

SIXTH COMMITTEE: ORGANIZATION

PRELIMINARY REPORT OF SUB-COMMITTEE J  
ON UNITED STATES AMENDMENT TO ARTICLE 99

Sub-Committee J submits the following Preliminary Report on the United States proposed amendment to Article 99:

An informal Working Party established by the Sub-Committee to study methods of dealing with the substance of the United States proposal, other than inclusion in the Charter of a specific provision, submitted the following report:

"1. The Working Party has been unable to find a generally acceptable alternative to the insertion of a provision in the Charter along the lines of the United States amendment.

2. The Working Party has examined a text which was suggested for a new paragraph for Article 68, and finds it generally acceptable and recommends that it be considered by Sub-Committee J. The English text is as follows:

'The Conference, on application of the competent authorities, shall determine the conditions upon which rights and obligations under the Charter shall apply to such authorities in respect of territories under military occupation and shall determine the extent of such rights and obligations.'

3. The delegation of New Zealand generally accepted the text mentioned in paragraph 2 above, and the Working Party therefore suggests to Sub-Committee J that that part of the New Zealand amendment to Article 68, paragraph 5, which relates to such special regimes as Condominia should be referred back to Committee VI with the suggestion that an Ad Hoc Working Party should study it."

During the consideration of the Report of the Informal Working Party the representative of the United States withdrew his amendment to Article 99 in view of the opposition encountered in the Sub-Committee.

The representative of the United Kingdom said that objection of his delegation was less to the substance of the United States amendment than to the time and place of its introduction. His delegation recognized the burden

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on the United States taxpayer. He stated that it was not only their wish and their interest but that they felt moral obligation to do what they could to alleviate it.

The representative of France associated himself with the comments of the representative of the United Kingdom.

The representative of China stated that his delegation viewed with sympathy real objectives of the United States amendment, which intended, he believed, to alleviate the heavy burden on the United States taxpayer.

Sub-Committee J decided to suggest to Committee VI to give favourable consideration to the text suggested in paragraph 2 of the Informal Working Party report, and in order to avoid delay and to give opportunity to delegates who might wish to consult with their governments on the proposed new clause for Article 68, the Sub-Committee submits this preliminary report to Committee VI.

The representatives of Czechoslovakia and Poland reserved their position pending the receipt of instructions from their governments.

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