

HUNDRED AND FIFTY-FIRST MEETING

Held at Lake Success, New York, on Tuesday, 4 October 1949, at 3 p.m.

Chairman: Mr. LACHS (Poland).

Methods and procedures of the General Assembly: report of the Special Committee (A/937) (continued)

1. The CHAIRMAN called for the continuation of the discussion of rule 81 as proposed by the Special Committee in its report (A/937, paragraph 33).
2. Mr. ROLING (Netherlands) stated that his delegation had presented an amendment (A/C.6/L.17) to draft rule 81, and would present a similar amendment to the corresponding draft rule 118 at a later stage. In order to give representatives sufficient time to study the former amendment, he wished to move the adjournment of the debate on rule 81 until the following meeting.
3. Mr. LOUTFI (Egypt) stated that he also proposed an amendment (A/C.6/L.18) to rule 81 which simply called for the addition, at the end of the first sentence of the Special Committee's

text of the words "unless the author of the proposal objects". Those words were taken from the rules of procedure of the Security Council. The purpose of that amendment was to prevent the idea of a proposal from being distorted by a vote in parts, by giving the author the right to object to such a vote.

4. The CHAIRMAN called for a vote on the Netherlands motion for adjournment of the debate on rule 81.

The Netherlands motion was adopted by 31 votes to none, with 12 abstentions.

5. The CHAIRMAN then proceeded to the consideration of the Special Committee's proposal for rule 89 (a) (A/937, paragraph 21).

6. Mr. KERNO (Assistant Secretary-General in charge of the Legal Department) explained that the Special Committee's proposal for rule 89 (a), which provided that each Main Committee, taking into account the target date for the closing of the session of the General Assembly, should adopt its

own priorities and meet as might be necessary to complete the consideration of the items referred to it, was in no way revolutionary. That rule would merely confirm the existing practice in Committees. The Special Committee had felt, however, that while such procedure was implied in the existing rules, it would be better to make explicit provision for it.

7. The CHAIRMAN put to the vote the Special Committee's proposal for rule 89 (a).

The Special Committee's proposal for rule 89 (a) was adopted by 45 votes to none.

8. The CHAIRMAN took up the consideration of rule 97 as proposed by the Special Committee (A/937, paragraph 38).

9. Mr. KORETSKY (Union of Soviet Socialist Republics) raised the question of the Special Committee's proposal to grant broader powers to the Chairman to limit debate in Committees. While a similar rule had already been adopted by the Sixth Committee in respect of the powers of the President of the General Assembly, it should be borne in mind that, whereas in that case it had been a question of procedure of the General Assembly, in the present case the procedure of the Main Committees was involved. Contrary to the view held by the United Kingdom representative that the corresponding rules for the General Assembly and the Committees should be considered jointly, Mr. Koretsky felt that it was impossible mechanically to adapt the rules of the General Assembly to its Committees.

10. He recalled, in that connexion, that when the Committee had adopted the Special Committee's proposals to limit debate in the General Assembly, it had done so because a number of representatives had advanced the opinion that questions on which a Main Committee had submitted a report to the General Assembly had been thoroughly discussed and clarified in the Main Committee. By adopting the Special Committee's proposal to limit the debate in the Main Committee, the Sixth Committee would destroy the assumption on which its earlier decisions had been based. Even the work in the Sixth Committee, which a representative had called technical, had shown that it was often necessary for representatives to speak on repeated occasions in order to examine different aspects of a problem as well as to clarify any new question which might be raised in the course of the debate. Such discussion did not imply, as the representative of the United States had stated, a "tyranny of repetition", and to limit the number of interventions of speakers would therefore be extremely unfair. He consequently proposed that the words "the limitation of the number of times each representative may speak on any question" should be deleted from the proposed rule 97.

11. Mr. CHAUMONT (France) explained the French proposal (A/C.6/L.14) to add to the rules of procedure, following rules 31 and 97, parallel rules 31 (a) and 97 (a); the first new rule would concern the President and the General Assembly, and the second would concern the Chairmen and the Committees. The proposed new rules would be couched in the following terms:

"The President (Chairman), in the exercise of his functions, remains under the authority of the General Assembly (Committee)."

12. With regard to the purpose of his proposal, he recognized that the proposed provision might

be considered superfluous since there had never been any doubt that the President of the General Assembly and the Chairman of a Committee were always under the authority of the bodies over which they were presiding. Some representatives had felt, however, that in adopting the Special Committee's proposals increasing the power of the President of the General Assembly, the political balance of power between the President and the General Assembly, and also that between the Chairman and the Committees, might be upset. His delegation had therefore felt that it should be made clear that that balance of power would not be disrupted by the Special Committee's technical proposals for expediting the General Assembly's work. It had thus prepared a proposal to that effect which contained an over-all provision and did not apply to any rule in particular. He expressed the hope that the amendment would make the Special Committee's proposals for increasing the power of the President of the General Assembly and that of the Chairman of Committees more acceptable to the members of the Sixth Committee, and that it would be unanimously accepted.

13. Mr. TATE (United States of America) supported the amendment presented by the representative of France as well as the views expressed by him. The United States delegation generally supported the Special Committee's recommendations, which were designed to expedite the work of the General Assembly, but his delegation felt that the rights and powers of the General Assembly and the Committees to control their presiding officers, which hitherto had been implicit, should be safeguarded by a clear provision to that effect.

14. In reply to a question by Mr. FERRER VIEYRA (Argentina), Mr. CHAUMONT (France) explained that his proposal did not constitute an amendment to the Special Committee's proposal for rule 31, already adopted by the Sixth Committee, but was a proposal for a new rule to follow rule 31, and for another one to follow rule 97.

15. Mr. PETREN (Sweden) observed that the text of the proposed rule 97, which stated that the Chairman could propose certain limitations of the debate to the Committee, already implied that he was under the Committee's authority.

16. Mr. CHAUMONT (France), in reply to the Swedish representative, pointed out that the President of the General Assembly, as well as the Chairman of a Committee, were always under the authority of the bodies over which they presided. The purpose of his amendment, however, was to state that fact explicitly so as to restore the political balance of power between the President of the General Assembly and that body and between the Chairman of a Committee and that Committee. That balance might otherwise seem to be disrupted by the proposed provisions giving broader powers to the President of the General Assembly and to Chairmen of a Committee.

17. Mr. WENDELEN (Belgium) thought that there was some misunderstanding, in view of the fact that the Special Committee's proposed addition to rule 97 only gave the Chairman the right to make certain proposals, whereas the existing rule 97 gave him specific powers.

18. Mr. GLASHEEN (Australia) stated that his delegation would support the French proposal

which it considered to be both necessary and desirable in view of the Committee's decisions on rules 19 (b), 67, 68, 69 and 80 as proposed by the Special Committee. Unless the French proposal was adopted, the Committee would have been taking decisions contrary to its intentions.

19. With reference to a remark made earlier by the United States representative, he stated that any implied understanding, whether referred to in the summary records or mentioned in the Committee's report, could not override a clear rule of procedure. The best solution to the Committee's dilemma would have been not to give the President of the General Assembly and the Chairman of a Committee the power to limit the time allotted to speakers. The objective which the Special Committee had endeavoured to attain in all the other proposed rules had already been covered by its proposals for rules 31 and 97, under which the President of the General Assembly and the Chairman of a Committee could propose the limitation of the time of speakers. The provisions of those two rules, together with the United Kingdom proposal (A/C.6/L.8, paragraph 6) for an annex to the rules of procedure in which the attention of the President of the General Assembly and of the Chairman of a Committee might have been drawn to the desirability of proposing several limitations, would have been sufficient. The Committee had decided upon a different course, however, and in view of its decisions, the French proposal was both necessary and desirable. The Australian delegation therefore hoped that that proposal would be adopted so that it would not be compelled to abstain in the voting on the subsequent rules proposed by the Special Committee.

20. Mr. FITZMAURICE (United Kingdom) supported the French proposal. He believed it would constitute a third paragraph of rule 97, the first paragraph of which would contain the existing provisions, while the second paragraph would consist of the Special Committee's proposals.

21. He could not agree with the USSR representative that a distinction could be drawn between the functions of the President of the General Assembly and the Chairman of a Committee. Experience had shown that time was wasted both in Committees and in the General Assembly; if time was to be gained, the Chairman should be given the power to shorten the proceedings generally.

22. He therefore supported the Special Committee's proposal for rule 97 and the French proposal.

23. Mr. Hsu (China) wished to explain his proposal (A/C.6/L.13) which was essentially the same as that of France, and which also affected the proposed rule 97. He pointed out, however, that while the French proposal laid down a general principle covering all rules of procedure, the Chinese proposal served a more practical purpose by stating explicitly that a representative could appeal against a decision by the Chairman, and that any decision by the latter could be overruled by a majority of the Members present voting. That provision had been omitted in the preceding rules, and the Chinese delegation had therefore included it in its proposal. He suggested that his proposal should replace that of France. The text of the Chinese proposal, which was drawn up for a new rule after rule 31, with a corresponding new rule to follow rule 97, and would involve deleting the second and third

sentences from rules 64 and 92, was couched in the following terms (A/C.6/L.13):

"Any representative may appeal against a decision made by the President. If the decision is a ruling on points of order, the appeal shall immediately be put to the vote. Any decision made by the President against which an appeal is made may be overruled by a majority of the Members present and voting."

24. Mr. KORETSKY (Union of Soviet Socialist Republics) protested against the use of the expression "waste of time" in connexion with debates in the General Assembly and its Committees. It was an entirely wrong approach to the problem, which implied an insult to representatives of Member States who felt obliged to state their views on several occasions during the discussions in the General Assembly. It was natural that different representatives should have different views on many questions, and the purpose of the General Assembly was not to impose certain decisions upon representatives or to abolish discussion, but to provide for a general exchange of views so as to reach a better understanding. At the current meeting, for instance, the representative of France had spoken several times in order to explain a minor point in connexion with his proposal; such interventions could not be considered a "waste of time"; the fact, however, that the meetings of the Committee started from fifteen minutes to half an hour late, could.

25. Mr. BARTOS (Yugoslavia) felt that any limitation of discussion in Committees was harmful, since it was there that questions were considered in substance and draft resolutions were prepared for presentation to the General Assembly. He was therefore opposed to the Special Committee's proposal for rule 97.

26. With reference to the French proposal, he stated that it provided an excellent, clear and concrete means of counter-balancing the decisions taken earlier on the Special Committee's proposals, which otherwise might be interpreted as conferring dictatorial powers upon the President of the General Assembly. He therefore supported the French amendment, which safeguarded the authority of the General Assembly and of the Committees.

27. While not objecting to the Chinese proposal, he thought that it was merely complementary to the French amendment.

28. Mr. MATTAR (Lebanon) did not share the apprehensions voiced by certain representatives with regard to the Special Committee's proposals for granting broader powers to the President of the General Assembly and to the Chairmen of Committees. He was confident that the President would discharge his functions with the necessary integrity and sense of responsibility. He would therefore support the Special Committee's proposal for rule 97, and the French proposal for the reasons stated by its author.

29. Mr. PEABODY (Liberia) felt that the text of the Special Committee's proposal for rule 97 was clear and gave the Chairman the right to make certain proposals on procedure to the Committee. There could be no question of discretionary powers which might be abused by the Chairman; the Liberian delegation therefore supported the proposed rule 97, as well as the French proposal.

30. Mr. MAÚRTUA (Peru), recalling his delegation's objections to the provisions of rule 31, stated that he was opposed to the French proposal.

31. The President of the General Assembly and the Chairmen of Committees were elected freely by the sovereign will of the Members of the United Nations and were thus under the authority of the bodies which had elected them. A presiding officer exercising dictatorial powers would be against the very principles of the Charter, and there seemed consequently no need for asserting a principle which had never been renounced.
32. In view of those considerations, the Peruvian delegation preferred the more concrete Chinese proposal providing that representatives could appeal against a ruling by the President or Chairman, and that any decision by the latter could be overruled by a majority of the Members present and voting.
33. Mr. KRAJEWSKI (Poland), quoting Article 2, paragraph 2, of the Charter, felt that in limiting the time of the speakers, the Committee would be limiting the opportunity of the minority to state its views. If the debates in the General Assembly and the Committees were limited, the entire purpose of the General Assembly sessions might be defeated.
34. Mr. RODRÍGUEZ FABREGAT (Uruguay) recalled that he had already stated his delegation's view on the matter under consideration in connexion with the identical provisions of rule 31. The present situation was different, however, since in applying those restrictive provisions to Committees, the Sixth Committee would destroy the arguments advanced in favour of limiting the debates of the General Assembly under rule 31. The contention at the time had been that the President should be given the power to limit, in the General Assembly, any repetition of debates which had previously taken place in Committees since it was there that the main work was done and all questions received thorough consideration. In view of those considerations, Mr. Rodríguez Fabregat felt that the proposal for additional limitations under rule 97 was in contradiction to the reasons advanced for the inclusion of similar limitations in rule 31; he would therefore vote against the Special Committee's proposal for rule 97.
35. With regard to the French proposal, he reminded the Committee that it was because of the many powers granted to the President of the General Assembly that such a proposal had now been submitted to the Committee in order to counterbalance the broad powers transferred from the General Assembly to the President. It should be kept in mind, however, that the General Assembly and the Committees, in electing their presiding officers, did not delegate their powers irrevocably to them. Previously there had been no need to adopt a provision stating that the President was subject to the authority of the General Assembly because the existing rules of procedure had respected the rights of representatives of Member States of the United Nations. The President of the General Assembly and the Chairmen of Committees had conducted the meetings efficiently and had made the necessary rulings in the course of the debates without, however, impairing the rights of representatives of Member Governments. It would have been far better to have maintained the existing rules of procedure, which would not have required the French proposal.
36. He therefore stated that while it would be difficult for him to oppose the French proposal, the principle of which could not be questioned, he could not vote for it in view of his opposition to the proposed rule 97, as well as to all other proposed rules which made the inclusion of that provision necessary. The Committee should strive to save the time of the General Assembly, but in so doing it should not sacrifice its principles.
37. Mr. ROLING (Netherlands) supported the concise, clear French proposal, which did not alter but clarified the legal position of the President and the Chairmen. Were the Sixth Committee to reject the French proposal, that rejection might be interpreted to indicate it had held a different view on their legal position.
38. The CHAIRMAN put to the vote the USSR proposal to delete the words "the limitation of the number of times each representative may speak on any question" from rule 97 as proposed by the Special Committee.
- That amendment was rejected by 24 votes to 14, with 10 abstentions.*
39. The CHAIRMAN then put to the vote the proposed rule 97.
- That rule was adopted by 28 votes to 11, with 8 abstentions.*
40. Mr. SOTO (Chile) explained that he would vote against the French proposal because he thought its contents were implicit in the rules of procedure. Moreover, such a provision should not be included in the body of a set of rules of procedure but might be included in their preamble. He wished to point out, however, that his vote against the proposal did not mean that he was opposed to the principle contained therein; his vote meant rather that he felt that such a principle should not be stated in regulations governing procedure.
41. The CHAIRMAN pointed out that there were two proposals before the Committee. In his opinion, the Chinese proposal expressed the same idea as the French proposal, and he considered that it would expedite the Committee's work if one of the documents were withdrawn.
42. Mr. HSU (China) stated that, since he had submitted his text first, it might be more fitting to maintain it.
43. Mr. CHAUMONT (France) stated that, while he thought the Chairman's suggestion was wise, he did not believe he could conscientiously withdraw his proposal, since several representatives had expressed their support of it. He was willing, however, to place himself completely in the hands of the Committee.
44. The CHAIRMAN decided that, since both texts dealt with the same issue, they should be voted on in the order in which they had been submitted, unless the Committee decreed otherwise. He explained that the Chinese proposal, were it adopted, would be inserted after rule 97.
45. Mr. CHAUMONT (France) thought that the two proposals did not have exactly the same purpose. His draft expressed a general principle in an effort to counterbalance the effect of the powers which had been granted the President of the General Assembly and the Chairmen of Main Committees by the rules recently adopted in the Sixth Committee. The Chinese amendment, on the other hand, dealt with one specific item, namely, the power of bodies to appeal against decisions of their Chairmen.
46. Since the French proposal incorporated a

broad general principle, Mr. Chaumont felt that adoption of the Chinese amendment would not render voting on this suggestion unnecessary.

47. The CHAIRMAN agreed that the French proposal was wider. Under the provisions of rule 120 of the rules of procedure, he proceeded to put the proposals before the Committee to the vote in the order in which they had been submitted.

48. Mr. SORO (Chile) considered that the French proposal was a statement of a principle implicit in the rules of procedure, whereas the Chinese amendment specifically treated the application of that principle in special circumstances. The French proposal, he repeated, had its rightful place in a preamble, but the Chinese suggestion could well be inserted after rule 97.

49. The CHAIRMAN suggested that the place where texts were to be inserted in the rules of procedure should be considered by a drafting group, which would take up the problem once the Committee had concluded its consideration of the Special Committee's recommendations. He was sure that the drafting committee would take the Chilean representative's suggestion into account at that time.

50. Before putting the Chinese amendment to the vote, the Chairman reminded the Committee that, if it were adopted, it would be understood to refer to rule 97 and that consideration of its application to rule 31 would have to be taken up subsequently.

51. The Chairman put to the vote the Chinese amendment to rule 31 (A/C.6/L.13).

That amendment was rejected by 12 votes to 7, with 25 abstentions.

52. The CHAIRMAN then put to the vote the French proposal for rule 97 (a) (A/C.6/L.14).

That proposal was adopted by 39 votes to none, with 11 abstentions.

53. The CHAIRMAN invited the Committee to consider rule 98 as proposed by the Special Committee (A/937, paragraph 28).

54. Mr. KORETSKY (Union of Soviet Socialist Republics) felt that the proposed rule 98 involved the vital question of the Sixth Committee's attitude concerning debates in Main Committees. Under the provisions of the Charter, the main function of the United Nations was to consider and discuss problems. When an item had been submitted to the Organization for discussion by a sovereign State, surely the debate on that item should be considered significant. The Special Committee, however, did not seem to feel that it was important to have discussions but rather stressed the value of a vote on items. It did not seem to value debate, which often led to co-operation and collaboration. It was apparently not interested in what happened during the course of a discussion but only in recording final decisions. That contemptuous attitude was reflected in the suggestion that one-third of the members of a Committee were sufficient to constitute a quorum. The Charter, on the other hand, implied that more than half the members of a body should be considered a quorum.

55. The experience of members in the Sixth Committee would show that usually there were more than half of the members present and participating in the debates, and no one could deny that they had the right to express their Government's

views. In the proposed rule 98, however, it was suggested that the Chairman could open a meeting when one-third of the members were present, which would indicate that the important thing was not the discussion but the vote. That, in his view, was a negative approach to the question. The authors of that proposal would seem to be interested solely in placing stamps of approval or disapproval upon items under discussion and were not concerned with the views members might hold.

56. For those reasons, the USSR delegation considered that the proposed rule 98 violated the spirit of the Charter; consequently, the delegation objected to that proposal. It might be that in bourgeois parliaments which suffered from the evils of absenteeism such a rule could be justified since very often their members did not represent more than one or two points of view and did not offer a fair cross-section of opinion in their countries. In those circumstances, the views of most of the representatives would be known and no great harm would be done if some of them were absent during the voting on proposals. To transfer that tradition to the United Nations, however, was unjustified. Fifty-nine nations were represented in the world forum. It was important for representatives really to know what other nations were thinking. Furthermore, most representatives wanted to participate in debate and so reach a closer understanding of each other's views.

57. The USSR representative moved that the first sentence of the proposed rule 98 should be deleted.

58. Mr. BARTOS (Yugoslavia) considered that the proposed rule 98 completely nullified the idea of a quorum. That rule did not even mention in the first sentence the necessity of always maintaining a quorum. In those circumstances, after a meeting had been opened, members could leave it; then, when the time came for a vote on the matter in hand, the Chairman would be forced to send for the representatives so that the necessary quorum would be present and the vote could be taken. He saw no reason for undertaking the trip to Lake Success and the attendant expenses if members did not intend to come to meetings and discuss the items before their Committees. In some organizations, the rules of procedure provided that it was necessary to have a quorum before a meeting could be opened and, further, that any member at any time could ask that the quorum be verified.

59. It appeared that the Special Committee, in making its recommendation, had been guided by a suggestion put forward earlier. But that suggestion had been rejected when the smaller delegations had opposed the idea of holding meetings of all the Committees at the same time, since under that system they would not have had enough personnel to discharge their responsibilities adequately. In the past, a quorum consisting of at least half the members of a Committee had always been obtained; it should be possible to continue that procedure.

60. He reminded the Committee that, when members had voted to place various limitations on debate in the General Assembly, it had been on the understanding that debate would be permitted in the Main Committee. If, on the other hand, debate were to be limited in those bodies as well, in his opinion the Committees would become a voting

machine. The items on the agenda would be discussed by only a few members and then would be referred to the General Assembly, where no debate would be held. If such a procedure were to be instituted, he saw no reason why members could not just as well participate in the General Assembly by correspondence.

61. His delegation was opposed to rule 98 as proposed by the Special Committee.

62. Mr. FOURIE (Union of South Africa) thought that reference to the past records of General Assembly sessions showed how much time had been lost simply because meetings had not always started on time. It had been estimated that the Paris session of the Assembly could have been shortened by a week, had representatives been able to begin work on time, instead of starting many meetings late, often because of the lack of a quorum. Only that day the representative of the USSR had pointed out that members had lost time on the previous day and at the current meeting because a quorum had not been present at 3 o'clock. Rule 98 as proposed by the Special Committee had been drafted in an attempt to remedy the situation. He believed that if representatives knew meetings would start on time, they would make a special effort to be present; while the work of the Organization would surely benefit thereby, such a procedure would not unduly rush the business before Committees.

63. Mr. SORO (Chile) recalled that the Special Committee had been told to devise ways and means of expediting the work of the General Assembly. The majority of members of that Committee seemed to have concentrated on measures to save time. The Committee should also consider the efficiency and the prestige of the Organization's work. If the proposed rule 98 were adopted, some time might be saved but only at the expense of other considerations. The acceptance of a quorum of one-third of the members of a body would only detract from the significance of discussions held by so few of the Organization's Members. Under such a system, the Main Committees would be converted into voting machines. His delegation therefore preferred to maintain the existing rule.

64. Mr. FERRER VIEYRA (Argentina) said that his Government believed the matter of a quorum could be used for political manoeuvres. The establishment of the requirement of one-third of the members for a quorum would ensure that a minority could constitute a quorum and thus be assured of the consideration of items it favoured. For that reason, he would support the recommendation of the Special Committee concerning rule 98.

65. Mr. KRAJEWSKI (Poland) considered that the recommendation of the Special Committee involved a serious departure from the existing rules of procedure, which provided that a majority should constitute a quorum. The proposed text would enable a meeting to begin when only one-third of the members were present. In justification of that proposal, the Special Committee explained that much time had been lost in the past because meetings started behind schedule.

66. All international bodies required a majority of members to be present before business was begun; as examples, he cited the rules of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, and the rules of procedure of

the Council of UNRRA. The existing rules of procedure of the General Assembly had stated that a majority constituted a quorum. That principle had also been confirmed by the United Nations Conference on Food and Agriculture. His delegation saw no need to depart from so generally accepted a rule. The new proposal was both harmful and dangerous, as well as impractical. Under its provisions discussion could begin, but a vote could not be taken until a majority of the members were present. Members would then be obliged to vote without having participated in the debate. Such a procedure could obviously lead to harmful decisions.

67. It was necessary to have a majority of members present before a meeting could begin. That procedure would result in well-considered decisions. The proposed rule 98, in the opinion of his delegation, would perhaps save time but only at the expense of the value and authority of decisions taken under that system.

68. Mr. GOTTLIEB (Czechoslovakia) thought it was useless to permit members to begin a discussion when no vote could be taken on the question under discussion until the necessary majority was present. Speeches made into a vacuum would result from that rule.

69. His delegation was strongly opposed to rule 98 as proposed by the Special Committee.

70. Mr. GALAGAN (Ukrainian Soviet Socialist Republic) objected to the wording of rule 98 as drafted by the Special Committee. That draft violated both the spirit and the letter of the Charter, which appealed to all Member States to co-operate and work together in solving the problems facing the world Organization. The proposed rule 98 would make it possible for Main Committees to meet when only twenty or twenty-five members were present. He could not understand how any weight could be given to decisions taken after discussion by so small a number of members. Moreover, the proposed text did not represent a serious approach to the work of the United Nations since it placed greater importance on the mechanics of voting than on discussion.

71. Mr. PEABODY (Liberia) thought that the proposed rule 98 was ambiguous, inconsistent with proper rules of procedure and embodied a principle which his delegation could not accept. He therefore preferred to maintain the existing rule 98.

72. Mr. GLASHEEN (Australia) felt some reservations concerning the proposed rule 98. It contained no provisions for a quorum of deliberation. In that connexion, he supported the viewpoint of the representative of Yugoslavia.

73. The proposed rule involved an important sacrifice of principle. His delegation considered it was undesirable for members to participate in a vote without having taken part in the related discussions. Furthermore, certain practical difficulties would result from the application of the proposed rule. If a meeting were opened with one-third of the members present and it became necessary to take a vote shortly thereafter, the meeting would have to be suspended until the required majority had arrived. Under that system, more time might be lost than gained. Even if some time were saved, however, the reaction of representatives might be to make no special effort to hasten to a meeting, for they

would think that the meeting could start without them since one-third of the members were surely present.

74. He appreciated the attempt of the Special Committee to propose a positive solution to a problem which in effect did exist. All delegations were concerned over the time lost because meetings did not start on schedule. The representative of the Union of South Africa had recited an impressive example which gave point to paragraph 28 of the report of the Special Committee (A/937). It was difficult to find a solution to the problem, but his delegation thought that, before adopting any drastic changes of principle, one more determined effort should be made to secure the prompt start of meetings.

75. If at the outset of each session a firm lead were given, the same result might be achieved without the sacrifice of important principles. The General Committee might be able to co-operate in achieving the desired end. One of the first items on its agenda could be a report from Committee Chairmen on the question of promptness at meetings. Committees which were late in starting could be reprimanded by the General Committee. If further efforts to settle the problem were unsuccessful, however, the Australian delegation would be prepared to reconsider the issue at the next session.

76. Mr. ABDON (Iran) fully shared the concern of the Special Committee which had prompted it to draft the proposed text of rule 98. He had no objection to permitting a Chairman to open a Committee meeting when only one-third of the members were present; the point raised by the Yugoslav representative, however, was valid. Under the proposed rule, it would be possible for representatives who had been present at the opening of the meeting to leave the meeting during the debate, which would then continue with less than one-third of the members in attendance. He therefore suggested that the first sentence of the Special Committee's text should be replaced by the following, patterned on the existing rule: "One-third of the members of a Committee shall constitute a quorum."

77. Mr. ODIO (Costa Rica) agreed with the representative of Argentina that a smaller quorum was actually a safeguard for members representing a minority interested in the question under discussion; he did not think, however, that a different number of representatives should be required for the opening of a meeting and for voting. For that reason, he would vote against the proposed rule 98.

78. Mr. BARTOS (Yugoslavia) said that his investigations had shown that meetings of the Sixth Committee during the past two days had begun from nine to fourteen minutes after a quorum was in attendance.

79. Mr. FITZMAURICE (United Kingdom) said that, although he appreciated some of the considerations that had been put forward, he would vote in favour of the proposed rule 98. He called the Committee's attention to the fact that the rule was merely permissive; it did not oblige the Chairman to open a meeting when one-third of the members were present. He, for one, was confident that Chairmen would not use lightly the power conferred upon them.

80. The Sixth Committee's experience at the previous session had been that time and again

the Chairman was unable to open a meeting because the existing rule 98 prevented him from doing so until a majority of the members had arrived. Situations of that kind would be met by the proposed rule 98.

81. As it was rare for a vote to be taken immediately after the opening of a meeting, the first part of which was usually devoted to discussion, it was to be expected that, on the few occasions when a Chairman would exercise the power given to him by the proposed rule 98, a majority would be present by the time that a vote had to be taken and there would be no necessity of suspending the meeting. No delay would therefore be occasioned by the application of the proposed rule.

82. With regard to the objection that it was undesirable for members who had not taken part in the debate to participate in the voting, he remarked that those members should appear punctually at the time scheduled for the opening of the meeting. Furthermore, the same situation could, and in fact did, arise under the existing rule; a meeting might begin when only a majority of the members were present, and the vote might be taken when other members, who had not participated in the debate, had arrived. Consequently, a reduction in the number required for a quorum, not a change in principle, was involved.

83. He agreed with the representative of Argentina that the proposed rule would safeguard minority rights, and urged the Committee to adopt it.

84. Mr. LOUTFI (Egypt) observed that the amendment put forward by the Iranian representative met many of the objections raised; if it was accepted, he would vote for the proposed rule.

85. Mr. BARTOS (Yugoslavia) inquired whether the majority referred to in the second sentence of the proposed rule was required for votes on procedure as well as for votes on substance. If votes on procedure could be taken by the quorum of one-third, that handful of members could actually decide to close a debate in which most representatives had not had the opportunity to participate.

86. Mr. KERNO (Assistant Secretary-General in charge of the Legal Department) replied that the intention of the Special Committee had been to require the presence of a majority both for votes on substance and for votes on matters of procedure.

87. Mr. BARTOS (Yugoslavia) said that, in that case, should a procedural point arise in a debate in which only one-third of the members were taking part, those members would be unable to settle it. They would be unable, for example, to vote on a point of order until a majority was in attendance. He could not regard a proposal under which the so-called quorum could not conduct its own debate as other than senseless.

88. The CHAIRMAN put to the vote the USSR amendment to delete the first sentence of the proposed rule 98.

The USSR amendment was rejected by 16 votes to 9, with 17 abstentions.

89. Mr. FITZMAURICE (United Kingdom), speaking on a point of order, asked for a clarification of the Iranian amendment, since he was unable to see any difference of substance between

it and the first sentence of the Special Committee's text. The only purpose of opening a meeting could be to allow discussion; the effect of the first sentence of the Special Committee's text was consequently the same as that of the Iranian amendment.

90. Mr. ABDON (Iran) replied that there was in effect an appreciable difference. The text proposed by the Special Committee could be interpreted — as it had been interpreted by the Yugoslavian representative — to mean that the quorum of one-third of the members was required only for the opening of the meeting and not for its continuation. It was in order to make such an interpretation impossible that he had reproduced the language of the existing rule 98, replacing the words "a majority" by "one-third".¹

91. His amendment was intended as a substitution for the first sentence of the Special Committee's text (A/937, paragraph 28). The second sentence of that text would be maintained.

The Iranian amendment was adopted by 15 votes to 12, with 13 abstentions.

92. Mr. STABELL (Norway) remarked that he had abstained from the vote because it had not been made clear to him in what manner the Iranian amendment fitted in with the text of rule 98 as proposed by the Special Committee.

Rule 98 as amended was adopted by 19 votes to 15, with 9 abstentions.

93. The CHAIRMAN invited the Committee to consider the text of rule 102 as proposed by the Special Committee (A/937, paragraph 37).

Rule 102 was adopted without discussion by 42 votes to none, with 2 abstentions.

94. The CHAIRMAN directed the Committee's attention to the text of rule 103 as proposed by the Special Committee (A/937, paragraph 30).

95. Mr. KORETSKY (Union of Soviet Socialist Republics) moved, for reasons already stated in connexion with rule 97, the deletion of the words: "and the number of times each representative may speak on any question".

The USSR amendment to the proposed rule 103 was rejected by 26 votes to 7, with 11 abstentions.

Rule 103 was adopted by 29 votes to 8, with 5 abstentions.

¹ See paragraph 76 above.

96. The CHAIRMAN invited the Committee to consider the text of rule 105 as proposed by the Special Committee (A/937, paragraph 31).

97. At the request of the Yugoslav representative, the last sentence of that rule would be put to the vote separately.

The first two sentences of rule 105 were adopted by 41 votes to none, with 3 abstentions.

The last sentence of rule 105 was adopted by 33 votes to 5, with 7 abstentions.

Rule 105 as a whole was adopted by 33 votes to 1, with 10 abstentions.

98. The CHAIRMAN asked the Committee to examine the text of rule 106 as proposed by the Special Committee (A/937, paragraph 31).

99. Mr. BARTOS (Yugoslavia) requested that the last sentence be put to the vote separately.

100. Mr. LOUTFI (Egypt) and Mr. FITZMAURICE (United Kingdom) pointed out that such a division of the vote would be unjustified because the first part of the text before the Committee was a reproduction of the existing rule and only the last sentence constituted the proposal of the Special Committee. Mr. Fitzmaurice observed that the first part had been reproduced only for the sake of convenience so that the members would have a clear picture of the text under discussion. The Committee could only move the deletion of the first part.

101. Mr. BARTOS (Yugoslavia) said that he would not insist on a vote by division; his negative vote would apply to the addition proposed by the Special Committee.

102. The CHAIRMAN therefore put to the vote the proposed rule 106 as a whole.

Rule 106 was adopted by 35 votes to 3, with 6 abstentions.

103. The CHAIRMAN directed the Committee's attention to rule 107 as proposed by the Special Committee (A/937, paragraph 31).

Rule 107 was adopted without discussion by 36 votes to one, with 6 abstentions.

104. The CHAIRMAN invited the Committee to consider the text of rule 117 as proposed by the Special Committee (A/937, paragraph 32).

Rule 117 was adopted without discussion by 35 votes to 2, with 7 abstentions.

The meeting rose at 6 p.m.