the majority of the peoples of the world or to the decisions taken by the General Assembly. Indeed, it had been in response to the opinion expressed by an overwhelming majority of members of the General Assembly that the permanent members of the Security Council had agreed to the amendment of the Charter whereby the number of members of the Economic and Social Council had been raised in 1965. Five years having passed, the time had come to reconsider the question of the Council's membership.

53. One of the main reasons why the Economic and Social Council could not fully discharge the functions entrusted to it under the Charter was that it was not sufficiently representative. During the early days of the United Nations when the Council had consisted of only eighteen members, the developing countries had been the first to seek the adoption of important decisions through other bodies; that was why the number of committees outside the Council had multiplied. At the same time, they had campaigned for the enlargement of the Economic and Social Council and of the Security Council. Their campaign had been successful and those bodies had been enlarged and made more representative of the world community.

54. The Hungarian representative had rightly maintained that the efficiency of a body was measured not by the number of its members but by the nature of its decisions and the arguments on which it based them. That did not mean, however, that an increase in the membership of a body automatically brought about a decline in its efficiency: by way of example, he had only to cite the Trade

and Development Board. The efficiency of a body depended basically on the quality of the representatives which served on it.

55. In order to demonstrate that there was a clear link between the three items being examined jointly by the Council and to refute the argument that a "package deal" was being imposed not that there was necessarily anything derogatory about that expression he said that draft resolution E/L.1451 should be regarded as an improved version of the draft resolution submitted by Greece and New Zealand (E/L.1408/Rev.2), whose main points it retained while eliminating its defects. It was difficult to reconcile the first preambular paragraph of draft resolution E/L.1408/Rev.2 with the General Assembly's authority with regard to the appraisal of progress made within the framework of the International Development Strategy and it was hard to see how the Council could fulfil the role assigned to it in that draft resolution without infringing Article 66 of the Charter. On the contrary, paragraph 1 of part C of draft resolution E/L.1451 alluded to the responsibilities which the General Assembly entrusted to the Council to assist it in the over-all review and appraisal of the Second Development Decade; there was nothing in that draft resolution to prevent the General Assembly from establishing its own machinery for the appraisal and the General Assembly's authority was therefore left unimpaired.

56. The delegations of Brazil, Ceylon and Uruguay had proposed (E/L.1454) the addition of a new preambular paragraph to part C, recalling paragraph 4 of resolution 2641 (XXV), in which the General Assembly had stated that it would take a final decision on a system of over-all appraisal at its twenty-sixth session. His own delegation, in order to prove that it was not contesting the General Assembly's authority, would vote in favour of that amendment if the sponsors decided to maintain it. Parts A, B and C of draft resolution E/L.1451 were interconnected and there was also a link between that draft resolution and draft resolution E/L.1408/Rev.2. It was impossible to envisage the efficient organization of the Council's work without taking a global point of view.

57. With regard to operative paragraph 1 of part I of draft resolution E/L.1408/Rev.2, he wondered how the Council could review the general economic and social situation and formulate new recommendations to meet the challenge of development if it was unable to appraise the progress made in the International Development Strategy for the Second Development Decade. Unless the Council dealt directly with the question of appraisal, it would not be able to do its work efficiently; it was therefore essential that the Council's credit and prestige should be restored.

58. Replying to an observation by the Ceylonese representative, who had said that there was a difference between the amendment in document E/L.1431 and part A of draft resolution E/L.1451, he admitted that paragraph 3 of part A did indeed provide that the election of twenty-seven States Members of the United Nations to serve on the Council's sessional committees would take place in accordance with the present geographical distribution of the

Council. No such provision was made in the amendment (E/L.1431). When the Council's membership had been enlarged for the first time, in 1965, it had been decided that the nine new seats should be distributed as follows: one seat for the West European countries, one for the Latin American countries, and seven for the African and Asian countries. The Council at present comprised the following: twelve seats for the Afro-Asian countries, five for the Latin American countries, seven for the countries of Western Europe and three for those of Eastern Europe – a total of twenty-seven seats. It had been proposed that that figure should be doubled because, knowing the position of the various delegations at the General Assembly, the developing countries realized that it was the most they could hope for. If during future negotiations it became possible to change the figure of fifty-four on which agreement had been reached, his delegation would be delighted. For the time being, it felt it would be wiser, in view of the position of various countries, to adhere to the proposals in document E/L.1451.

59. The Ceylonese representative had spoken of the difficulty which would arise from the fact that outgoing members of the Council would be unable to serve on the sessional committees. The solution was simple: at the twenty-sixth session of the General Assembly, nine new members would be elected to replace the nine Council members whose term of office had expired; those nine new members would immediately become members of the sessional committees by virtue of their election to the Council. In addition, the General Assembly would elect twenty-seven members of the sessional committees. At the twenty-seventh session, nine Council members who were also members of the sessional committees would come to the end of their term of office and nine new members would replace them. Those new members might perhaps include members of sessional committees elected at the twenty-sixth session of the General Assembly; such members would retain the right to serve on the sessional committees, but in that case as members of the Council. That would mean that a corresponding number of seats on the sessional committees would become vacant and could be allocated to other States, whether outgoing members of the Council or not. The representative of Ceylon had stopped short at the twenty-sixth session and had not yet looked ahead to the twenty-seventh session to consider how the system as a whole would work.

60. His delegation found the Soviet draft resolution (E/L.1382) extremely interesting and would have no difficulty in accepting it, with the exception of operative paragraph 1. He wondered on which Articles of the Charter the Soviet delegation based its proposal that any new economic, social, scientific or technical questions appearing on the agenda of the General Assembly should, as a rule, be considered first by the Economic and Social Council. Under that provision, the General Assembly would be unable to study questions relating to the sea-bed or the environment, for instance, before they had been referred to the Council. He would be able to vote in favour of the draft resolution if the words "as a rule" were deleted and if the word "would"

in the English text was replaced by "should", for that would better render the shade of meaning intended.

61. With regard to the argument that the Council should await a decision by the third session of the United Nations Conference on Trade and Development regarding the system of appraisal, he wished to make it clear that his delegation supported the work of UNCTAD, considered that Mr. Prebisch and his successor had done much useful work, and would always try to help strengthen UNCTAD's authority and competence. It could not see, however, why the General Assembly should not take a decision on the system of appraisal at its twenty-sixth session, as had been provided at the twenty-fifth session. Representatives of Governments served on UNCTAD, as in the case of the General Assembly. If UNCTAD could take a decision, the General Assembly was equally capable of doing so provided it comprised government representatives at the level of ministers for foreign affairs, economy or finance. That would save time. On the other hand, if nothing was done until the third session of the Conference, which was to be held in 1972, the moment for the biennial appraisal would be approaching and there would be little time. It was paradoxical that there should be a desire, on the one hand, to avoid impairing the authority of the General Assembly and, on the other, to await the third session of the UNCTAD Conference. The General Assembly should retain its supreme authority, in accordance with the Charter. He hoped that the dialogue which had just opened in that connexion would pave the way to the desired agreement and consensus.

62. Mr. KASSATKIN (Union of Soviet Socialist Republics) reserved the right to reply to the representative of Lebanon at a later stage.

63. Mr. ZAGORIN (United States of America) said that draft resolution E/L.1451, of which his country was a sponsor, had been admirably introduced by the Sudanese representative on behalf of the sponsors.

64. The Economic and Social Council was at the crossroads. It was necessary to reconsider its membership and methods of work in order to breathe new life into it. The Kenyan representative had wisely recommended (1784th meeting) that any move in that direction should be based on Chapters IX and X of the Charter and he had rightly said that the reform should be both qualitative and quantitative.

65. He would also support draft resolution E/L.1408/Rev.2 and any other draft resolution designed to strengthen the Council so as to enable it to discharge all its functions in conformity with the provisions of the Charter. Both draft resolutions proposed major reforms which clashed with the traditionalist position of certain delegations. Admittedly, any change implied risks but it also opened up possibilities and that was what the Council had to seek. At the present time, economic and social problems were such that there could be no more procrastination. Vigorous steps must be taken to make the Council equal to the responsibilities entrusted to it and to ensure that it carried out its tasks in the way expected of it.

The meeting was suspended at 1.30 p.m. and resumed at 3.10 p.m.

66. Mr. NESTERENKO (Union of Soviet Socialist Republics) suggested that the United Nations Legal Council should be asked to explain on what legal and procedural grounds the membership of subsidiary bodies of the Council could be larger than that of the Council itself.

67. Mr. PIACITELLI (Italy) said that, although Italy had co-sponsored draft resolution E/L.1451, he was speaking on behalf of his own delegation only. That delegation's purpose in co-sponsoring the draft resolution had been to strengthen the Council, enlarge its membership to make it more representative, reaffirm and bring up to date its functions and make its work more effective. Italy would continue to strive for harmonious, balanced and comprehensive decisions and the widest possible measure of agreement. The draft resolution was far from perfect, since it was the result of a series of compromises between three or four groups of countries representing different points of view. It had been criticized by some for being too cautious and by others for being too bold. Its opponents might therefore cancel each other out in any final attempt at conciliation. On such issues as those now before the Council, it would perhaps be wise for the advanced countries to steer a middle course between leaving matters as they were and seeking radical changes. He had therefore been disappointed by the situation which had arisen in the Council despite the scrupulous efforts of the sponsors to avoid a head-on collision.

68. In drafting the resolution the sponsors had borne in mind the views of all delegations. Much of the text of parts A and B had been taken from other draft resolutions submitted on the subject, for example the amendments to draft resolution E/L.1408/Rev.2, submitted by Brazil, Ghana, Jamaica, Lebanon, Pakistan, Peru, Tunisia and Yugoslavia (E/L.1431) and the draft resolution submitted by Brazil and Yugoslavia (E/L.1400). Even part C, which was different in character from parts A and B, incorporated some ideas put forward by delegations which were not sponsors. Paragraph 3 was the outcome of patient efforts at conciliation. In proposing the establishment of a committee the sponsors had had to choose between a Council committee and a General Assembly committee; Italy was in favour of the former. A comparison of the draft resolution with the amendments initially proposed in document E/L.1421 showed what concessions had been made to accommodate the points of view of all other delegations in order to reach a consensus. He had gained the impression from the statements made so far that it would not be too difficult for many members to accept compromise texts and Italy was ready to co-operate in any effort to extend the area of agreement on the draft resolution. In working out a compromise text, his delegation would be willing, in a spirit of amicable collaboration, to accept much of the content of the various other draft resolutions submitted on the same subject, especially those in documents E/L.1382, E/L.1408/Rev.2 and E/L.1435, with a view to supplementing the proposals in draft resolution E/L.1451.

69. He did not share the view that it would be wiser to defer consideration of the issues in question. The Council had often been accused of being ineffective and dilatory and any postponement might be taken as further proof of its incapacity. Further delay in providing for adequate treatment of major problems affecting all mankind would not be readily tolerated. By following the course proposed, the Council would give proof of its good will, effectiveness and competence, without exceeding its terms of reference, leaving the General Assembly free to decide what action to take.

70. Mr. THAJEB (Indonesia) said that his delegation had co-sponsored draft resolution E/L.1451 because it considered that the Council needed to be revitalized to enable it to discharge its functions in the economic and social field. It was no longer capable of doing its work effectively because of its greatly increased responsibilities and the new problems created by recent developments in the fields with which it was concerned. The developing countries were not content to continue their present slow, piecemeal development and to fall farther and farther behind the advanced countries. Radical, far-reaching changes were needed in the arrangements for promoting their development. The direct action taken to deal with their economic and social problem had resulted in the establishment of UNCTAD and UNIDO, which had both helped to improve the position of the developing countries. Much more could be done in that direction.

71. The International Development Strategy was not entirely satisfactory, but the attainment of its objectives would be a turning point in the fortunes of the developing countries. The Council was not capable of playing its full part in the attainment of those objectives and no reorganization of its existing structures would increase its effectiveness in that respect. Its membership must be enlarged to make it more representative. No developing country had so far objected to such a measure. The membership of fifty-four proposed in part A of the draft resolution was commensurate with the rise in the membership of the United Nations and would ensure a more effective contribution by the Council to the economic and social development of the developing countries. Its membership could only be enlarged, however, with the co-operation of all States Members of the United Nations, developed and developing alike. The Second Development Decade should be a decade of international co-operation and compromise, not of confrontation. For that reason his delegation had subscribed to the package draft resolution, which was sponsored by both developing and developed countries. Indonesia's support should not, however, be taken to mean that it considered UNCTAD and UNIDO to be less important – each had its role to play in its respective sector. The enlargement of the Council and the establishment of the two committees proposed in the draft resolution would not undermine the role of UNCTAD and UNIDO; they would all work together to attain the objectives of the Strategy. There was no quarrel over those objectives, but only over the means of attaining them.

72. He considered that immediate action was called for and he did not agree that the changes should be effected gradually. Unlike the Hungarian representative, he did not regard the Charter as static; the spirit of the United Nations and its Charter should be dynamic and should reflect major economic, social and especially technological changes. He did not agree with the representative of Brazil that it would be virtually impossible to amend the Charter. The Charter could be amended provided the amendment served the interests of all countries, especially the developing countries, and of all mankind.

73. Mr. ASANTE (Ghana) said that he was glad to be associated with the draft resolution, which represented a happy and realistic compromise. The Council would now have an opportunity to take definite action on three major far-reaching issues which had long been discussed and which called for immediate action.

74. The draft resolution did not provide the best possible solution to the problems of review and appraisal and the enlargement of the Council, and his delegation would not normally support a composite resolution in which separate proposals were made conditional one upon another. Such issues, however, could be resolved only through compromise. His delegation was aware of the Council's special role in review and appraisal, under the final authority of the General Assembly, although it had doubted whether a clear conception of the proposed review and appraisal machinery would emerge at the present session. That was still not clear, but by adopting the draft resolution the Council would clarify its own role in the review and appraisal process. It could not evade that responsibility or postpone a decision on it indefinitely. He agreed that in accordance with General Assembly resolution 2626 (XXV) the Council should play a major role in that process, as the General Assembly's principal economic and social organ, but not the principal role. Ghana would support the draft resolution on that understanding. The establishment of a Council committee for review and appraisal would not compromise any measures which other United Nations bodies or organizations might deem necessary for over-all review and appraisal. He was glad that that Committee would have a membership of fifty-four, i.e. double the present membership of the Council and therefore more representative of the wider spectrum of United Nations membership.

75. Since it might be difficult to enlarge the Council's membership, because of the political unwillingness of some Member States to support such action, the interim enlargement of the Council's sessional committees would go a long way towards correcting the unrepresentative character of the Council. The developing countries should then make effective use of the proposed increase in the membership of the sessional and standing committees and better use of their advantage in the Council than hitherto.

76. Ghana attached particular importance to paragraph 5 of part A of the draft resolution, which would help to remedy the present duplication of the sessional Co-ordination Committee's functions by the CPC. It had been suggested that the CPC should take over the sessional

Committee's co-ordinating functions, but the proposal in paragraph 5 seemed more appropriate. That proposal had no bearing on the ACC; he saw no grounds for the suggestion that it was an attempt to increase the authority of the ACC, or to reduce the co-ordinating role of the Council. He was glad to note that the terms of reference for the proposed institutional arrangements for science and technology would take into consideration the fields of competence of UNCTAD, UNIDO, the specialized agencies and IAEA. He was sure that the deliberations of the United Nations Conference on Trade and Development at its third session could not and would not be inhibited by any decision taken at the Council's present session. His delegation's position on all those issues was, and would continue to be, based on a realistic assessment of the world situation.

77. Mr. McCARTHY (United Kingdom) said that, in the course of the debate, which had been conducted at a high level, many cross-currents of opinion had been revealed; while certain supporters of draft resolution E/L.1451 had put forward some arguments which weakened their case, its opponents had also on occasion been guilty of faulty reasoning.

78. Earlier in the session his delegation had stated that, despite the doubts it had expressed at the fiftieth session about more and larger committees, it recognized that the establishment of committees larger than the Council itself in two particular fields was a wish of the majority, and would in addition meet the desire for participation in the Council's work of a larger number of delegations. It had stated that it would therefore support the establishment of such committees, even though it saw continued difficulty about any enlargement of the Council itself (see 1778th meeting, para. 64).

79. His delegation thought it important that the two committees concerned should be built into the over-all structure of the Council, thus meeting the need for co-ordinated handling of economic and social problems, however wide the particular field of any committee might be. Hence, whatever his delegation might think of particular components of the package proposal, it considered that the concept of a package was entirely right at the present stage of the Council's consideration of the matter. Nevertheless, he was bound to say that draft resolution E/L.1451 presented his delegation with great difficulties. The earlier version of it had seemed to be more logical and consistent; the present draft bore traces of having been composed by different hands, and indeed in different languages. He understood the need for compromise, but it needed to be a viable one, and the compromise necessary to achieve the wide sponsorship of the present draft resolution had done much to weaken the balanced character of the previous version. He wondered why the figure of fifty-four had been chosen, unless it was simply because it was double the existing membership. If the Council was to establish a committee on review and appraisal, there was a strong case for making it a large body, but it was open to question whether a committee on science and technology, if indeed it was necessary, needed to be so large. No more than two

sessions earlier his delegation had voted to increase the membership of the Committee on Natural Resources from twenty-seven to thirty-eight and he wondered what new factors could have arisen to require an increase to the much larger and less efficient figure of fifty-four.

80. The proposal to double the membership of the Council caused him great misgivings. At the present session the general debate had occupied five and half days out of nineteen working days; he wondered whether it would be desirable for the Council to have to handle increased work and to have to cater for a general debate of ten days.

81. The Council should also bear in mind the need for consistency with its own agreed procedures. At its forty-seventh and forty-ninth sessions the Council had decided that, in order to improve its working methods, subsidiary committees should as a general rule meet biennially. As, however, review and appraisal was by nature a continuing process, he did not think that the biennial rule should apply to a committee on that subject. It should, however, apply to the proposed new committee on science and technology. The consensus of the Council had been that in principle the biennial cycle was right, and it should not make too many exceptions to its own rules.

82. Despite his delegation's reservations on the enlargement of the Council, it could have supported the draft resolution under which the Council invited the Assembly to consider possible enlargement, and to set up committees of with a reasonable number of members, say, thirty-eight, on review and appraisal and on science and technology. His delegation's reservations about the present draft resolution did not extend to objecting to progress wherever it was possible and where the majority of the Council wished it. It considered that the package concept was correct and it was therefore prepared to support parts B and C of draft resolution E/L.1451, although it could not agree to part A.

83. The delegations which had opposed draft resolution E/L.1451 had suggested that it was improper, in the sense that it trespassed upon prerogatives that rightly belonged to the Assembly. They had alleged that, because the Assembly had decided to deal with a certain subject, the Council had no right to take up that subject. Such arguments had little to support them. It had also been claimed that there were limitations to the Council's powers under the Charter. The Articles of the Charter governing the establishment of the Council clearly provided, however, that it could exercise such functions as fell within its competence in carrying out the General Assembly's recommendations. There was therefore no reason why the fact that the subject of review and appraisal was being covered by the General Assembly should prevent the Council from dealing with it.

84. He did not support the suggestion that a decision should be delayed. The Council had been contemplating possible ways of improving its machinery for many years and nothing would be gained by deferring a decision even longer. It had been suggested that the members of the Council who were permanent members of the Security Council were in a special position with regard to the Council's decisions. That was not in fact the case, and he urged that the Council should not try to evade its

responsibilities by taking refuge in the provisions of the Charter on the matter. He was bound to make it clear, however, that his Government was unable to agree to an amendment of the Charter.

85. With regard to the other draft resolutions before the Council, his delegation supported the Soviet draft resolution (E/L.1382). It also supported the draft resolution submitted by Greece and New Zealand (E/L.1408/Rev.2), which suggested a possible system whereby the Council could more rationally handle the increasing number of problems that came before it. His delegation had always considered that Members of the United Nations with the status of observers should be able to participate freely in the Council's deliberations. His delegation also supported both the draft resolution on procedures and languages (E/L.1435) and the resolution on the position of the Advisory Committee on the Application of Science and Technology to Development (E/L.1420). However, he feared that the Advisory Committee might have lost its sense of direction, and that there was a danger that it might lose its role of an expert advisory body and become simply another paper-producing committee.

86. Mr. NAIK (Pakistan) recalled that earlier in the session his delegation had drawn attention to the proposals that it had submitted at the fiftieth session of the Council (see 1781st meeting, para. 58). At that session, his delegation, speaking in connexion with the item concerning measures to improve the work of the Council, had pointed out that while the technical performance of the Council could be improved by the rationalization of its methods and procedures, it was apparent that the Council was suffering a crisis of confidence, and further erosion of its authority and prestige could not be avoided unless radical remedies were devised. It had stated that confidence in the Council would not be restored unless its composition was enlarged so as to represent more adequately the whole membership of the United Nations. Such enlargement would also permit the continuous participation of a number of Member States and thus improve the quality of the proceedings.²

87. Also at the fiftieth session, speaking in connexion with the item on future institutional arrangements for science and technology, his delegation had stated that its predisposition to entrust the General Assembly with responsibility in connexion with future institutional arrangements for science and technology was due to the fact that the General Assembly was constituted on a basis of universal representation. It had, however, stated that it would agree to the standing committee on science and technology being placed under the aegis of the Council, if steps were taken to increase the membership of the Council.³

88. Those views had received considerable support from both the developing and the developed countries. A number of delegations, including his own, had submitted amendments (E/L.1431) to the draft resolution submitted by

² *Ibid.*, 1735th and 1768th meetings.

³ *Ibid.*, 1752nd and 1756th meetings.

Greece and New Zealand. Under the text as modified by those amendments the Council would decide to recommend to the General Assembly that it should take steps to amend the Charter in order to enlarge the Council's membership and it would decide, in the interim, to increase the membership of its sessional committees to fifty-four.

89. Some developed countries had felt, however, that such enlargements should be linked to decisions to create two standing committees, one for science and technology and one for review and appraisal, under the authority of the Council. His delegation had been willing to explore the possibility of a compromise solution. It had seen some merit in the argument that if the Council were enlarged so that developing countries would participate to a greater extent in its work, it would not be prejudicial to the interests of those countries if the Council was invested with a greater measure of substantive responsibility in such matters. As the item on review and appraisal of objectives and policies of the International Development Strategy had not been on the agenda of the fiftieth session, the whole question had been deferred until the present session.

90. His delegation viewed draft resolution E/L.1451 as an attempt to reach a workable compromise and it agreed that the three questions with which it was concerned could be considered together. It wholeheartedly endorsed part A of the draft resolution concerning measures to enlarge the Council and its sessional committees. Although some members of the Council had argued that sufficient reasons had not been advanced to justify such expansion, a large majority of delegations had expressed their support for it.

91. Part B of the draft resolution, concerning institutional arrangements for science and technology, had originated from the concern expressed by UNCTAD at the ineffective machinery for the acquisition of operative technology by the developing countries. Consideration of the matter at the forty-ninth session of the Council had revealed that, although there was general agreement on the need to reinforce institutional arrangements at the intergovernmental level within the United Nations, there was no consensus on the site or terms of reference of the proposed body. Although his delegation had initially favoured the establishment of a committee on science and technology under the authority of the General Assembly, now that steps were being taken towards enlarging the Council it was prepared to endorse the establishment of the new committee under its authority. He was pleased to note that draft resolution E/L.1451 did not prejudice an eventual decision on the terms of reference of the committee and that it maintained the Advisory Committee on the Application of Science and Technology to Development, a body to whose work his delegation attached great importance.

92. His delegation was not altogether happy about part C of the draft resolution, concerning machinery for review and appraisal. It was well known that the developing countries tended to place greater emphasis on UNCTAD than on the Council for the solution of international economic problems. The necessity for maintaining UNCTAD as the negotiating forum on those segments of the Strategy that fell within its competence was evident in

view of the important role it had played in the formulation of the Strategy. He therefore considered that, whatever arrangements were eventually decided upon, UNCTAD should be allowed maximum opportunity to extend the existing areas of agreement.

93. There were certain prerequisites before any definitive decision to create a Council committee for over-all appraisal was taken. One was that there should be adequate assurance that the Council would in fact be enlarged; it was apparent that some of the permanent members of the Security Council still maintained their opposition to such enlargement. Secondly, the final decision on over-all review and appraisal could be taken by the General Assembly at its twenty-sixth session. The Assembly would by then be informed of the results of the Ministerial Meeting of the Group of 77 to be held at Lima, and the arrangements for review and appraisal made in UNCTAD and other bodies and would be in a better position to decide whether it should itself establish a review and appraisal committee or permit the Council to do so. He was glad to note that paragraph 1 of part C of the draft resolution did not define the terms of reference of such a committee, and hence did not prejudice any decisions that might be taken by the General Assembly. His delegation would therefore abstain in the vote on part C of the draft resolution and support the draft resolution as a whole.

94. Paragraph 83 of the Strategy provided that over-all appraisal was to be made by the General Assembly "through the Economic and Social Council". That phrase had been interpreted by some delegations to mean that the Council's role would merely be a co-ordinating one, and by others to mean that its role would be pre-eminent. His delegation did not share either of those extreme views, but thought that the Council should be the organ in which the results of the various reviews would be assembled for consideration. He agreed that the prerogatives of UNCTAD and UNIDO should be maintained by ensuring that, in the areas where it had been possible to reach agreement in the negotiating process of the sectoral reviews, the Council should not be entitled to reopen discussion. The Council, however, should be used as a forum to reach agreement on issues which remained unresolved. Such a procedure would not mean submission by UNCTAD to the authority of the Council. It would merely be a practical device to extend the opportunity for agreement through continuing negotiations.

95. Mr. OSMAN (Sudan), replying to some comments made by the Soviet representative with regard to draft resolution E/L.1451, recalled that that representative had stated that enlargement of the Council would not serve the purposes of Article 55 of the Charter of the United Nations. The Sudanese delegation considered that, on the contrary, enlargement of the Council would be in harmony with those provisions, since it would provide for fuller participation by Member States.

96. He agreed with the representative of Pakistan that an element of continuity was essential for effective participation in the deliberations of the Council. Although he agreed in principle with the United Kingdom representa-

tive's argument that a larger body was not necessarily more efficient, that was true only when the level of participation was uneven. At present the developing countries were at a disadvantage in that, not having served continuously on the Council, they were not able to follow up debates and did not become familiar with the issues under discussion. The proposed enlargement of the Council, besides improving its representative nature, would ensure much improved participation. The developing countries would be able to strengthen their diplomatic services and build up greater experience of Council work.

97. The Soviet representative had also claimed that the move to enlarge the Council constituted a violation of the Charter. There was nothing unconstitutional in a proposal to amend the Charter, for the Charter made specific provision for the possibility of amendment. The Soviet representative had objected to the decision in part B of draft resolution E/L.1451 to strengthen institutional arrangements for science and technology. That decision had been modelled on Council resolution 1544 (XLIX) and consequently reaffirmed an earlier Council decision. By "institutional arrangements" the draft resolution meant the proposed standing committee on science and technology and whatever subsidiary bodies it might establish. The Soviet representative had raised the question of what the functions of that committee were to be. Although the sponsors of the draft resolution had not formulated detailed terms of reference, they had a clear picture of what its functions should be, in general terms, and had outlined them in paragraph 1 of part B.

98. He agreed with the Soviet representative that the wording of paragraph 5 of part B might be improved, but considered that it clearly made the point that sufficient resources would be needed if the new committee were to be established.

99. The Soviet representative had said that the aim of part A of the draft resolution was to weaken the role of the CPC and strengthen that of the ACC. He assured the Council that that was certainly not the intention, but since there was some duplication of work between the sessional committees of the Council and the CPC, the co-ordinating machinery of the Council might well be reviewed in order to eliminate that duplication. He did not think it would be appropriate for either the Economic Committee or the Social Committee of the Council to be entrusted with the task of review and appraisal of the International Development Strategy, since that task would require a high level of expertise.

100. With regard to points that had been raised by the representative of Brazil, he hoped that the permanent members of the Security Council, who were at present unable to agree to any amendment of the Charter, would be persuaded to do so at a later stage. His delegation recognized that, having the right of veto, those countries enjoyed a privileged position, but it considered that they also had correspondingly greater responsibilities and it hoped that they would eventually come to endorse an enlargement of the Council.

101. The Council had adopted an important resolution (1615 (LI)) on financial contributions to UNDP in which the Governing Council of UNDP was requested to review the planning estimates with a view to doubling the resources of the Programme during the next five years. The leading donor countries, among them the United States, France and the United Kingdom, as also other developed countries, had opposed that resolution, but that did not mean that the resolution was invalid. The Council was not obliged to take a decision only when both great and small Powers subscribed to it; it should act when the over-all majority was in favour, and that was the case with draft resolution E/L.1451.

102. Concerning the points made by the representative of Ceylon, the precise date of the enlargement of the Council referred to in paragraph 1 of part A of the draft resolution would depend to a great extent on the position taken by the permanent members of the Security Council, although the word "early" in that paragraph implied some urgency. The Ceylonese representative had referred to a possible difficulty under rule 146 of the rules of procedure of the General Assembly. That difficulty was unlikely to arise, for although certain countries were due to leave the Council by the end of that year, many would be re-elected at the end of their term and others would be serving on the enlarged sessional committee. Rule 146 of the rules of procedure of the General Assembly could, of course, be amended only by that body itself, and until such amendment was made the additional seats in the sessional committees had to be distributed according to the prevailing order of distribution.

103. The representative of Ceylon had rightly observed that the draft resolution would have far-reaching consequences affecting the entire membership of the Organization. By adopting the draft resolution, however, the Council would be discharging its responsibilities towards Member States, since it was in the interests of developing countries in particular to enlarge the Council's membership.

104. The allegation that the developing countries sought to place questions of lesser interest to them before the Council rather than before the General Assembly was not valid. Questions of the sea-bed and the human environment, to which specific reference had been made in that connexion, were at the stage of legal consideration and were thus at present outside the Council's competence. Certain aspects would later be of concern to the Council, however, and the developing countries would at that stage wish them to be placed before it.

105. With regard to the references that had been made to the Ministerial Meeting of the Group of 77 and to the third session of the United Nations Conference on Trade and Development, his Government attached great importance to the Conference's role and looked forward to those meetings with great interest; but UNCTAD was not required to take part in over-all review and appraisal and its role in the application of science and technology was confined to the transfer of operative technology. In that connexion, he drew attention to General Assembly resolutions 2641 (XXV) on review and appraisal of the objectives and policies of the International Development Strategy and

2725 (XXV) on the third session of the United Nations Conference on Trade and Development. UNCTAD, UNIDO and the specialized agencies were required to take part in sectoral review and appraisal, but over-all review and appraisal was the responsibility of the General Assembly, under whose authority the Council would have a role to play.

106. There was no need to add a proviso that the Council's decision under part C of draft resolution E/L.1451 would be subject to the approval of the General Assembly or without prejudice to any General Assembly action, since in accordance with Articles 60 and 66 of the Charter, the Council always performed its functions under the authority of the General Assembly. It could thus establish machinery for the better discharge of those functions under that same authority.

107. The PRESIDENT said that he proposed to call upon the United Nations Legal Counsel to reply to the question raised by the USSR representative.

108. Mr. CHAMMAS (Lebanon) said that his delegation would object to any request by the Council for the advice of the Legal Counsel on what might become a controversial problem. The legal foundations and validity of draft resolutions submitted by representatives of sovereign States should remain the Council's exclusive concern. His delegation had always admired the objectivity of the Secretary-General and his chief assistants, but the Council would be embarking on a dangerous course if it asked them to become party to any dispute.

109. The composition of committees as provided for in the Council's rules of procedure was a matter for the Council's own decision.

110. The PRESIDENT said that there was no intention of holding a legal discussion. A representative had asked a specific question to which the Legal Counsel would give an answer. The best course would be for the Council to hear what that answer would be.

111. Mr. CHAMMAS (Lebanon) said that any opinion given by the Legal Counsel was bound to provoke a discussion.

112. Mr. VIAUD (France) said that the Secretary-General and his representatives had an advisory role to play both under the Charter and according to United Nations practice, and it was the Council's right to ask for the views of the Legal Counsel. Members would not be bound in any way by those views. The Council should hear the Legal Counsel's opinion but his delegation would reserve its position with regard to any legal consequences that might be drawn from that opinion.

113. The PRESIDENT drew attention to rule 31 of the Council's rules of procedure.

114. Mr. CHAMMAS (Lebanon) said that, his delegation would never question the right of the Secretary-General or

his assistants to make any statement they wished and he respected rule 31 of the rules of procedure. He would like to know, however, under which rule the Soviet Union representative had made his request. He would be happy to listen to any statement by the Legal Counsel made on his own initiative but if the Legal Counsel was to give advice at the Council's request on the question raised by the Soviet Union delegation, his delegation would register its strong objection.

115. Mr. NESTERENKO (Union of Soviet Socialist Republics) said that, under established tradition, any delegation could ask for the view of the highly paid and highly qualified Legal Counsel, whose post had been created for that very purpose. That procedure had never before been questioned. It was quite conceivable that the Legal Counsel's reply would not be in his delegation's interest, but it had every right to ask further questions. That right was being questioned for the first time in United Nations history. Once the Legal Counsel had given his opinion, delegations could base their positions on their own understanding of the matter in the light of that opinion.

116. In reply to a question by Mr. OSMAN (Sudan), Mr. AHMED (Secretary of the Council) said that the USSR delegation had requested that the Legal Counsel should be asked to explain under what rules of procedure of the Council or by what established juridical criteria it would be possible to enlarge the sessional committees to a number larger than that of the Council itself.

117. Mr. OSMAN (Sudan) asked whether there was any provision in the Council's rules of procedure or in the Charter that would make it illegal to enlarge the sessional committees of the Council to a number greater than that of the Council itself.

118. Mr. CHAMMAS (Lebanon) said that, to facilitate the Council's work his delegation would confine itself to placing on record its strong objection to the fact that the Legal Counsel was speaking on request and not on his own initiative in accordance with rule 31 of the rules of procedure.

119. The PRESIDENT said that the Lebanese representative's objection would be duly recorded in the summary record of the meeting. He requested the Legal Counsel to reply to the questions raised.

120. Mr. STAVROPOULOS (Legal Counsel), replying to the Sudanese representative's question, said that rule 26 of the Council's rules of procedure had been interpreted to mean that the Council could establish committees of up to the same number of members as its own membership, but not larger. That interpretation had not, however, been followed in practice either by the Council or by the General Assembly. The General Assembly, in resolution 1992 (XVIII), had recognized that, in accordance with Article 68 of the Charter, it was within the Council's competence to determine the membership of its subsidiary bodies, many of which were already larger than the Council itself. The

Commissions on Social Development, Human Rights and the Status of Women had thirty-two members each and the Committee on Natural Resources thirty-eight and there were yet other related bodies with a membership larger than that of the Council.

121. Mr. NESTERENKO (Union of Soviet Socialist Republics) asked, firstly, whether there was a complete analogy between the situation provided for in General Assembly resolution 1992 (XVIII) and the proposal now under discussion; secondly, whether that decision, adopted by the General Assembly in very specific circumstances, was to be taken as a precedent and, if so, why no action had been taken to change the rules of procedure, which conflicted with that decision; thirdly, whether or not a distinction could be drawn between sessional committees and auxiliary bodies of the Council.

122. Mr. VIAUD (France) asked, firstly, whether it was not the case that, while under Article 61 of the Charter and in accordance with United Nations practice the General Assembly elected the original members of the sessional committees of the Council, additional members had, in 1963, been elected by the Council itself. Secondly, he asked whether, if the membership of the sessional committees was to be enlarged, the Council would retain its right to decide not to convene those committees at any given session.

123. Mr. CHTOUROU (Tunisia) said that the questions raised by the USSR representative were the exclusive concern of the Council itself and it was not within the competence of the Legal Counsel to take a decision on them.

124. Mr. STAVROPOULOS (Legal Counsel), replying to the Soviet Union representative, said that the procedure in relation to the draft resolution now before the Council differed from that in General Assembly resolution 1992 (XVIII) because in the latter case the General Assembly had invited the Council to enlarge the membership of its committees, while draft resolution E/L.1451 in effect recommended that the General Assembly should direct the Council to do so. Although such a step had never been taken in the past, the recommendation was not illegal, since the General Assembly was not bound to give such a directive.

125. Mr. NESTERENKO (Union of Soviet Socialist Republics) said that the Legal Counsel's reply had been on the procedural aspect of the question. What his delegation wished to know was whether there was an analogy between the situation in which General Assembly resolution 1992 (XVIII) had been adopted and the present situation.

126. At the time of the adoption of General Assembly resolution 1992 (XVIII), all the permanent members of the Security Council had been in agreement with the enlargement of the Council, whereas only one permanent member of the Security Council had declared its support for the present proposal.

127. Mr. STAVROPOULOS (Legal Counsel) said that, while he was prepared to reply to any legal question, he was not in possession of the facts that would enable him to reply to the Soviet Union representative's question, which was of a historical nature.

128. The decision in General Assembly resolution 1992 (XVIII) could, in his opinion, be taken as a precedent. The General Assembly had recognized in that resolution that the Council had already created a precedent for enlarging its own subsidiary bodies. There had been many instances in which the development of practice had differed from the provisions of the Charter.

129. It had been asked why nothing had been done to amend the rules of procedure. He had recently taken part in discussions on the rationalization of rules of procedure and it had been found that many rules ought long since to have been changed. The Council should think of adapting its rules to present practice.

130. Mr. PATHMARAJAH (Ceylon) said that members of the Council could imagine what the present discussion would have been like had the membership of the Council been doubled. It was evident that the legal aspects of the draft resolution had not been given deep consideration. Earlier in the meeting he had asked several questions, to which no effective reply had been made. With regard to the question whether a sessional committee could be bigger than its parent body, it was evident from the reply of the Legal Counsel that there was no conclusive juridical or constitutional authority for such a creation. There were also other legal lacunae and he reiterated that a decision of such far-reaching consequences could not be taken without full consideration of all the legal matters involved and the study of precedents.

131. The Lebanese representative had reproached him with not looking beyond 1972. On the contrary, he was looking far beyond that date and realized that not only had nine new States members of the Council to be elected in 1971, but two other groups had to be elected in 1972 and 1973. If at its twenty-sixth session the General Assembly were to elect an additional twenty-seven members of the Council, it could not include for election to the sessional committee those listed for retirement from the Council in 1972 and 1973. Two categories of members were being created: regular or first class members and associate or deputy members, who were second class: the latter would not be members of the Council but only of its subsidiary bodies until the Council itself was enlarged. That enlargement would not take place in the near future, because three permanent members of the Security Council had stated that they could not support it. Since there was no provision in the draft resolution for any process of rotation for the twenty-seven additional members, it was to be assumed that they would continue in office without interruption until the Council itself was enlarged, because neither the rules of procedure of the Council nor those of the General Assembly provided for any such substitution unless specifically stated in the resolution adopted. The draft resolution was therefore based on a false legal premise – that the

Council would be enlarged in the near future. Furthermore, there could not be large committees directly subject to a much smaller permanent body.

132. The case of UNCTAD had been invoked. There was nothing sacrosanct about UNCTAD. Ceylon had gained little from it as yet and a strengthened Economic and Social Council could be of advantage to the developing countries, but he wished to reiterate that it was neither the time nor the place to discuss the matter of strengthening the Council, on the eve of the Ministerial Meeting of the Group of 77, of the third session of the United Nations Conference on Trade and Development, and at the beginning of the Second Development Decade. Review and appraisal of the progress in implementing the International Development Strategy should not start at the very beginning of the Decade. There was therefore time for further thought and a detailed examination of all the implications of the draft resolution. He hoped that it might yet be possible to defer consideration of the package.

133. The ILO had a concept of permanent and deputy members, but it had been the subject of criticism and it had been proposed that the matter should be reconsidered. It hardly appeared to be the time to introduce the same system in the Economic and Social Council.

134. Mr. FRAZÃO (Brazil) said that the fact that he had expressed doubt about the possibility of finding an immediate solution to the problem of enlarging the Council as the developing countries wished did not mean that he opposed the idea that the developing countries should have better representation within an enlarged Council. He had not referred to the question of geographical distribution which, if applied literally, would be unjust to the developing countries and would mean a gain for the industrialized countries, both the Western Powers and the socialist countries of Eastern Europe. Enough difficulties had already been mentioned and a solution could be reached through informal discussion.

135. The United States representative had referred to his "lofty appeals". He had appealed for conciliation because he considered it his duty to do so, and because he was accustomed to the methods of conciliation used in UNCTAD.

136. In reply to the Indonesian representative, he said that he had not felt that it was almost impossible to reform the Charter. He considered it possible, but thought that the problem could be tackled from other angles.

137. He was grateful to the representative of Sudan for allaying some of his doubts, but did not hold the same opinion as he about the activities of UNCTAD. Having seen the preparations made for the third session of the Conference within the Group of 77, he thought that the prospects were bright and that UNCTAD would adequately deal with the review and appraisal of progress in implementing the International Development Strategy and with the question of science and technology.

138. In reply to the United Kingdom representative, he said that it had never been his intention to deny the Council the right and duty to tackle the social and

economic problems within its competence, in accordance with Article 60 of the Charter. In the particular case of review and appraisal, however, it was clearly stated in General Assembly resolution 2641 (XXV) that the final decision on that matter was to be taken by the General Assembly at its twenty-sixth session. The United Kingdom's views and proposals on how to improve the organization of the work of the Council (see E/4986, pp. 12-13) listed in paragraph 2 four functions which the Council was best fitted to perform, adding that it was in those contexts that the Council's role in the review and appraisal of progress during the Second United Nations Development Decade should be viewed. In paragraph 3 of its comments, the United Kingdom had added that it would be detrimental to the Council's essential role and authority if its administrative functions were delegated to subsidiary bodies, in the hope that that would leave it more free to discuss general policy issues, and that the proper forum for the discussion of such issues was the General Assembly.

139. Mr. CARANICAS (Greece), introducing draft resolution E/L.1458, said that his delegation had decided to submit the draft resolution after much careful thought, because it felt that all countries would be the losers if such a far-reaching measure as the enlarging of the Council did not receive a wide measure of support. The present discussion demonstrated how deeply divided the Council was on the matter and how many questions remained to be settled.

140. Draft resolution E/L.1451 was of the utmost importance to the United Nations as a whole, for it covered three vital questions: the enlargement of membership of the Economic and Social Council, institutional arrangements for science and technology and the machinery for review and appraisal of progress in the implementation of the International Development Strategy. He had nothing against the "package" concept except that it was indivisible.

141. The fact that the Council had been debating the matter since its forty-seventh session appeared to be no reason for coming to a hasty decision at its fifty-first session, especially a decision which was by no means unanimous. It seemed only elementary courtesy, when more than half the States Members of the United Nations were to meet shortly to discuss those very matters, to wait until they had discussed them freely rather than to present them with an established text. Draft resolution E/L.1458 therefore recommended that the Council should not come to a decision immediately or refer the matter to the General Assembly, but maintain its prerogative to decide its own future and defer the decision to its resumed fifty-first session.

142. The representatives of Lebanon and Kenya had implied that there were still grounds for compromise. He agreed, but compromise required time. Never in the history of the Council had it been faced with such an important structural problem and never had members of the Council had such an opportunity to show statesmanship, yet never had they shown such impatience to reach a decision. He agreed with the Soviet Union representative that advantage

should be taken of all possibilities and with the Lebanon representative that the process of persuasion should be used. The tactics of the developing countries in UNCTAD, which the industrial countries had so often deplored, were now being used once more to obtain the adoption of the draft resolution by sheer weight of numbers. Reference had been made to political will, but that political will did not yet exist. Three of the great Powers, France, the USSR and the United Kingdom, had stated their opposition to part A of the draft resolution at least. Once it had voted against a proposal, no country, small or large, would change its opinion. If the resolution adopted was not to remain a dead letter and bring disillusion to all, time must be taken to ponder the matter, time for consultation both among countries and within individual governments in order that the Council would not be irretrievably committed to a decision reached after acrimonious discussion. The sponsors themselves might find that they were committed to certain points which were legally unsound and did not coincide with their long-range interests. There was no immediate urgency. The enlargement of the Council would be a relatively long-term operation and even review and appraisal would not be carried out during the next few months. A hasty decision would be counter-productive in the long run, whereas a process of conciliation such as that used by UNCTAD would lead to a more constructive approach to a decision which concerned the very fate of the United Nations.

143. It would have been easy for his country to be influenced by its heart to join the sponsors of draft resolution E/L.1451, all States with which it had friendly relations, rather than by its head to foresee the long-term consequences of such a decision.

144. The United States representative had said that the United Nations was at a cross-roads and had stressed the need to breathe new life into the Council. He agreed on the need to reform it both quantitatively and qualitatively. In view of the fantastic proliferation of international bodies, his country for one would find it difficult to find suitably qualified personnel who could be spared from their national duties.

145. He wondered why, if the sponsors claimed that the Council as at present constituted was not representative, they insisted that such important issues should be resolved by the Council immediately, rather than by the General Assembly, which was fully representative.

146. The Kenyan representative had called the Council an exclusive club. That was no longer true; in fact the least developed countries could, as they had shown at the present meeting, make the law by allying themselves with only three developed countries.

147. Under draft resolution E/L.1451 the membership of all subsidiary bodies of the Council, including the Committee on Natural Resources which had just been enlarged, would be fifty-four. In the early 1950s, the membership of the Council had been about a quarter of the membership of the United Nations. The number now recommended was nearly half the present membership.

148. It had been said that if the Council did not adopt the draft resolution it would have wasted a great deal of time. He did not think that was so, because the discussion had clarified the issues and an attempt had been made to find some common ground.

149. He would leave aside all the legal questions, which had abundantly proved the lack of preparation of the draft resolution.

150. The Lebanese representative had commented at length on draft resolution E/L.1408/Rev.2. That text, however, as amended by the sponsors, dealt with a purely operational measure to be adopted and it should have the overwhelming support of the whole Council.

151. The United States representative had said that the Council was at the point of no return and should not evade its responsibilities. On the contrary, it should assume those responsibilities, but in full awareness and on the basis of the widest possible agreement, not with one third of its members — including the majority of the permanent members of the Security Council, who were responsible for world peace — opposing at least part A of draft resolution E/L.1451. Hasty decisions had often been regretted and great expectations bitterly deceived.

152. The Greek delegation had made a valiant effort to bring about a better climate in which the Council could unanimously endorse a resolution of such overwhelming importance. The case for adopting draft resolution E/L.1458 had been amply made at the present meeting and he hoped that the Council would take the wise decision to leave time for further thought and study and to try to find a compromise at the resumed fifty-first session, as there was no time to do so before the end of the current session.

The meeting rose at 7.30 p.m.