



**SUMMARY RECORD OF THE 2nd MEETING**

Chairman: Mr. FRANCIS (Jamaica)

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The meeting was called to order at 4 p.m.

#### ELECTION OF THE VICE-CHAIRMEN

1. Mr. KULOV (Bulgaria) nominated Mr. Voicu (Romania) for one of the posts of Vice-Chairman.
2. Mr. Voicu (Romania) was elected Vice-Chairman by acclamation.
3. Mr. RIACHE (Algeria), speaking on behalf of the Group of African Countries, nominated Mr. Jesús (Cape Verde) for the other post of Vice-Chairman.
4. Mr. Jesús (Cape Verde) was elected Vice-Chairman by acclamation.
5. The CHAIRMAN said that the Rapporteur would be elected at a later stage, as consultations were still in progress.

#### ORGANIZATION OF WORK

6. The CHAIRMAN drew the Committee's attention to the two documents before it, i.e. the letter from the President of the General Assembly (A/C.6/41/1) listing the items allocated to the Sixth Committee, and the Secretariat note on the organization of the Committee's work (A/C.6/41/L.1).
7. Informal consultations on agenda item 136 has been scheduled for the beginning of the forty-first session, but reservations had been expressed concerning the timetable proposed by the secretariat for the informal consultations, and to start such consultations at the following meeting seemed premature.
8. Similarly, informal consultations should be held with a view to establishing a sub-committee responsible for identifying and clarifying the elements of good-neighbourliness (item 133).
9. Lastly, the Working Group responsible for expediting the finalization of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (item 134), which had performed part of its task the previous year, could start work the following day, with Mr. Treves as Chairman.
10. It was so decided.
11. The CHAIRMAN said that, as every year, the Committee should start the session by examining the report of the United Nations Commission on International Trade Law (UNCITRAL). However, there were not yet enough speakers on the item and it had been agreed that, in such a case, flexibility should be shown and consideration of the item should be postponed to another meeting so that the fullest possible use could be made of the Committee's time.

12. Mr. CALERO-RODRIGUEZ (Brazil) said that the draft work programme (A/C.6/41/L.1) scheduled consideration of the UNCITRAL report not for the first week of the session but for the following week. It would thus be advisable to schedule meetings of the Working Group concerned with item 134 and informal consultations on item 134 up till the following Friday, by which time both speakers and documentation for consideration of the UNCITRAL report would be ready.
13. Mr. KALINKIN (Secretary of the Committee) said that conference services were able to accommodate two meetings a day. The Committee would therefore be able to hold eight more meetings during the first week of its session.
14. Mr. WALKATE (Netherlands) pointed out that the General Assembly, by its decision 40/422, had asked the Committee to achieve agreement and adopt the draft Declaration relating to item 136 at the forty-first session. However, it did not appear to be possible to begin consultations on that item at the next meeting. It would be necessary to devote one or two meetings to certain outstanding matters, and the negotiations should start on Thursday or Friday of the current week so that the experts who had travelled to Headquarters to take part in them would not be kept waiting.
15. Mr. ABDEL-KHALIK (Egypt) supported the Netherlands proposal and added that a few meetings would be needed during the following week in order to resolve all the remaining problems. He also favoured the Brazilian proposal, unless there were enough speakers on the list to justify beginning the discussion of the UNCITRAL report on Tuesday or Wednesday.
16. Mr. ROSENSTOCK (United States of America) supported in principle the proposals made by the representative of Brazil but thought that, in order to save time, the Chairman of UNCITRAL should introduce the Commission's report the next day, which would give the members of the Committee the time to prepare statements for Thursday or Friday. The meetings in the intervening period could be devoted to informal consultations and the proceedings of the Working Group.
17. Mr. ABDEL-RAHMAN (Sudan) said that his delegation found the arrangements concerning item 136 to be acceptable and was convinced that the Committee would be able to conclude its consideration of that item during the current session. It also supported the comments of the United States delegation concerning the need to organize the work in such a way that the Committee could utilize the time available to it as efficiently as possible.
18. The CHAIRMAN said that, if there were no objections, he would take it that the Committee wished to hold a meeting the following morning to hear the introduction of the UNCITRAL report by the Chairman of UNCITRAL, followed by a meeting of the Working Group responsible for the finalization of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (item 134).
19. It was so decided.

20. Mr. YAKOVLEV (Union of Soviet Socialist Republics) said that the organization of work as it appeared in the Secretariat note (A/C.6/41/L.1) was a compromise to which the Soviet delegation could subscribe. However, it wished that the Committee was able to take up the item on the draft Code of Offences against the Peace and Security of Mankind separately. It did not object to the decision concerning the two Working Groups but must point out that there was also a Sub-Committee responsible for identifying and clarifying the elements of good-neighbourliness, an item to which the Soviet delegation, like other delegations, attached much importance. That Sub-Committee must proceed with its work as soon as possible and everything must be done to enable it to carry out its mandate. On that understanding, the Soviet delegation supported the Chairman's proposal concerning the initial stage of the Committee's work.

21. The CHAIRMAN assured the representative of the Soviet Union that the Sub-Committee referred to would receive its share of the time available to the Sixth Committee for its work.

22. Mr. AL-QAYSI (Iraq) recalled that at the preceding session the Committee had decided that the list of speakers should be drawn up when consideration of an item began, because otherwise it was very difficult to gauge the number of meetings necessary for studying that item. He therefore proposed that the list of speakers on item 127 (report of UNCITRAL) should be closed on Tuesday, 23 September, at 6 p.m.

23. Mr. SCHRICKE (France) supported the proposal of the representative of Iraq.

24. Mr. VOICU (Romania) proposed that more meetings should be devoted to the consideration of item 133, Development and strengthening of good-neighbourliness between States. He referred to General Assembly decision 40/419, according to which the Sub-Committee of the Sixth Committee set up to study that item must continue and conclude its task at the forty-first session.

25. The CHAIRMAN said that the four meetings scheduled for item 133 were plenary Committee meetings, although that did not rule out meetings of the Sub-Committee.

26. Mr. SCHRICKE (France) pointed out with regard to item 129 that, for reasons related to the financial situation of the Organization, the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries had not convened, and that the Sixth Committee therefore had no report to consider. Consequently, it was not necessary to schedule a debate on that item in the Sixth Committee, which would merely be required to take a decision concerning the next session of the Ad Hoc Committee.

27. Since the proposal of the Romanian representative seemed to anticipate somewhat the results of the work on good-neighbourliness, his delegation would prefer that no decision should be taken in the matter for the time being. Moreover, it was of the opinion that the utmost priority must be given to the task of the Working Group on detention, which was required to complete its work at the current session.

28. Mr. ROSENSTOCK (United States of America) and Mr. CALERO-RODRIGUEZ (Brazil) said that their delegations were prepared to speak on agenda item 127 on Thursday, 25 September, in the afternoon.

29. Mr. AL-QAYSI (Iraq) said that his delegation would also be prepared to speak on item 127 at that time. He again expressed the hope that the closing of the list of speakers would be set for Tuesday, 23 September, at 6 p.m., so that the Committee would know sufficiently in advance how much time it must allot for the consideration of that item.

30. After a discussion in which Mr. SCHRICKE (France), Mr. GUNAY (Turkey), Mr. YAKOVLEV (Union of Soviet Socialist Republics), Mr. ABDEL-KHALIK (Egypt) and Mr. LINDHOLM (Sweden) participated, the CHAIRMAN suggested that the Committee should adopt the following programme for the first week of its work:

Tuesday, 23 September

Morning: Introduction of the report of UNCITRAL (item 127), followed by a meeting of the Working Group on item 134

Afternoon: No meeting

Wednesday, 24 September

Morning: Informal consultations on the organization of work of the Committee

Afternoon: Working Group on item 134

Thursday, 25 September

Morning: Informal consultations on item 136

Afternoon: Consideration of item 127

Friday, 26 September

Morning: Consideration of item 127 and of the report on the organization of the work of the Committee at the forty-first session

31. It was so decided.

The meeting rose at 6.10 p.m.