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REPORT OF THE AD HOC COMMITTEE ON THE CHARTER OF THE UNITED NATIONS

STRENGTHENING OF THE ROLE OF THE UNITED NATIONS WITH REGARD TO THE
MAINTENANCE AND CONSOLIDATION OF INTERNATIONAL PEACE AND SECURITY,
THE DEVELOPMENT OF CO-OPERATION AMONG ALL NATIONS AND THE PROMOTION
OF THE RULES OF INTERNATIONAL LAW IN RELATIONS BETWEEN STATES

Report of the Sixth Committee

Rapporteur: Mr. Eike BRACKLO (Federal Republic of Germany)

1. In pursuance of General Assembly resolution 3349 (XXIX) of 17 December 1974, the Ad Hoc Committee on the Charter of the United Nations met at United Nations Headquarters from 28 July to 22 August 1975 and prepared a report on its work. 1/
2. At its 2353rd plenary meeting, on 19 September 1975, the General Assembly decided to include in the agenda of its thirtieth session the item entitled "Report of the Ad Hoc Committee on the Charter of the United Nations", which it referred to the Sixth Committee. It also allocated to the Sixth Committee the item entitled "Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States: reports of the Secretary-General".
3. The Sixth Committee considered both items together at its 1561st to 1574th and 1576th to 1578th and 1582nd meetings, held between 10 November and 5 December 1975.
4. At the 1561st meeting, on 10 November, Mr. Lauro L. Baja, Jr., representative of the Philippines and Rapporteur of the Ad Hoc Committee on the Charter of the United Nations, introduced the Committee's report. The Sixth Committee had before it a document submitted by Romania (A/C.6/437).

1/ Official Records of the General Assembly, Thirtieth Session,
Supplement No. 33 (A/10033).

5. At the 1576th meeting, on 28 November, the representative of the Philippines introduced a draft resolution (A/C.6/L.1028) sponsored by Brazil, Colombia, El Salvador, Indonesia, Italy, Japan, Jordan, Madagascar, New Zealand, Nigeria, the Philippines, Romania, Sierra Leone, Spain and the United Republic of Tanzania, later joined by Bangladesh, Bolivia, Chile, Greece, Iran, Kenya, Lesotho, Mali, Mexico, Tunisia, Uruguay, Yemen, Yugoslavia and Zambia. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 992 (X) of 21 November 1955, resolution 2285 (XXII) of 5 December 1967, resolution 2552 (XXIV) of 12 December 1969, resolution 2697 (XXV) of 11 December 1970, resolution 2968 (XXVII) of 14 December 1972 and especially resolution 3349 (XXIX) of 17 December 1974, which established the Ad Hoc Committee on the Charter of the United Nations,

"Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

"Having considered the report of the Ad Hoc Committee on the Charter of the United Nations and the item on the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States,

"Considering that the observations, proposals and suggestions submitted to the Ad Hoc Committee call for more thorough study,

"Reaffirming its support for the purposes and principles set forth in the Charter,

"1. Decides that the Ad Hoc Committee established pursuant to resolution 3349 (XXIX) of 17 December 1974 should be reconvened as a Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization and continue its work in pursuance of the following tasks with which it is entrusted:

(a) To examine in detail the observations received from Governments concerning:

- (i) Suggestions and proposals regarding the Charter of the United Nations;
- (ii) Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States;

/...

(b) To consider any additional, specific proposals that Governments may make with a view to enhancing the ability of the United Nations to achieve its purposes;

(c) To list the proposals which have been made in the Committee and to identify those which have awakened special interest;

"2. Requests the Committee to examine the proposals which have been made or will be made with a view to according priority to the consideration of those areas on which general agreement is possible;

"3. Decides to enlarge the Ad Hoc Committee, so as to include the following five additional Member States: ...;

"4. Invites Governments to continue the submission or to bring up to date their observations and proposals in accordance with paragraph 1;

"5. Requests the Secretary-General to prepare for the use of the Committee a study to complement those which were submitted pursuant to the terms of resolution 3349 (XXIX) of 17 December 1974 and resolution 3073 (XXVIII) of 30 November 1973 which should present analytically the views expressed by Governments with respect to the various aspects of the functioning of the United Nations including those relating specifically to the Charter and also to render all necessary assistance to the Committee including the preparation of summary records of its meetings;

"6. Requests the Committee to submit a report on its work to the General Assembly at its thirty-first session;

"7. Decides to include in the provisional agenda of its thirty-first regular session an item entitled 'Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization'."

6. At its 1578th meeting, on 2 December, the Sixth Committee adopted by consensus draft resolution A/C.6/L.1028 (see para. 7 below). Statements in explanation of vote were made by the representatives of Senegal, China, the United States of America, the United Kingdom of Great Britain and Northern Ireland, France, the Union of Soviet Socialist Republics, the German Democratic Republic, the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic (A/C.6/SR.1578). With regard to the enlargement of the Special Committee envisaged in operative paragraph 3 of draft resolution A/C.6/L.1028, the Sixth Committee agreed, on 5 December 1975, that the Chairmen of the regional groups should inform the Rapporteur of the Sixth Committee of the member of their respective group which should be included as an additional member of the Special Committee.

RECOMMENDATION OF THE SIXTH COMMITTEE

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Special Committee on the Charter of the United Nations and
on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolutions 992 (X) of 21 November 1955, 2285 (XXII) of 5 December 1967, 2552 (XXIV) of 12 December 1969, 2697 (XXV) of 11 December 1970 and 2968 (XXVII) of 14 December 1972 and especially resolution 3349 (XXIX) of 17 December 1974, which established the Ad Hoc Committee on the Charter of the United Nations,

Recalling also its resolutions 2925 (XXVII) of 27 November 1972, 3073 (XXVIII) of 30 November 1973 and 3282 (XXIX) of 12 December 1974 on the strengthening of the role of the United Nations,

Having considered the report of the Ad Hoc Committee, 2/ and the item on the strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States,

Considering that the observations, proposals and suggestions submitted to the Ad Hoc Committee call for more thorough study,

Reaffirming its support for the purposes and principles set forth in the Charter of the United Nations,

1. Decides that the Ad Hoc Committee established pursuant to General Assembly resolution 3349 (XXIX) of 17 December 1974 should be reconvened as a Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization and continue its work in pursuance of the following tasks with which it is entrusted:

- (a) To examine in detail the observations received from Governments concerning:
 - (i) Suggestions and proposals regarding the Charter of the United Nations;
 - (ii) The strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States;

2/ Ibid.

(b) To consider any additional specific proposals that Governments may make with a view to enhancing the ability of the United Nations to achieve its purposes;

(c) To list the proposals which have been made in the Committee and to identify those which have awakened special interest;

2. Requests the Committee to examine the proposals which have been made or will be made with a view to according priority to the consideration of those areas on which general agreement is possible;

3. Decides to enlarge the Ad Hoc Committee, so as to include the following five additional Member States: ...;

4. Invites Governments to continue the submission or to bring up to date their observations and proposals in accordance with paragraph 1 above;

5. Requests the Secretary-General to prepare for the use of the Committee a study to complement those which were submitted pursuant to the terms of General Assembly resolutions 3349 (XXIX) of 17 December 1974 and 3073 (XXVIII) of 30 November 1973 which should present analytically the views expressed by Governments with respect to the various aspects of the functioning of the United Nations, including those relating specifically to the Charter, and also to render all necessary assistance to the Committee, including the preparation of summary records of its meetings;

6. Requests the Committee to submit a report on its work to the General Assembly at its thirty-first session;

7. Decides to include in the provisional agenda of its thirty-first session an item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".
