

United Nations

GENERAL  
ASSEMBLY

THIRTY-FOURTH SESSION

Official Records\*



UN/DA COLLECTION

SIXTH COMMITTEE  
37th meeting  
held on  
Friday, 9 November 1979  
at 3 p.m.  
New York

SUMMARY RECORD OF THE 37th MEETING

Chairman: Mr. ZEHENTNER (Federal Republic of Germany)

CONTENTS

AGENDA ITEM 114: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS  
AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

ORGANIZATION OF WORK

\* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL  
A/C.6/34/SR.37  
14 November 1979

ORIGINAL: ENGLISH

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 114: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/34/33, A/34/409, A/34/357, A/34/389 and Corr.1; A/C.6/34/L.8)

1. Mr. KOROMA (Sierra Leone) said the seriousness of the world situation had not changed very much since the item under consideration had first been placed on the agenda of the General Assembly. Amid the vortex of deepening crises and the inability of the United Nations to discharge its primary responsibility for the maintenance of international peace and security, the Organization had been perceived as ineffective and confidence in its ability to maintain peace had been eroded.
2. The Special Committee should have diagnosed the problems that had led to that crisis of confidence and made recommendations as to how best the United Nations could be restructured and effectively utilized in meeting current challenges. Unfortunately, the "greatest" Powers, out of fear of losing their privileged position, had impeded the work of the Special Committee. The veto power, under the guise of the so-called consensus principle, had been extended to the work of the Special Committee. That principle, which had been developed as a method of contemporary decision-making, had been distorted into an obstacle to such decision-making. He emphasized that point because his delegation had participated actively in the work of the Special Committee and had found that it was impossible for 47 members to discuss any issue that was not approved by the four major Powers. The Sixth Committee must issue, in strong terms, instructions on that matter. His delegation would propose the insertion of provisions to that effect in any resolution on the mandate of the Special Committee.
3. His delegation agreed with the Japanese delegation that the Special Committee should first of all make concrete and practical proposals for implementing the purposes and principles of the Charter in such a way as to meet the requirements of the current international situation. The Special Committee should have been studying how best to bring into operation the provisions of Chapter VII of the Charter with a view to restoring the authority of the Organization. In the debate on the item on the non-use of force in international relations, his delegation had lamented the fact that the Security Council had on numerous occasions proved ineffective on crucial matters of peace and international security.
4. The problem of the Special Committee was not only that of the veto. It was also an institutional problem. He was referring to the fact that the sessional meetings of the Special Committee lasted for only four continuous weeks or approximately 20 working days every year. Moreover, the officers of the Special Committee served only during that four-week session, with their term of office expiring at the end of it. Consequently, the work of the Special Committee came to a standstill between sessions, except for the preparation of the final report, which in 1979 had cost over \$500,000. Furthermore, there had been a considerable turnover in the individual representatives of member countries, thus jeopardizing the Special Committee's efficiency and the continuity of its operations. Many

(Mr. Koroma, Sierra Leone)

delegations of third world countries had not been able to attend the meetings of the Special Committee and some of those which had attended had not participated in the debate. The reason for their lack of enthusiasm was not difficult to ascertain. The cost of maintaining representatives away from home was becoming more and more onerous and when a committee such as the Special Committee began displaying the very symptoms it had been supposed to remedy, Governments became disillusioned and decided on a more useful alternative for deployment of their limited resources and manpower.

5. Another institutional problem which had to be addressed was the lack of any planned organization of work prior to the following series of meetings. At the beginning of a session, several days were usually required for organization of work before substantive discussions could be begun. Curiously enough, the Special Committee on Peace-keeping Operations, which, unfortunately, had not adhered to its original schedule of meetings, maintained a continuous administrative bureau which could call a meeting whenever appropriate. That was not the case with the Special Committee on the Charter. In the light of the foregoing, and in order to accord the Special Committee on the Charter its proper role in the Organization, his delegation would call for a continuous mandate for the Special Committee on the Charter throughout the year. His delegation attached great importance to the work of the Special Committee and had made a sustained and constructive contribution to that work. On the other hand, the task of the Special Committee was too far from completion to allow for self-congratulation. The Sixth Committee must state unambiguously what it expected of the Special Committee.

6. Mrs. MUTUKWA (Zambia) said her delegation was satisfied with the progress made at the latest session of the Special Committee regarding the issues of the peaceful settlement of disputes and the rationalization of existing United Nations procedures, but was deeply disappointed that once again the important issue of the maintenance of international peace and security had not been accorded the priority it deserved. For some undetermined reason, the Special Committee had not followed the order set out in General Assembly resolution 33/94 for consideration of issues by the Special Committee and had considered the question of the maintenance of international peace and security as the last item on its agenda. Her delegation hoped that if the mandate of the Special Committee was renewed, that body would consider that question first. As the Chairman of the Special Committee had said in his introductory statement (A/C.6/34/SR.30, para. 63), a number of delegations had felt that they had exhausted their resourcefulness as far as proposals concerning the peaceful settlement of disputes and the rationalization of procedures were concerned. On the other hand, much work remained to be done on the proposals on the maintenance of international peace and security.

7. Her delegation noted that general agreement had seemed possible on a number of proposals concerning the peaceful settlement of disputes; immediate steps should be taken to implement those proposals before the momentum generated in the Special Committee was lost. With regard to the proposals on which general agreement had not been possible, her delegation felt there were a few on which agreement might be possible after further reflection and possible reformulation. Those were the proposals relating to the increased role of both the Security Council and the

(Mrs. Mutukwa, Zambia)

General Assembly in the maintenance of international peace and security by the use of ad hoc or permanent bodies for fact-finding, extending the role of the International Court of Justice, and greater use by the Secretary-General of the provisions of Article 99 of the Charter. Those and other similar proposals should not be lost just because agreement did not currently appear possible. States should have time to reconsider them before the Special Committee resumed work on them.

8. There was no need for the Special Committee to devote any more time to the matter of rationalization of existing United Nations procedures. Work on that item should be resumed, if necessary, only after work on maintenance of peace and security and peaceful settlement of disputes had been completed. Her delegation made that proposal, not because it did not consider rational procedures important, but because the issue had been and was being considered by several other groups within the United Nations. In fact, removing from the Special Committee's agenda an item that was on the agenda of many other bodies would in itself contribute to the rationalization of procedures. Furthermore, even the most rational procedures would be futile without a very effective system for the maintenance of peace and security.

9. Her delegation considered the question of maintenance of international peace and security to be the most important one before the Special Committee. While recognizing the successes of the United Nations in, for example, the prevention of a new world war, the observance of human rights, decolonization and the solution of various socio-economic problems, her delegation believed that the full potential of the United Nations had yet to be realized. Some of the Organization's major failures had been in the field of the maintenance of international peace and security. While a new world war had been avoided, over 100 local or regional wars had broken out in various regions, some of which had very seriously threatened the peace of the whole world. At the same time, the United Nations had failed to eliminate the threat to international peace and security posed by the continued existence of apartheid, racism and racial discrimination and various forms of alien domination and occupation. The very existence of many so-called small States was constantly threatened. The world could not do without the United Nations, but the Organization must be able at all times to fulfil its functions, particularly the major task of maintaining peace and security. It was for that reason that her delegation supported all the proposals contained in working paper A/AC.182/WG/36, reproduced in the report of the Special Committee (A/34/33, pp. 94-109), including the ones that would require amendments to the Charter. In particular, her delegation supported the proposal that Article 2 of the Charter should be amended to include new principles of non-interference by one State in the internal affairs of another, international co-operation for development, collective economic security, and general and complete disarmament under effective international control. The proposal for inclusion in the Charter of the definition of aggression likewise had the strong support of her delegation, which also saw merit in the proposals to amend Article 99 of the Charter so that the Secretary-General could convene the Security Council whenever he deemed it necessary for the maintenance of international peace and security. At times the Secretary-General was the only one in a position to make an objective assessment early enough to avoid further

(Mrs. Mutukwa, Zambia)

deterioration of a given problem. The General Assembly, in which all States participated on an equal basis, should play a more important role in peace and security and should be able to intervene as soon as the Security Council failed to fulfil its duties. With regard to Chapter VII of the Charter, her Government had been disappointed by the failure of the Security Council to act in full accordance with the provisions of that Chapter in solving the problems of southern Africa. It supported any proposals designed to make implementation of that Chapter more effective, including proposals to re-examine the use of the right of veto by permanent members of the Security Council in matters of peace and security.

10. She wished to restate her delegation's position that it did not favour amendment or review of the Charter merely for their own sake. In order for the Charter to remain a dynamic legal instrument, it must adapt to the changing needs and aspirations of the contemporary world. Her delegation supported some proposals which did not require amendment of the Charter as well as some which did. It was significant that the drafters of the Charter had foreseen the possible need for amendment and had included provisions to that effect. In fact, the Charter had already been amended to the advantage of the Organization. To oppose a review of the Charter was, in the view of her delegation, contrary to both the spirit and the letter of the Charter itself.

11. Her delegation hoped that the mandate of the Special Committee would be renewed and welcomed the offer of the Philippine Government to host the Special Committee's next session.

12. Mr. ELARABY (Egypt) said that the item under consideration provided an opportunity to examine the functioning of the United Nations system and determine the improvements necessary to remedy existing shortcomings. He noted with satisfaction that the Special Committee had made some progress in the area of peaceful settlement of disputes. With regard to that issue, his delegation believed that efficient machinery should be available to the Security Council and the General Assembly whereby international disputes might be considered with a view to facilitating their settlement by peaceful means. The reluctance or inability of the Security Council to use the collective security system to deter aggression and to maintain international peace and security and, when necessary, to enforce peace, made it imperative to bring the influence, resources and prestige of the international community as a whole to bear on States. His delegation realized that the failure of the United Nations to resolve disputes promptly was due to the fact that its policy-making organs tackled international disputes only when they had reached an advanced stage and had become a real and imminent danger to international peace and security. In such circumstances, all efforts naturally focused on averting further deterioration and terminating hostilities rather than on removing the underlying causes of the dispute. Thus, a peace-keeping operation was sometimes considered as an end in itself when it should be treated merely as paving the way to energetic and meaningful peace-making. It was therefore important to explore ways and means for the Organization to become involved at an early stage in facilitating the settlement of disputes. The report of the Special Committee (A/34/33) did in fact indicate several specific proposals which would require follow-up during the coming session.

(Mr. Elaraby, Egypt)

13. Egypt believed that the Secretary-General could perform a vital role by rendering his "good offices" to States during the early stages of disputes. An attempt should be made to institutionalize a practice which the deliberative United Nations organs as well as States in general had been following for years. The Charter did confer explicit and implied responsibilities on the Secretary-General who had on many occasions been called upon to undertake the corresponding functions. The reluctance of Secretaries-General to invoke their discretionary powers under Article 99 had stemmed essentially from an inability to enforce the decisions of the Security Council. That fact, however, should not undermine the implied powers of the Secretary-General under Article 99 relating to conciliation and good offices. In point of fact, rule 23 of the provisional rules of procedure of the Security Council assigned a similar role to the Secretary-General by providing that he might be appointed by the Security Council as Rapporteur for a specified question. That rule had rarely, if ever, been used. Even when the Council requested the Secretary-General to secure the implementation of a given resolution, in accordance with the provisions of Article 98, which had become a standard practice, no attempt was made to invoke rule 23 and widen the scope of the Secretary-General's authority in carrying out his mandate.

14. Egypt supported the proposed preparation of a General Assembly declaration on the peaceful settlement of disputes. Such a declaration should be based on the peaceful settlement section in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations and should develop the concepts contained therein in order to adapt them to future requirements. A comprehensive declaration on peaceful settlement of disputes would be an important first step towards the possible preparation of a treaty on the subject.

15. His delegation wished to make two specific comments regarding the important question of the maintenance of international peace and security. Firstly, it supported any attempt to revive or, more accurately, to bring to life the collective security system contained in Chapter VII of the Charter. Without an effective Security Council, mankind could not entertain a hope that the Charter's lofty objectives would be attained and the rule of law would ultimately prevail. Secondly, the credibility of the United Nations hinged on the full and faithful implementation of its resolutions. The ever-increasing and alarming propensity to disregard those resolutions with impunity had resulted in a staggering devaluation of their provisions. Some of the most important resolutions with grave implications for world peace were never honoured, notwithstanding an annual reaffirmation, even with increased majorities.

16. In that connexion, his delegation wished to recall that the Sixth Conference of Heads of State or Government of Non-Aligned Countries had stressed the need for full implementation of the Charter's provisions, effective discharge of the functions entrusted to the General Assembly and the Security Council, and prompt implementation of their resolutions. The non-aligned nations has also called for consideration of amendments to the Charter, a matter which the Special Committee should follow up at its next session. That decision by more than 90 Member States also underlined the need to examine the possibility of revitalizing the collective

(Mr. Elaraby, Egypt)

security system set forth in Chapter VII. The mere fact that efforts to do so had failed in the past was not a convincing argument for refraining from exploring those possibilities at the current stage and in the future.

17. Another course of action, available to all States, was to develop the residual role of the General Assembly along the lines of General Assembly resolution 377 (V), better known as the "Uniting for Peace" resolution.

18. With regard to the rationalization of existing procedures, he expressed satisfaction that several points advanced in his delegation's working paper (A/AC.182/WG/16) were being followed in the Committees. That was an added incentive to examine in depth all the relevant proposals and formulate constructive recommendations at the next session. His delegation fully supported the efforts to introduce both procedural and substantive changes. It also held that as a constitutional instrument, the Charter contained the fundamental purposes and principles which should guide the activities of the Organization, but did not spell out the details, which were subject to development by the competent organs in their interpretation of the Charter provisions. His delegation was inclined to advocate a rather realistic approach in improving the Charter. It was aware of the limitations with respect to formal amendments imposed by Article 108, but would consider joining other like-minded delegations in examining certain formal amendments, relating to such matters as the expansion of the competence of the International Court of Justice to render advisory opinions. Other proposals, however, such as the elimination of the right of veto in the Security Council, might still be unrealistic in view of the existing circumstances in international relations. That matter should nevertheless be pursued until more propitious conditions ensured favourable responses to such drastic steps.

19. With respect to the voting procedures of the Security Council, "final", not merely provisional, rules of procedure should be agreed upon. The existing provisional rules had been drafted over 30 years previously at the peak of the Cold War. Many of the issues which had been decided at the 1945 San Francisco Conference had then been regarded as too sensitive for inclusion in those rules of procedure. Such issues as the determination of the preliminary question of the substantive or procedural nature of matters before the Council, the meaning of concurring votes of the permanent members, abstention by a permanent member, and the necessity for a party to a dispute to abstain from voting should now be formally clarified in the rules of procedure.

20. With regard to the working methods of the Special Committee, better results could be expected from an effort to achieve a consensus. The search for a consensus on a particular issue, however, should not be exploited by a small number of delegations to frustrate an agreement reached by an overwhelming majority. Although it was not advisable to hasten to request that the rules of procedure be applied and a vote taken on a given issue, a line had to be drawn when efforts at reconciliation had clearly been exhausted. Lastly, his delegation supported the renewal of the mandate of the Special Committee.

21. Mr. GAYAMA (Congo) said that the Special Committee should take greater account of the comments made in the Sixth Committee including the frequently repeated request that consideration be given to the possibility of adapting the Charter to the realities of the current world situation. The Special Committee should not duplicate the work of other committees which dealt more specifically with the peaceful settlement of disputes and the rationalization of existing procedures, such as the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, the First Committee and the Special Political Committee.

22. The attainment of a balance of power in the world did not necessarily guarantee peace and security, for while the so-called developed countries continued to develop, the third world countries suffered from the effects of all the crises and rivalries existing elsewhere in the world. Genuine international peace and security therefore required the economic and political liberation of the third world. That demonstrated the close relationship between the role and functioning of the United Nations and the conditions and machinery for the maintenance of international peace and security. Without peace and security, there could be no genuine liberation and no development.

23. His delegation did not agree with previous statements to the effect that the United Nations, as originally conceived and as it currently functioned, fully met the needs of the people of the world. The role of the permanent members of the Security Council was of particular significance in that connexion; it was necessary to consider, calmly and objectively, whether the Charter assigned too much responsibility to some States and not enough to others, and whether a review - even a partial review - of the Charter was required. The lack of agreement on that point in the Sixth Committee was due to the fact that certain delegations felt that the Charter, as adopted in 1945, represented the acme of human wisdom and was not affected by historical changes. Since 1945, however, the Charter had been amended several times. Therefore, there was no formal obstacle to making concrete proposals on possible amendments.

24. The question of the democratization of the United Nations, whose membership had tripled since 1945, was one of the reasons for reviewing certain provisions of the Charter. Much had to be done with regard to the membership and the redefinition of the competence of the principal organs of the United Nations and the great disparity in the geographical representation of States in those organs, including the International Court of Justice.

25. With regard to the right of veto, it was necessary to determine whether the permanent members of the Security Council should continue to enjoy that exclusive right indefinitely, despite the change that had taken place in relations between States. It was time to determine whether all the permanent members remained great Powers in all spheres and were really capable of guaranteeing international peace and security. His delegation could not agree that under cover of the idea that certain States were "responsible" for the maintenance of international peace and security those States should be given carte blanche to pursue all sorts of policies, since some of those States were themselves

(Mr. Gayama, Congo)

trouble-makers. The United Nations must take account of the new principles enunciated by the movement of non-aligned countries, especially with regard to the new international economic order and general and complete disarmament under international control. The final declaration of the Sixth Summit Conference of the Non-Aligned Countries had supported the work of the Special Committee in promoting the democratization of international relations and drawing up amendments to the Charter in order to safeguard the interests and aspirations of the peoples of the world and adapt the United Nations system to the new realities on the basis of respect for the sovereignty and equality of States. The Summit Conference had stressed the necessity of adapting the structures and policies of the social and economic bodies of the United Nations in order to hasten the implementation of the new international economic order and had called upon the Security Council to review its methods of work and consider undertaking measures that would enable it to play a more active role in direct negotiations aimed at settling the most serious international crises. The Conference had also urged the permanent members of the Security Council not to abuse their right of veto.

26. The majority of Member States therefore felt that the strengthening of the role of the United Nations should be brought about by improving the Charter, which would form part of the process of implementing the new international economic order. A review of the Charter was in no way, however, contrary to its letter and spirit, since Articles 108 and 109 clearly provided for such a possibility. In that regard, he recalled that Articles 23, 27 and 61 had already been amended. Many countries which had formerly been colonies wished the Charter to show that the status of "colonized people", "Trust Territory" and "enemy State" had become anachronistic. Such fundamental United Nations principles as those embodied in the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Charter of Economic Rights and Duties of States, the principles adopted at the sixth and seventh special sessions of the General Assembly on the new international economic order and the principle of general and complete disarmament should be reflected in the body of the Charter.

27. In considering a review of the Charter, all proposals and points of view should be examined. His delegation, which was not influenced by any a priori position, felt that the discussions on the Charter and the strengthening of the role of the Organization should take account of the current world situation. The Charter should be a fundamental legal instrument for a world in constant change.

28. In supporting the renewal of the mandate of the Special Committee, his delegation expressed the hope that the Sixth Committee would take due account of the relevant comments made by delegations on that subject.

29. Mr. GÜNEY (Turkey) said his Government's position on the review of the Charter had been expressed in the Sixth Committee on several occasions and was set forth in document A/10113/Add.1. The international community was unanimous in recognizing that the purposes and principles of the Charter reflected its profound

(Mr. Güney, Turkey)

beliefs; that was the reason why international co-operation had been established in various fields since the adoption of that instrument. The Charter and General Assembly resolutions formed the legal basis of the Organization. In its 30 years of existence, the Charter had shown remarkable flexibility in responding to the needs of the international community in general. Some of its short-comings had been carefully studied by the Special Committee which had drawn up the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. That Declaration obviated the need for a general and formal review of the Charter or at least postponed the need for such a review. The effectiveness of the Charter did not depend on a review of that instrument but on the political will of Member States to implement its provisions. Taking into account the delicate balance reflected in the Charter, the discussions that had taken place in various bodies since the twenty-fourth session of the Assembly and the relevant provisions of the Charter, his delegation felt the current international situation was not propitious to a general review of the Charter. Nevertheless, his delegation had from the outset stated that it was prepared to consider concrete proposals aimed at enhancing the effectiveness and authority of the Organization.

30. The Special Committee had made progress in carrying out its mandate. With regard to the proposals on the peaceful settlement of disputes, before thought was given to the preparation of a General Assembly declaration, steps should be taken to eliminate overlapping and duplication with other bodies dealing with settlement of disputes and to prepare a practical manual on the peaceful settlement of disputes describing all existing mechanisms for that purpose within the United Nations system. All efforts aimed at the preparation of a new instrument on the peaceful settlement of disputes should take account of the experience acquired and the current stage of development of the international community in that regard.

31. In that connexion, he recalled two attempts to establish procedures for the peaceful settlement of disputes: the General Act of 26 September 1928 and the work of the Interim Committee of the General Assembly. The General Act, an integral part of the League of Nations system, had been designed to guarantee the functioning of methods for the peaceful settlement of disputes when the parties involved could not agree on means for resolving their disputes, but the machinery provided for in the Act broke down as soon as the parties to the disputes disagreed on the procedure to be followed. The General Act did not ensure respect for contracted obligations and had therefore proved ineffective.

32. Following the recommendations of its Interim Committee, the General Assembly in resolution 268 (III) had adopted the Revised General Act for the Pacific Settlement of International Disputes. The purpose of the Revised General Act had still not been achieved since to date only seven Member States had acceded to it.

33. Among the range of possibilities for the pacific settlement of disputes set forth in Article 33 of the Charter, negotiation was the most effective means of achieving lasting and viable solutions to disputes.

(Mr. Güney, Turkey)

34. With regard to the proposals concerning the maintenance of international peace and security, several ideas and areas of activity mentioned at the 1979 session of the Special Committee could increase the effectiveness of the Organization without a review of the Charter. In that connexion he drew attention to the proposal submitted by his delegation (A/AC.182/WG/31), which had commanded wide support. The proposals which had proved most controversial in the Special Committee had been those concerning the function, powers and composition of the Security Council. It had not been possible to reach agreement on the proposals to establish a permanent commission of the General Assembly to fulfil functions of mediation, good offices and conciliation and a standing body on fact-finding, conciliation and mediation because those proposals had been considered incompatible with the provisions of the Charter and contrary to current United Nations practice.

35. In the light of current circumstances, the Special Committee should continue its work on the proposals which did not call for amendment or a formal review of the Charter, but which should be considered by the principal organs of the United Nations in their efforts to enhance their effectiveness.

36. With regard to the rationalization of existing procedures, the General Assembly should ensure that a given question or aspects of it were not considered by more than one body. It was particularly important that the work of the Special Committee on the Charter should be co-ordinated with that of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly.

37. Lastly, his delegation firmly supported the suggestion concerning publication of the Repertory of Practice of United Nations Organs, which had not been issued since 1966, and was in favour of renewing the mandate of the Special Committee so that it could continue its work.

38. Mr. DUCHÊNE (Belgium) said that he agreed with previous speakers that the report of the Special Committee (CA/34/33) lacked clarity; it could have been shorter if it had not included several existing documents, and if it had given an account of the discussion by topics, instead of using a chronological approach. Those comments did not imply any criticism either of the officers of the Committee or of the staff of the Office of Legal Affairs. It was the members of the Special Committee who had hampered the efforts of the officers and the Secretariat to achieve a simpler and clearer form of report.

39. As a result, the achievements of the Special Committee did not emerge clearly from the report. A constructive spirit had prevailed during the discussions and had led to successful results, in contrast to the difficulties that had been encountered in earlier years.

40. The most notable achievement was a list of proposals concerning the peaceful settlement of international disputes, which represented the fulfilment of an important element of the Special Committee's mandate. A working paper submitted

(Mr. Duchêne, Belgium)

by the United States delegation in 1978 had served as a most valuable basis for the establishment of that list; it had not only been very clear and comprehensive, but it had also been notably objective, in that it had included a number of ideas put forward by other delegations not all of which were congenial to the United States delegation.

41. The suggestions in the list included a useful proposal that the Security Council should be encouraged to make wider use of the opportunity provided by Articles 28 and 29 of the Charter. Belgium supported the proposal that there should be wider use of regional agreements or agencies in the peaceful settlement of disputes, and that the Security Council should encourage the peaceful settlement of local disputes through such regional agreements or agencies. Another useful suggestion was that relating to the strengthening of the fact-finding capacity of the Security Council.

42. Among the ideas that should be rejected were the drafting of a treaty on peaceful settlement of disputes and the establishment of a permanent commission of the General Assembly concerned with the peaceful settlement of disputes.

43. No study of the strengthening of the role of the Organization could be effective without consideration of the rationalization of its procedures. Belgium welcomed the progress made by the Special Committee, to which the presence of the Under-Secretary-General for Political and General Assembly Affairs had certainly contributed. However, one unresolved question was the recruitment of Secretariat staff. Several States had expressed their desire for more equitable geographical distribution, and Belgium fully understood that desire. Nevertheless, it remained convinced that every member of the Secretariat staff was there to serve the Organization and not his own country. A wider geographical distribution of posts was desirable, in order that the universal character of the United Nations might be reflected in the Secretariat, but the main principle of selection must remain competence.

44. Turning to the question of the maintenance of peace and security, he said it was gratifying that a number of proposals had been made concerning areas on which a general agreement appeared possible, notably the strengthening of the role of the Security Council.

45. The two latest sessions of the Special Committee had been productive, and in general that Committee had remained faithful to its term of reference. The Chairman of the Special Committee deserved much credit for the spirit of constructive co-operation that had been maintained in the Special Committee despite the difficulties of its task. Belgium would be happy to continue participating in the Special Committee's work.

46. Mr. DANIELIUS (Sweden) said that the Special Committee's report (A/34/33) was not easy to read or digest, but contained a number of interesting proposals.

(Mr. Danelius, Sweden)

47. The first subject the Special Committee had dealt with was the peaceful settlement of disputes. His Government had always strongly supported the strengthening of international machinery for the peaceful settlement of disputes. However, the main problem was not the lack of machinery but the lack of political will to make use of it. The International Court of Justice was available to all States, but very few made use of its services. An alternative to judicial settlement was arbitration, but although there were many international disputes, few were submitted to arbitration. There were also many bilateral, regional or world-wide conventions providing for settlement of disputes, but their provisions were seldom applied. The Revised General Act for the Pacific Settlement of International Disputes, adopted by the General Assembly in 1949, had been ratified by only a small number of States. If it was believed that something could be done to make settlement procedures more attractive, his Government would be glad to participate in further discussions on the subject. Such discussions should result in rules which were sufficiently firm and mandatory to represent real progress, and the results should meet certain requirements. First, any new system for settlement of disputes should include an undertaking by States, made in advance of the dispute and in a general form, to submit disputes, or at least specified kinds of disputes, to settlement. Secondly, such settlements should be third-party settlements. Thirdly, it was desirable that such third-party settlements should result in binding decisions. If that were not considered acceptable, a settlement procedure could be limited to conciliation or mediation, and result in proposals in the form of recommendations or suggestions. That was the background against which Sweden wished to view the various proposals contained in the Special Committee's report.

48. It was first suggested that a General Assembly declaration on peaceful settlement of disputes should be prepared and adopted as a first step towards the possible preparation of a treaty on the subject. The report indicated that general agreement on that idea might be possible, but that did not mean that there would be general agreement about the contents of a possible declaration or on the desirability of a treaty as an ultimate result. Thus the consensus that had emerged appeared to be rather limited in scope. His Government was prepared to pursue the idea of a General Assembly declaration, but such an instrument would be useful only if it contained specific recommendations to States regarding third-party settlement of disputes, and if it was to be of real importance it should be transformed as soon as possible into binding treaty obligations.

49. There were also some proposals dealing with the role of the United Nations in the settlement of disputes. The United Nations Charter gave the Security Council the ultimate responsibility for safeguarding international peace and security. That was an important element in the United Nations system which had to be taken into account when new measures were considered in that field. His Government was prepared to look favourably at proposals intended to preserve and strengthen that important function of the Security Council, particularly the proposal regarding

(Mr. Danellius, Sweden)

the enhancement of the fact-finding capacity of the Security-Council. On the other hand, care must be taken to avoid any measures that would undermine the exclusive responsibility of the Security Council for international peace and security by entrusting parallel or competing functions to the General Assembly or to a new organ within the United Nations system.

50. Turning to the question of the rationalization of existing United Nations procedures, he said that there appeared to be some duplication, since the subject was also being discussed by other United Nations bodies, including the General Committee. Some useful proposals mostly of a practical or procedural nature, had been made for rationalizing the work of the United Nations. They dealt with such matters as the limitation of the length of statements in the General Assembly, the limitation of the number of the subsidiary bodies of the principal organs of the United Nations, the institution of a period for ministerial consultations during General Assembly sessions, the role of the Secretariat, and the recruitment of Secretariat staff. On the whole, Sweden considered that such proposals would be dealt with more effectively in the General Committee or a working group set up by that Committee, than in the Sixth Committee. The Secretary-General himself had suggested a useful way of making the General Assembly's work more effective, i.e. by reviewing the Assembly's agenda and removing some items of lesser priority. It should be possible to remove items that were no longer of topical interest or urgency. Another constructive proposal by the Secretary-General was that there should be more strict observance of the rule that agenda items should be discussed in Committees before being discussed at a plenary meeting of the General Assembly.

51. The Special Committee had also dealt with the wide-ranging and difficult subject of the maintenance of international peace and security. In that connexion several proposals had been made that would require amendment of the Charter. His Government agreed that some of the provisions of the Charter were outdated and that improvements were possible on various points. Nevertheless it was important that any revision of the Charter should enjoy general support among Member States. The Charter was, and should remain, an instrument uniting States and not dividing them. It seemed clear that at the current stage there was no agreement on the desirability of revising the Charter, and Sweden drew the conclusion that the time for revision was not yet ripe. The Charter, although not perfect, was working reasonably well in practice, and had stood the test of time. The premises of the United Nations were today very different from those that had existed 20 or 30 years earlier; the Organization was constantly broadening its field of activity, and the membership had tripled since 1945. All those changes had taken place within the framework of the Charter, thus clearly demonstrating its adaptability. The basic rules of the Charter were sound and should not be touched in the course of any revision. That comment applied to the rules on the division of functions between the Security Council and the General Assembly, and to the special voting rules of the

(Mr. Danelius, Sweden)

Security Council, which ensured that there would be a wide range of support among States belonging to different political systems before decisions affecting international peace and security could be taken by the Security Council. That approach was as sound in 1979 as it had been in 1945.

52. The United Nations had long been criticized for inefficiency and bureaucracy, and for producing a spate of words and documents disproportionate to the practical results achieved. Much of the criticism was based on exaggerated ideas of what the United Nations stood for and could accomplish, but that kind of criticism must be taken seriously, since it showed that there was an information gap between the United Nations and the general public throughout the world which, if not bridged, might undermine the standing, potential, and general credibility of the Organization. Accordingly, an important step in strengthening the role of the United Nations would be to give the public more ample information about that role, in the light both of the possibilities and the limitations of the Organization.

53. Mr. GANA (Tunisia) said that his country, which was a member of the Special Committee, had on many occasions reaffirmed its devotion to the purposes and principles of the United Nations Charter and its faith in the Organization's efforts to achieve its aims. The United Nations was the sole hope of the developing countries and the peoples under foreign domination, which looked to it to defend their rights and interests. The United Nations had undeniably done admirable work in the field of decolonization, but problems had multiplied over the years and it had become important to strengthen the Organization's role. The United Nations had proved unable to settle local conflicts or to deal with a whole range of problems resulting from the great changes that had taken place in the world since the Second World War. Since 1945 a hundred more States had become Members of the Organization, and were expressing the desire to participate in its decisions on a footing of complete equality in accordance with the principles of the Charter. The gulf between rich and poor countries was being further widened by the monopoly of science and technology, unequal access to world resources and to scientific advances, an unfair international division of labour, and the deterioration of the terms of trade. The persistence of colonialism, hegemony, aggressions and pressures of all kinds, racial discrimination, hunger and poverty, the senseless accumulation of arms and the proliferation of local conflicts, mainly in Africa, the Middle East and Asia, reflected the prevailing atmosphere of mistrust which made it difficult or impossible to develop friendship and co-operation among peoples and to establish a new order based on law and justice. That situation was fraught with danger to international peace and security and called for urgent solutions that the United Nations was not able to provide.

54. Yet it was clear that ways and means of remedying that situation were provided by the Charter. Articles 1 and 2 laid down the basic principles of the maintenance of international peace and security, non-use of force, peaceful settlement of disputes, development of friendly relations and co-operation, self-determination, respect for human rights, sovereign equality of States, territorial integrity, and the fulfilment in good faith of the obligations arising from the Charter. But the

(Mr. Gana, Tunisia)

problem lay not with the principles, but with the behaviour of States, which refused to apply them faithfully and misused the machinery provided by the Charter. The maintenance of peace was a collective responsibility, but it fell mainly to the permanent members of the Security Council, which for that reason had special power in the form of the right of veto. Because of that rule, the fate of a people, a State or a group of States, or even of the whole international community, might sometimes depend on the will of a single member of the Security Council. Experience had shown that the rule had more than once been used against international peace and security. Thus after 34 years it might well be asked whether a rule judged necessary at a given period was still necessary. Some maintained that it was, claiming that the Charter had shown its ability to adapt itself to all circumstances, that its possibilities had not been exhausted, and that in any case it would be much more dangerous to consider amending it, since the problem originated not in the Charter but in the absence of political will on the part of States. Tunisia did not consider it likely that that political will was likely to emerge spontaneously in an unjust world, and it would be unrealistic to let the situation deteriorate while waiting for such a miracle. That might well cause the Organization to founder and no State wanted that to happen. The consideration he had mentioned shaped his delegation's approach to the work of the Special Committee.

55. The Special Committee had decided to deal with the three subjects referred to in General Assembly resolution 33/94, paragraph 3, in an order different from that laid down in the resolution, so that the important question of the maintenance of international peace and security had been placed at the end of its agenda, and there had not been time to study it thoroughly. His delegation did not understand that change of order, and proposed that at its next session the Special Committee should study the maintenance of international peace and security in close connexion with the peaceful settlement of disputes, and give it priority. He was gratified that the General Assembly had decided to include in its agenda a separate item on the peaceful settlement of disputes. That should make it possible to reorganize the work of that subject being done in different bodies and avoid duplication and overlapping.

56. It appeared from the Special Committee's report (A/34/33) that general agreement was possible on about half of the 20 proposals on peaceful settlement of disputes. Of the remainder, his delegation attached particular importance to three. The first was that a permanent commission of the General Assembly should be established, in accordance with Articles 10 and 22 of the Charter, to fulfil functions of mediation, good offices and conciliation; the second was that the fact-finding capacity of the General Assembly and the Secretary-General should be enhanced by making full use of Article 99, and the third was that there should be an expansion of parties entitled to request an advisory opinion from the International Court of Justice.

57. His delegation also supported the idea of preparing a declaration or a treaty concerning peaceful settlement of disputes on the basis of the Charter and of the Declaration on Principles of International Law concerning Friendly Relations and

(Mr. Gana, Tunisia)

Co-operation among States in accordance with the Charter of the United Nations. It also supported the proposal that wider use should be made of regional arrangements or agencies in the peaceful settlement of disputes pursuant to Article 52 of the Charter.

58. Turning to the question of rationalization of existing United Nations procedures, he said that that question should be dealt with by the Secretariat and the General Committee rather than by the Special Committee. If the General Assembly decided that the Special Committee should continue considering it, that Committee should complete work on it at its next session. His delegation shared the General Assembly's concern regarding that subject and would support any proposals to effect such rationalization. In particular, it would support any measures aimed at achieving four objectives. The first objective was to regroup the items on the agendas of various bodies in order to prevent duplication, and to apply more strictly the recommendation in paragraph 28 of annex V to the rules of procedure of the General Assembly. The second objective was to encourage informal negotiations and consultations in United Nations bodies with a view to achieving a consensus, to the extent that that procedure did not affect the rule of the majority. The third objective was the equitable geographical distribution of seats in subsidiary organs and stricter application of the rule of rotation, and the fourth objective was a more equitable geographical distribution of Professional and senior posts in the United Nations Secretariat and the secretariats of other United Nations agencies.

59. His delegation also supported the proposal that the General Committee should be elected at the end of the preceding session, but did not consider it necessary that that Committee's powers should be strengthened.

60. The other subject that the Special Committee had been asked to consider was the vital question of the maintenance of international peace and security, which was the primary role of the Organization. The Security Council, although responsible for the maintenance of peace, had proved incapable of making proper use of the provisions of Chapter VII of the Charter, in particular Article 43, largely because of the misuse of the veto. Although his delegation did not wish to question the principle of the veto, it felt that the rule should be reviewed in the light of the urgent need to take steps if there was a breach of the peace. The Charter appeared to distinguish between the two functions of the Security Council, namely to prevent any threat to peace and to re-establish peace. If the veto was misused when an armed conflict had broken out, then that conflict might be allowed to continue. The Security Council should make better use of Articles 29, 40 and 41 of the Charter, and the establishment of a subsidiary body called "Committee for the Supervision of Peace-keeping Operations" appeared desirable. At the same time the Security Council should be enlarged to make it more representative.

61. The General Assembly should play a more active part in the maintenance of international peace and security, and by making optimum use of Articles 10, 22 and 97 of the Charter it should establish a permanent commission to fulfil functions of mediation, good offices and conciliation. Its role with regard to the

(Mr. Gana, Tunisia)

appointment of the Secretary-General should also be strengthened. In addition, it should be able to decide on the admission of new Members without the possibility that such admission would be subject to a veto in the Security Council, in accordance with the Joint Statement by the permanent members of the Security Council of 8 June 1945. Lastly, in the case of a threat to or a breach of international peace and security the General Assembly should be empowered to hold emergency special sessions if the Security Council did not take the necessary measures in good time.

62. All those proposals, reflected in working paper A/AC.182/WG.8/Rev.1, submitted by Tunisia in the Special Committee, involved a review of the Charter. Tunisia did not consider that the Charter was a document that was valid for all ages in all circumstances. Profound changes had taken place since it was drafted, and it must be adapted to new situations, the new structure of international relations, the requirements of the new international economic order as defined in the relevant General Assembly resolutions and declarations, and the development of law and justice. Over the years some provisions had become obsolete, such as Articles 53 and 107 and Chapters XII and XIII. There was provision in the Charter itself, in Articles 108 and 109, for its review and it had indeed been amended more than once.

63. His delegation hoped that a spirit of mutual understanding would overcome the difficulties so that the Special Committee could fulfil its mandate to the satisfaction of all. His delegation supported the extension of that mandate, and would do all it could to ensure that it was successfully carried out.

64. Mr. HALEK (Lebanon) said that the first question to be decided was whether the Special Committee had made progress in the task with which it had been entrusted. Opinions were divided. From the statement in paragraph 10 of its report (A/34/33), it appeared that the Special Committee's response to that question was in the affirmative; but that statement was somewhat half-hearted and paragraph 12 of the report went on to state that, while some of the Special Committee's members felt that its mandate should be renewed, others considered that the matter was one which fell within the competence of the General Assembly. An assessment of the results of the Special Committee's work could, however, only be made in the light of its mandate, as laid down in operative paragraph 2 and, more specifically, in operative paragraph 3 of General Assembly resolution 33/94.

65. The list of 21 proposals on the peaceful settlement of disputes drawn up by the Special Committee appeared at the beginning of chapter II of the report. That in itself was significant of achievement since, at the Special Committee's 1978 session, the inclusion of such a list in the report had been accepted only after considerable opposition. In the event, General Assembly resolution 33/94, which provided for the preparation of a list of all the proposals considered by the Special Committee including those on the maintenance of international peace and security, had been adopted by consensus and that was indicative of the emergence of a political will to move in the right direction.

(Mr. Malek, Lebanon)

66. Twelve of the proposals in the list had been singled out as proposals which had awakened special interest and on which general agreement was possible. In his view, however, the practical value of some of those proposals was open to question. One example was the proposal to remind States of the principle contained in Article 2, paragraph 3, of the United Nations Charter. Another was the proposal that a list should be prepared of authorities of proven competence, probity and impartiality who, with the agreement of the parties to the dispute, would be willing to appoint arbitrators or chairmen of arbitral tribunals as envisaged by the international agreement between the parties concerned. There might have been some point to such a list had recourse to arbitration for the peaceful settlement of disputes been a frequent occurrence. But the last volume in the United Nations series Reports of International Arbitral Awards had been published in 1968, which showed that the awards made since that date were not sufficient in number to justify the publication of a further volume.

67. However, some of the other proposals on which it was felt that general agreement was possible would be useful, for instance, the proposal that a declaration on the peaceful settlement of disputes should be adopted by the General Assembly and that thereafter a treaty on the subject should be drawn up; that the Security Council's fact-finding capacity should be enhanced; and that a handbook should be prepared describing all existing mechanisms and facilities for the peaceful settlement of disputes within the United Nations system. The Special Committee should therefore be requested to submit recommendations to the General Assembly's thirty-fifth session on the implementation of those proposals.

68. Under operative paragraph 3 (c) of General Assembly resolution 33/94, the Special Committee was not required at the current stage to submit a list of proposals on the rationalization of existing United Nations procedures but merely to consider the proposals on the question made by Member States. Since the Special Committee had discussed the matter in detail on the basis of a number of working documents, other bodies concerned with the same matter could with profit make use of the proposals that had emerged. Many of those proposals had apparently already been adopted by the General Assembly.

69. Turning to the question of the maintenance of international peace and security, he said that the working paper submitted to the Special Committee by Romania and El Salvador (A/AC.182/WG/36, reproduced in A/34/33, pp. 94-109) contained a number of proposals which, without requiring any amendment to the Charter, would make a genuine contribution to the strengthening of the role of the Organization. He was thinking, for example, of the proposals that the General Assembly should adopt a universal code of conduct embodying the fundamental rights and duties of States, of various proposals relating to the principal organs of the United Nations and in particular the General Assembly and the Security Council, and of certain other proposals relating to peace-keeping operations. There was also a proposal that a definition of aggression should be included in the Charter but, until such time as an amendment to that effect was politically feasible, the Security Council should perhaps be reminded of the need to take account of the definition whenever a breach of the peace or an act of aggression was referred to it. That

/...

(Mr. Malek, Lebanon)

definition had been intended as a guideline for the Security Council, but the latter would be even better able to fulfil its function if it also had before it a generally accepted definition of the concept of self-defence. His delegation attached the utmost importance to a definition that would clarify the nature and scope of that concept, the principle of proportionality, the use of force as a preventive measure and the threat of the use of force. It therefore trusted that the Special Committee would consider the matter at its next session and would also suggest that the Secretariat should provide the Special Committee with a list of all the proposals made by members of the Sixth Committee in that connexion.

70. For a number of years, Lebanon had suffered cruelly, and the principles of the Charter and of international law had been violated, as a result of interference in its domestic and foreign affairs, infiltration of weapons and armed raids on its territory, fomenting of unrest and civil war, and occupation; and that list was by no means exhaustive. Consequently, his delegation could not but support any efforts to strengthen the Organization, whether by reviewing the Charter or by bringing about the necessary changes in accordance with its terms. But no amendment to the Charter could be made without the unanimous agreement of the permanent members of the Security Council and, as matters stood, that would be extremely difficult if not impossible to secure. It was therefore necessary to be realistic. If a proposed amendment was constitutionally lawful then, by the same token, so was any objection to that amendment, and such objection should not give rise to anger any more than it should affect the efforts to achieve a just and lasting peace. Patience and perseverance were always indicated. It had taken the international community half a century to reach agreement on a definition of aggression and, during the 24 years that he had himself had occasion to follow United Nations work on the matter, he had never thought that the General Assembly would approve the definition by consensus. It might well be that the younger members of the Sixth Committee would one day be in a position to make a similar remark about a review of the Charter.

71. Lastly, he trusted that the Special Committee, while redoubling its efforts with a view to making appropriate amendments to the Charter, would avail itself of the possibilities it already afforded for enhancing the maintenance of international peace and security.

72. Mr. DIENG (Senegal) said that in the world which had witnessed the establishment of the United Nations, the fresh memory of two world wars had created a collective belief that war must be banished forever. Since then, there had been much change and, because of new and staggering advances in science and technology, the world was becoming increasingly unmanageable. The crucial question facing mankind, therefore, and one on which its survival hinged, was the maintenance of international peace and security. That was the ultimate objective, and the peaceful settlement of disputes and the application of the principle of the non-use of force should serve as a means of attaining it: if genuine and global peace were maintained - which did not mean a cold war in some areas and détente in others - all the discussion about the non-use of force and the peaceful settlement of disputes would become meaningless.

(Mr. Dieng, Senegal)

73. The Security Council had the main, but not the exclusive, role in that regard. If its work was blocked, the General Assembly should act in its stead, because the United Nations was one body and any lapse or failure on the part of one of its organs reflected on the whole. In that connexion, the Uniting for Peace resolution provided a precedent or, at any rate, a valid historical reference. His delegation was not, however, among those which saw a revision of the Charter as a panacea: indeed, in its view, it was the stark division between those who did not want to touch the Charter at all and those who sought to eliminate the right of veto that shrouded the real issue.

74. So far as the so-called ineffectiveness of the United Nations in regard to the maintenance of peace was concerned, it was necessary to determine the extent to which that stemmed from defects in the institutional machinery and the extent to which it was due to non-compliance with the provisions of the Charter or, in other words, to the political will of Member States. His delegation was convinced that if use were made of the opportunities afforded by the Charter, and in particular Articles 28 and 29 thereof, there would be fewer crises throughout the world. At the same time, it would favour any decision to limit the right of veto, which should not apply in the case of the admission or exclusion of States, the peaceful settlement of disputes or the maintenance of peace. It trusted that the maintenance of peace would be the subject of a detailed and fruitful discussion at the Special Committee's next session.

75. Rationalization of existing United Nations procedures was a matter best left to the working group set up by the Secretary-General, since the Secretariat had a far broader view of the issues involved than a committee and was therefore in a position to make proposals that were more relevant. That approach would also avoid duplication, which was the prime consideration in any rationalization.

76. He noted that the peaceful settlement of disputes was being dealt with by the First and Sixth Committees and also by two committees appointed by the Sixth Committee. A fragmented approach would not, however, make for the best solution and his delegation therefore supported the Mexican proposal that informal consultations should be held with a view to avoiding duplication. With regard to means of peaceful settlement, his delegation was in favour of recourse to a third party, whose decision would be binding. It understood, but did not share, the misgivings of certain countries which, rather than referring cases to the International Court of Justice, preferred direct negotiation. In that connexion, it supported the proposals to the effect that States should make use of regional agencies and bilateral agreements for the peaceful settlement of disputes and that provisions to that effect should be included in any multilateral convention. It also welcomed the proposal that a declaration on peaceful settlement should be adopted by the General Assembly.

77. Furthermore, his delegation considered that the parties to a dispute should refrain from taking any new measures which might exacerbate the situation. In that connexion, a handbook on the peaceful settlement of disputes, the training of lawyers in the procedures of the International Court of Justice and the circulation of a questionnaire to determine why States did not make greater use of existing mechanisms would be extremely valuable.

/...

(Mr. Dieng, Senegal)

78. Lastly, expressing his delegation's support for a renewal of the Special Committee's mandate, he expressed the hope that it would not become locked in sterile discussion since it was being called upon to solve the most crucial problem facing the United Nations, namely the maintenance of peace. Members must not close their eyes to that problem nor tamper with the cardinal principle of good faith in international relations.

#### ORGANIZATION OF WORK

79. The CHAIRMAN suggested that, at its 38th meeting, the Committee should suspend its consideration of agenda item 114 (Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization) so that it could take up agenda item 108 (Report of the International Law Commission on the work of its thirty-first session). After hearing the introductory statement by the Chairman of the International Law Commission and the first speaker in the debate on the item, the Committee could then revert to agenda item 114.

80. Mr. KOROMA (Sierra Leone) said he had no objection to the Chairman's suggestion but did feel that members would have had more time to reflect on the matter had the Chairman of the Commission made his introductory statement at the current meeting.

81. Mr. ROSENSTOCK (United States of America) said that his delegation had already had occasion to urge the need to rationalize the debate on the Commission's report. With that in mind, and in the hope of stimulating an exchange of views on the item, it had submitted a written proposal (A/C.6/34/CRP.1) to the effect that the Committee's consideration of the item should be divided into three parts, on the basis of the stage reached by the Commission in its work on the various topics with which it was concerned. His delegation could therefore agree to the Chairman's suggestion on the understanding that it would be without prejudice to that proposal.

82. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that, as the United States proposal was likely to generate some discussion, he considered it would be preferable for the Committee to discuss that proposal when it took up agenda item 108.

83. Mr. KOROMA (Sierra Leone) asked if the text of the introductory statement to be made by the Chairman of the International Law Commission could be circulated in advance.

84. The CHAIRMAN said that, unfortunately, that text was not yet available.

85. Mr. KOROMA (Sierra Leone) suggested that, in future, the Secretariat should request the Chairman of the Commission to arrange for his statement to be circulated in advance for the convenience of members of the Sixth Committee.

86. The CHAIRMAN said that, if there were no further comments, he would take it that his suggestion regarding the Committee's organization of work was acceptable.

87. It was so agreed.

The meeting rose at 6 p.m.