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MEETING

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CONTENTS

	Page
<i>Agenda item 86:</i>	
<i>Report of the Special Committee on the Question of Defining Aggression . . . . .</i>	1
<i>Organization of the work of the Committee (continued). . . . .</i>	2

Chairman: Mr. K. Krishna RAO (India).

AGENDA ITEM 86

Report of the Special Committee on the Question of Defining Aggression (A/7185)

1. The CHAIRMAN recalled that on concluding its work the Special Committee on the Question of Defining Aggression had adopted a resolution to the effect that it should complete its work as soon as possible before the end of 1968 in New York or at Geneva, so that it could submit a report containing a draft definition to the General Assembly at its twenty-third session (see A/7185, part V). He called upon the members of the Sixth Committee to decide at the present meeting first, whether the Special Committee should continue its work concurrently with the Committee and secondly, whether the number of meetings which the Secretariat had planned for consideration of the first four parts of the Special Committee's report was sufficient.

2. Mr. ROBERTSON (Canada) said that since the Special Committee had made its recommendation on a proposal by the delegation of the Union of Soviet Socialist Republics, which, as stated in paragraph 108 of the Special Committee's report, had submitted a draft resolution for that purpose (A/AC.134/L.7), it was only proper that the USSR representative and those supporting the proposal should first be given an opportunity to explain why they advocated resumption of the Special Committee's work before the end of the year. His delegation would state its own position after hearing any comments they might make.

3. Mr. HARGROVE (United States of America) supported the Canadian representative's suggestion.

4. Mr. OSTROVSKY (Union of Soviet Socialist Republics) said that his delegation would like to know the views of the members of the Committee. While it had submitted the draft resolution in question in the Special Committee, it would not take a definite position until a majority emerged in the Sixth Committee.

5. Mr. ALCIVAR (Ecuador) endorsed the USSR representative's remarks. His delegation, which had from

the outset supported the Soviet Union proposal that the Special Committee should meet again during the twenty-third session, would state its position after it had heard the views of the other delegations.

6. The CHAIRMAN called upon the members of the Committee to express their views.

7. Mr. BAYONA ORTIZ (Colombia) asked the Legal Counsel whether the Special Committee and the Committee working concurrently would give rise to any material difficulties.

8. Mr. STAVROPOULOS (Legal Counsel) replied that it was unusual for a committee such as the Special Committee to meet during the Assembly's annual session, since all the services were under heavy pressure and the conference facilities and staff were inadequate to meet the additional work-load. In the present instance, the difficulties referred to in paragraph 5 of the note by the Secretariat (A/C.6/L.645) would be considerable, aside from the fact that it would probably be difficult if not impossible for some delegations to attend meetings of the Special Committee and the Sixth Committee at the same time.

9. Mr. DADZIE (Ghana) proposed that, in view of the difficulties to which the Legal Counsel had referred, the Special Committee should meet in the following year and submit its report to the General Assembly at its twenty-fourth session.

10. Mr. ROSSIDES (Cyprus) said that it did not seem possible for the Special Committee to meet during the present session. As could be seen from paragraph 109 of the Special Committee's report (A/7185), it was not a lack of co-operation and understanding but lack of time that had prevented an agreement being reached on the text of a draft definition of aggression. Recalling the Canadian proposal that the Special Committee should recommend that the General Assembly consider extending its mandate so as to enable it to actively pursue its work before the end of 1968 or early in 1969 (*ibid.*, para.112), which had been withdrawn after adoption of the USSR draft resolution, he suggested that the Special Committee's mandate should be renewed so that it could then meet in 1969 to complete its work.

11. Mr. SINCLAIR (United Kingdom), supported by Mr. ALCIVAR (Ecuador), pointed out that for the time being what the Sixth Committee had to do was not to examine the Special Committee's report or the question of its mandate but merely to decide whether or not it should adopt its recommendation — in other words, whether the Special Committee should continue its work before the end of 1968.

12. Mr. DADZIE (Ghana) formally proposed that the Special Committee should not meet again in 1968

and that the date of any future session should be determined later.

13. The CHAIRMAN invited comments on that proposal.

14. Mr. FRANCIS (Jamaica) supported the Ghanaian proposal.

15. Mr. BILGE (Turkey) considered that it would be impossible for the Special Committee to work concurrently with the Sixth Committee, and therefore supported the proposal.

16. Mr. EVANS (Australia) said that if it were the general wish of the Sixth Committee that the Ghanaian proposal be accepted, particularly in the light of the explanations given to the Committee by the Legal Counsel, he would have no objection. However, his delegation felt it necessary, having participated in the work of the Special Committee at Geneva, to recall the circumstances in which the recommendation before the Committee had been adopted. At a very late stage in the Special Committee's deliberations at Geneva, the recommendation had been introduced with an urgent request that it be adopted, and it was insisted that a vote be taken. Some delegations, including the Australian delegation, had been unable to agree to the proposal and the procedure by which it was put forward. He wished to note that the tremendous sense of urgency with which the proposal had been put forward at Geneva had not been reflected in statements which the Committee had just heard.

17. Mr. ROSSIDES (Cyprus) noted that there was a general feeling against the resumption of the work of the Special Committee before the end of 1968. He would therefore also support the proposal of the representative of Ghana.

18. Mr. OSTROVSKY (Union of Soviet Socialist Republics) observed that the members of the Sixth Committee appeared to be in agreement in rejecting the idea of a resumption of the work of the Special Committee before the end of 1968. If the Soviet delegation to the Special Committee had favoured such a resumption, it was because that had seemed to be the view of the majority of the members of that Committee. Having heard the opinions just expressed, and bearing in mind the statement of the Legal Counsel, his delegation would not press for the adoption of the Special Committee's recommendation and would not oppose the proposal that the work of the Special Committee should not be resumed before the end of 1968.

19. Replying to a question by Mr. ROBERTSON (Canada) concerning the form to be taken by the Sixth Committee's decision, the CHAIRMAN said that it would appear in the report of the Sixth Committee to the General Assembly. He proposed that, if there were no objections, the Committee should recommend that the proposed session of the Special Committee on the Question of Defining Aggression should not take place.

*It was so decided.*

#### Organization of the work of the Committee (continued) (A/C.6/L.645)

20. The CHAIRMAN invited the Sixth Committee to consider the question of the number of meetings to be

devoted to parts I to IV of the report of the Special Committee.

21. Mr. STAVROPOULOS (Legal Counsel) explained that in its note on the organization of work (A/C.6/L.645) the Secretariat had allowed for eight meetings on that subject because the Special Committee did not consider its work to be completed, and so a full discussion by the Sixth Committee did not appear to be called for. Such proposals by the Secretariat were generally of an approximate nature.

22. Mr. DADZIE (Ghana) confirmed the interim nature of the report, which had been drafted by the representative of his country in the Special Committee. Only a few meetings, therefore, would be needed for its consideration. He therefore formally proposed that the number of meetings to be held for that purpose should be limited to four.

23. Mr. SINCLAIR (United Kingdom) recognized the validity of the explanation provided by the Legal Counsel, but he was concerned by the Ghanaian proposal, which would excessively curtail the time allowed for consideration of the report. The Sixth Committee had often devoted dozens of meetings to the consideration of reports of an interim nature. Such had been the case, for example, with the reports on the principles of international law concerning friendly relations and co-operation among States. The United Kingdom delegation considered that eight meetings was the absolute minimum if all the delegations interested were to be able to express their opinions on the report of the Special Committee.

24. Mr. ALCIVAR (Ecuador) considered that it would be preferable to avoid any premature decision concerning the number of meetings to be devoted to the report. His delegation was prepared, however, to approve the plans made by the Secretariat in that connexion, on condition that they remained sufficiently flexible.

25. Mr. HARGROVE (United States of America) associated himself with the remarks of the Ecuadorian representative. He shared the United Kingdom representative's surprise at the attempt to curtail the debate. His delegation found it hard to believe that the few meetings proposed would allow more than a superficial discussion of the subject. It was equally hard to understand why those delegations which at Geneva had strongly supported the recommendation of the Special Committee that it should hold another session before the end of the year had now given up the idea.

26. The United States delegation did not see how the Sixth Committee could, in a few meetings, take a sound decision on the future of the Special Committee's work.

27. Mr. BAYONA ORTIZ (Colombia), noting that his country was a member of the Special Committee, said that in view of the difficulties pointed out by the Legal Counsel, his delegation supported the decision taken by the Sixth Committee concerning the proposed session of the Special Committee. Nevertheless, it hoped that the Sixth Committee would give full consideration to the report submitted to it, so that the Special Committee could take all the opinions expressed into account when it resumed its work. It would therefore oppose allowing fewer meetings for

the debate than the Secretariat had proposed in its note.

28. Mr. DADZIE (Ghana) said that, in the opinion of his delegation, the need to economize the time available to the Sixth Committee for the completion of its numerous tasks outweighed the advantage which would be gained by proceeding with a detailed study of the report, since it was only provisional. His delegation was, nevertheless, prepared to accept the proposal of the Secretariat, provided that it was sufficiently flexible to allow a possible reduction in the time to be spent on the question.

29. Mr. OSTROVSKY (Union of Soviet Socialist Republics) supported the point of view expressed by the representative of Colombia. He could not see how the situation was such as to cause the United Kingdom representative concern. When all views had been heard, the Sixth Committee's decision would follow quite naturally. Delegations which paid due heed to all the points made in the debate in order to determine their position did not refuse to allow a certain flexibility when questions of substance were not involved. He was in favour of the view expressed by the representative of Ecuador concerning the flexibility of the Committee's plans.

30. Mr. JAFRI (Pakistan) thought that four or five meetings would be sufficient for the discussion of the report. His delegation would support the number

proposed by the Secretariat, subject to possible adjustments.

31. The CHAIRMAN said that he took the members of the Committee to be in agreement that the eight meetings proposed provisionally by the Secretariat for consideration of the first four parts of the Special Committee's report constituted a maximum and that the number could be reduced should the occasion arise.

*It was so decided.*

*Subject to the decisions already taken, the Committee approved the work programme proposed in document A/C.6/L.645.*

32. Mr. ELREEDY (United Arab Republic) stated that his delegation had remained silent during the debate on the two related questions which had just been considered in order not to jeopardize any consensus, but that it had done so without prejudice to the perfectly clear position of the United Arab Republic both on the substance of the problem under consideration and on all its other aspects.

33. The CHAIRMAN said that he had been asked to draw the attention of the members of the Committee to document A/INF/124, which the Secretariat had circulated in accordance with paragraph 2 (b) of General Assembly resolution 2292 (XXII). The document contained guidelines on ways of effecting economies in documentation expenses.

*The meeting rose at 12.15 p.m.*

