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**FIFTIETH SESSION**

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held on  
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at 3 p.m.  
New York

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SUMMARY RECORD OF THE 35th MEETING

Chairman: Mr. BELLOUKI (Morocco)  
(Vice-Chairman)

later: Mr. LEHMANN (Denmark)  
(Chairman)

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In the absence of Mr. Lehmann (Denmark), Mr. Bellouki (Morocco),  
Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 145: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/50/33, 361 and 403)

1. Mr. MADEJ (Poland) said that he would limit his comments to chapter VI of the Special Committee's report (A/50/33), which dealt with the question of the deletion of the "enemy State" clauses of the Charter. Considering that the time had come to remove those clauses that were directly linked with the Second World War and had become obsolete, his delegation, which had initiated the resolution that the General Assembly had adopted on the subject at its forty-ninth session, hoped that the Assembly would express its intention to initiate the procedure set out in Article 108 of the Charter. While acknowledging that it was up to the Assembly to decide which of its future sessions would be the most appropriate, his delegation considered that the amendments to the Charter should be made as soon as possible.

2. Mr. ERDOS (Hungary) said that his delegation attached great importance to the enhancement of cooperation between the United Nations and the Organization for Security and Cooperation in Europe (OSCE), which would greatly contribute to the implementation of the objectives of the United Nations.

3. His delegation had many reasons to follow with interest the consideration of the question of assistance to third States affected by the application of sanctions under Chapter VII of the Charter. Those sanctions, in particular those that had been imposed against the Federal Republic of Yugoslavia (Serbia and Montenegro), had caused considerable damage to the Hungarian economy, not only as a result of the sanctions regime per se but also as a result of the disruption of transit lines. It was therefore not surprising that Hungary, one of the most seriously affected countries in the region, was dissatisfied with the current implementation of Article 50 of the Charter. Moreover, even if that Article were fully implemented, it would not be enough to alleviate the burdens encountered by the countries concerned.

4. Hungary was fully aware of the difficulty of striking a proper balance between international legality and the responsibilities of the Security Council and the legitimate concerns of third States that made requests for formal assistance on the basis of Article 50 of the Charter. In spite of the efforts of the working group responsible for considering the matter, the positions of delegations were still quite far apart. However, the proposal made by the European Union provided a good basis for reaching an agreement.

5. His delegation supported the adoption of the draft United Nations Model Rules for the Conciliation of Disputes between States, which it considered to be

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a reasonably flexible instrument that took into account the provisions that already existed in other multilateral instruments in that field.

6. His delegation fully endorsed the Special Committee's recommendation concerning the deletion of the "enemy State" clauses in the Charter of the United Nations, since the States against which those provisions had been directed had become full-fledged Members of the United Nations a long time ago and were a great asset to all the efforts of the Organization.

7. The Special Committee should be open to all States Members of the United Nations and should continue to operate on the basis of consensus. For the past few years, the Special Committee had been giving ample opportunity to States that were not members of the Committee to participate fully in its proceedings as observers. While his delegation was not completely convinced that the proposed formula would promote efficiency, it was ready to join in a consensus, provided that the conversion of the Special Committee into an open-ended body was not construed as a precedent for other subsidiary organs of the General Assembly or other main organs of the United Nations.

8. Mr. HAFNER (Austria) said that, in order to avoid duplication of work, the consideration of the question of the maintenance of international peace and security should be seen in the context of the ongoing discussions in other United Nations bodies. The question could therefore be raised whether or not the Special Committee was the appropriate body for discussing the proposals put forward under that topic.

9. While the draft United Nations Model Rules for the Conciliation of Disputes between States could be submitted to the General Assembly for adoption in their current form, his delegation was convinced that the draft could be further improved. For example, the draft Model Rules did not specify the basis of the findings of the conciliation commission. It was therefore unclear whether the commission should be called upon to find a solution acceptable to the parties to the dispute or one that was based on law, equity and justice. The answer was important since, if the parties were to have confidence in the commission's recommendations, such recommendations should be based on certain established standards. Moreover, in addition to the many existing instruments for the peaceful settlement of disputes, the text could contribute to the further fragmentation of international law. However, the establishment of a judicial body to take decisions in all kinds of disputes was still a very distant reality. Since the advantages of the draft outweighed its possible shortcomings, his delegation supported its adoption.

10. The proposal made by Sierra Leone, entitled "Establishment of a Dispute Settlement Service offering or responding with its services early in disputes" (A/50/403, annex), merited further study. His delegation thanked Sierra Leone for its explanatory document, but noted that certain additional clarifications were still required, in particular with regard to the Board of Administrators, the role of the Security Council and the mechanism's relation to the United Nations.

11. In view of the fundamental changes that had occurred in the world, the initiative taken by Poland to delete the "enemy State" clauses in the Charter was to be welcomed, even if the rule cessante racione lex ipse cessat could no

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doubt be invoked. However, it would be better not to consider that question in isolation and to include it in the process of reforming the Charter.

12. While his delegation welcomed the recommendation to enlarge the Special Committee (A/50/33, para. 67), it noted that the recommendation only formalized a practice that already existed since, for the past several years, States requesting to participate in the proceedings of the Special Committee had been granted observer status.

13. Mr. CHOE Tong U (Democratic People's Republic of Korea) said that the "enemy State" clauses could not be considered obsolete simply because 50 years had passed since the adoption of the Charter and great changes had taken place in the world. The validity of the clauses was indisputable; Japan, which had been responsible for indescribable suffering and crimes against humanity, after half a century had still not liquidated its odious past. Japan was doing everything it could to cast off the "enemy State" label and become a member of the Security Council.

14. Japan had colonized Korea for more than 40 years and, to that end, had not hesitated to forge international documents. During the Second World War, it had forcibly drafted more than six million people, one million of whom had died, and had taken away 200,000 Korean teenage girls as sex slaves for its soldiers. However, it persisted in denying all responsibility for those atrocities.

15. The Japanese Government was being accommodated because it made a large contribution to the Organization. However, money could not be allowed to decide everything, at the risk of nullifying the efforts made for 50 years to promote justice and equity. Japan's supporters alleged that the position of the Democratic People's Republic of Korea was the expression of an anti-Japanese feeling which was deeply rooted in the population, but that was not true. The deletion of the "enemy State" clauses was a fundamental issue with implications for international peace and security.

16. If Japan wished to regain the confidence of the Asian peoples in general and the Korean people in particular it must liquidate its criminal past as soon as possible. His delegation believed that, unlike Japan, the other "enemy States", including Germany, had made honourable amends. It therefore suggested that the Charter should be revised in such a manner as to apply the "enemy State" clauses only to Japan, on an interim basis, until Japan admitted its wrongdoing and liquidated its past.

17. Mr. AYEWAH (Nigeria) said that the fiftieth anniversary of the United Nations was a time to review the Organization's work and prepare for the future. In particular, as noted by the Secretary-General in his report on the work of the Organization (A/50/1), a more dynamic relationship should be achieved between the General Assembly, the Security Council and the Economic and Social Council; there was no doubt that the Special Committee could play a significant role in that process.

18. While the Special Committee had made a substantial contribution towards the efforts to promote peace, it had shied away from pursuing the development objectives laid down in the Charter. His delegation hoped that over the next few years, the Special Committee would contribute to the strengthening of

cooperation between the General Assembly, the Security Council and the Economic and Social Council, as provided for in the Charter. It drew attention to Article 58 of the Charter concerning the specialized agencies and Article 63 concerning the activities of the Economic and Social Council.

19. On the question of the membership of the Special Committee, his delegation supported the Special Committee's recommendation in paragraph 67 of its report (A/50/33) that it should henceforth be open to all States Members of the United Nations. His delegation also supported the draft resolution calling for the deletion of the "enemy State" clauses from the Charter.

20. His delegation welcomed the Secretary-General's report on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter (A/50/361), and the establishment of a working group on the subject. Sanctions should not be regarded as punitive measures, but instead as coercive measures, to be imposed with care. Machinery should therefore be established to respond to requests for assistance by third States, and a trust fund should be set up.

21. The revised proposal submitted by the Libyan Arab Jamahiriya and the working paper submitted by Cuba concerning the strengthening of the role of the Organization in the maintenance of international peace and security provided interesting perspectives and should be taken up by the Special Committee at its next session. His delegation also welcomed the draft United Nations Model Rules for the Conciliation of Disputes between States submitted by Guatemala. The text could make an important contribution to strengthening the mechanism for the prevention and peaceful settlement of disputes.

22. Mr. SRIWIDJAJA (Indonesia) said that the profound changes in the international scene and the increasingly important position of the Security Council made it imperative to undertake a review of the Council's membership in order to respond to the great increase in the number of Member States and accommodate the interests of the majority of Member States, especially the developing countries. Moreover, the use of the veto must be limited so as to democratize the work of the Council.

23. With regard to the repercussions of sanctions on third countries, it should be stressed that the expanding use of sanctions had not been accompanied by consideration of their short and long-term effects. The direct impact of sanctions was on the most vulnerable segment of the population, particularly innocent women and children. It was not acceptable for sanctions to be prolonged for political motives: sanctions must be lifted as soon as the objectives sought were accomplished. It would be useful to establish a sanctions mechanism, as proposed by the Secretary-General in the supplement to the agenda for peace (S/1995/1). His delegation was prepared to cooperate in the efforts of the working group on the question and hoped that the draft resolution submitted to the General Assembly at the current session would be adopted by consensus.

24. The revised proposal submitted by the Libyan Arab Jamahiriya and the working paper submitted by Cuba on the strengthening of the role of the United

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Nations in the maintenance of international peace and security contained many useful proposals. His delegation also appreciated the text of the draft United Nations Model Rules for the Conciliation of Disputes between States, submitted by Guatemala.

25. The fiftieth anniversary of the United Nations provided an opportunity to enhance the role of the United Nations in the maintenance of international peace and security, the promotion of economic and social development and the quest for better understanding among peoples, as noted by the President of Indonesia at the special commemorative meeting in October 1995.

26. Ms. BETANCOURT (Venezuela) said that the question of the effects on third countries of sanctions imposed by the Security Council was all the more important as those sanctions became numerous. That was why Venezuela welcomed the ideas expressed on the matter by the Secretary-General in his report (A/50/361). She agreed that consideration should be given to setting up an official mechanism to deal with the indirect effects of sanctions. Such a mechanism should be practical and effective, and should be founded on two principles: the need to address situations promptly and the need to find a rapid and equitable solution. The international financial institutions should also be involved in its operations, which would make it even more useful. It would be timely, therefore, for the Special Committee to pursue its analysis and consideration of all aspects of the matter in 1996.

27. As to the peaceful settlement of disputes between States, the new draft Model Rules approved by the Special Committee and submitted to the General Assembly for consideration could provide useful guidance without being binding, although they could be used provided that the States concerned agreed. If adopted, the document could be made an annex to the Handbook on the Peaceful Settlement of Disputes between States published recently by the United Nations. On the other hand, the proposal of Sierra Leone to establish a rapid intervention service in the event of a dispute, while interesting, should be given more careful consideration, particularly from the standpoint of State sovereignty and of the advantages it would bring for the international community.

28. Poland had proposed deleting from the Charter Articles 53, 77 and 107, which spoke of "enemy States", and her delegation continued to favour that initiative because the provisions in question were both obsolete and inapplicable. That having been said, however, any amendment of the Charter should be made in accordance with the procedures established in that instrument.

29. With regard to the composition of the Special Committee and the proposal submitted in that connection in paragraph 67 of the report, her delegation was in favour of enlarging it to all States Members of the Organization.

30. Ms. WILMSHURST (United Kingdom) welcomed the preparation by the Special Committee of the draft United Nations Model Rules for the Conciliation of Disputes between States and thanked the delegation of Guatemala for its important contribution in that regard. She also expressed approval for the draft resolution on the deletion of clauses in the Charter of the United Nations referring to "enemy States". The manner and the timing envisaged for the

deletion were both satisfactory, and it was to be hoped that the draft resolution, which had been the subject of long and sensitive negotiations, would be adopted by consensus.

31. As to the question of third States affected by sanctions imposed under Chapter VII of the Charter, her delegation associated itself fully with the statement made by the representative of Spain on behalf of the European Union. Careful consideration should be given to the observations made at the previous meeting by the representative of France on the way to achieve a fruitful consensus.

32. The United Kingdom was ready to accept that all Members State should be authorized to participate in the work of the Special Committee and that the Special Committee should continue to take its decisions on the basis of consensus. In addition, the United Kingdom would like the Special Committee to consider the matter of continuing the preparation and publication of the supplements to the Repertory of the Practice of the Security Council and the Repertory of Practice of United Nations Organs, which were extremely valuable research tools. In spite of General Assembly resolutions 35/164 and 36/123, the preparation of both series had fallen behind, and it might be useful if the Special Committee and the Sixth Committee looked at the matter. For that purpose, the Committee might, in the resolution it adopted on the Special Committee, request the Secretary-General to inform it of the current status of the two series.

33. As for the proposal for a dispute settlement service outlined in paragraph 56 of the Special Committee's report, her delegation was not convinced of the need for yet another mechanism for the settlement of disputes.

34. Finally, she expressed doubts as to the usefulness of the Special Committee's general debate. There was always a danger that it repeated what was said in the debate in the Sixth Committee or in the debates on individual agenda items in the Special Committee itself. It might be useful for delegations to consult informally as to whether that practice should be maintained.

35. Mr. KOLOMA (Mozambique) recalled document A/AC.182/L.79, concerning the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII, which had been submitted to the Special Committee the year before by a number of countries, including Mozambique.

36. Referring to the report submitted on the same subject by the Secretary-General (A/50/361), he welcomed the establishment within the framework of the Sixth Committee of an open-ended working group charged with finding a solution to the problems posed on the basis of the Secretary-General's report. He also welcomed the measures proposed in the report, on which he made some general observations.

37. The most important of the proposed measures was the establishment of a trust fund, which should be permanent and supplied through both assessed and voluntary contributions. Sanctions were in fact a collective measure taken in the interest of the international community as a whole, and it would be normal

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for that community to assist the third States most affected to bear the burden of them. Mozambique had not forgotten the severe economic losses it had suffered in the early years of its independence as a result of the sanctions imposed against Rhodesia. The establishment of a trust fund would strengthen the sanctions regime because it would encourage third States most affected by the repercussions of the sanctions to apply them.

38. Turning to the restructuring and revitalization of the United Nations, he welcomed the establishment by the General Assembly of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. On the occasion of the fiftieth anniversary of the Organization, historic developments and the ending of the cold war made such a reform imperative, and it was necessary to ensure equitable geographical distribution which would offer permanent seats to the developing countries, particularly those from Africa. There was also a need to reform the working methods of the Security Council in order to make them more transparent and more democratic.

39. The revised working paper submitted by Cuba (A/AC.182/1995/CRP.1) contained valuable ideas which deserved attention from the Special Committee and from all groups working for the restructuring and revitalization of the United Nations system. His delegation therefore regretted that the Special Committee had not been able to consider it during its most recent session, and hoped that it would do so during its next session.

40. With regard to the deletion of the "enemy state" clauses from the Charter, he fully supported the course of action proposed by the Special Committee. However, he associated himself with those delegations which held that deletion should be decided as part of the process of reforming the Charter currently being considered by the General Assembly.

41. His delegation also approved the recommendation to the General Assembly that the Special Committee should in the future be open to all States Members of the Organization. However, Mozambique wished to draw attention to the need for consistency in approaching identical situations arising in other subsidiary organs of the General Assembly.

42. Last, he approved the recommendation that the General Assembly should bring to the attention of States the draft United Nations Model Rules for the Conciliation of Disputes between States by annexing it to a decision or resolution that it would adopt at its fiftieth session.

43. Ms. ELLIOTT (Guyana) said, concerning the repercussions of Security Council sanctions on third States, that a way must be found to have adequate consultations between the Security Council and the affected States and that consideration should be given to establishing a United Nations-administered trust fund to address the question of compensation.

44. Regarding the peaceful settlement of disputes, there should be further exploration of ways of making full use of the possibilities provided by Article 33 of the Charter, especially a greater reliance on the International Court of Justice to settle legal disputes.



45. As a small State, Guyana attached the highest importance to the cardinal Charter principle of the sovereign equality of nations, and urged that the composition of the Security Council should fully reflect that principle and also the growth in the membership of the Organization over the past three decades. While a possible increase in the number of permanent members of the Council should not be ruled out, the first priority should be to expand the non-permanent membership in keeping with equitable geographical distribution.

46. There was no doubt about the continuing importance of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, even if the recent establishment of several working groups to deal with reform and restructuring issues appeared to impinge on its mandate. Perhaps the time had come to begin to rationalize its work accordingly, avoiding duplication with those working groups and bearing in mind that the Special Committee could usefully complement work being done elsewhere by considering various proposals for reform in greater detail. Given the growing interest of delegations in the functions of the Special Committee, the idea of making it an open-ended body should be explored; that was something which could be accomplished by a simple resolution of the General Assembly.

47. Mr. ROGACHEV (Russian Federation) underscored the importance of the question of assistance to third States affected by the application of sanctions under Chapter VII of the Charter. The Security Council was, in fact, resorting with increasing frequency to sanctions, which were increasingly harsh and could become a destabilizing factor in international relations, given their growing impact on third States. The Security Council must bear that in mind, without, however, relinquishing any of its capacity to act freely, rapidly and effectively. It was a question of finding a balance between the two aspects.

48. The Special Committee's work provided a good basis for consideration of the question. His delegation would like to see the adoption of a definite mechanism for consultations with the third States concerned. It was indispensable to agree, even before the sanctions entered into force, on assistance that might be given to them. Such consultations should continue throughout the entire time that the sanctions were in place in order to avoid unforeseen developments. That would make for greater confidence in the sanctions regime, which should be perceived as a means of applying pressure on Governments and not as punishment of law-abiding States.

49. The adoption of a system of compensation presupposed an established method for assessing the impact of sanctions on third States. Such assessments had to be based on reliable information whose impartiality could be guaranteed by the Secretary-General. The Secretary-General could also, at the request of the Security Council and its subsidiary organs, provide other information regarding the adverse effects of sanctions. Also, such a method of assessment would be elaborated as an addition to the measures proposed by the Secretary-General for increasing the effectiveness and transparency of the Security Council and the sanctions committees. In that connection, the Russian Federation supported the proposal to establish guidelines for reviewing requests for assistance from third States affected by sanctions.

50. If such measures were put into effect, the capabilities of the Secretariat

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would have to be increased, within existing resources. The question also had interrelated economic, political and legal aspects that the Special Committee should continue to consider.

51. Lastly, his delegation supported the recommendation that the General Assembly should bring the text of the United Nations Model Rules for the Conciliation of Disputes between States to the attention of States as well as the recommendation that the "enemy State" clauses of the Charter should be deleted.

52. Ms. GOLAN (Israel) welcomed the Special Committee's decision to open its membership to all Member States wishing to participate, which could only enhance the quality of its work and its deliberations.

53. On the question of the peaceful settlement of disputes, she noted with satisfaction the progress made by the Special Committee since 1994 in its consideration of the draft United Nations Model Rules. She welcomed in particular the deletion of article 8 of the original text, and the improvements made in other articles, such as article 13, paragraph 2, and article 14. Flexible, non-binding model rules would be a useful complement to existing dispute settlement arrangements.

54. The issue of the deletion of the "enemy State" clauses of the Charter should not be taken separately but should be viewed as an integral part of the broader process of revision of the Charter in which the General Assembly was currently engaged.

55. The principles of the sovereign equality of States and the universality of the United Nations, which were crucial to the achievement of the goals of the United Nations, the enhancement of cooperation among Member States and the strengthening of international peace and security, had not yet been fully implemented, as far as Israel was concerned, within the United Nations system, where elections were generally based on geographical distribution in accordance with quotas allocated to every regional group. Since Israel had for so many years been prevented from being a member of a regional group, it was unable to enjoy its full rights and assume all its duties as a Member of the Organization. The fiftieth anniversary of the United Nations provided an opportunity to review the United Nations system in that respect. The Special Committee should in the light of those two principles consider the possibility of establishing alternative systems that would ensure truly universal representation in United Nations organs and bodies.

56. Mr. KANEHARA (Japan), speaking in exercise of the right of reply, said that since the founding of the Organization 50 years previously, many States which shared the ideals of the United Nations and were desirous of contributing to the realization of its objectives had become Members of the Organization, including the so-called "enemy States". Significant progress had been achieved through international cooperation carried out under the auspices of the Organization and, in that connection, the Japanese delegation welcomed the Special Committee's conclusion that the so called "enemy State" clauses had become obsolete. It reserved the right to return to the subject at the appropriate time.

57. Mr. CHOE Tong U (Democratic People's Republic of Korea) said that Japan was seeking by every means to divert the attention of international public opinion from its past crimes and to escape its responsibility. It called for mutual trust, but it was not possible to trust a country which refused to acknowledge the crimes it had committed. The Korean people, in the north, in the south and overseas, and the rest of the world would never forgive Japan for the heinous crimes it had committed against humanity, unless that country offered an official apology and fully compensated its victims. It was surprising that, while the Sixth Committee was engaged in a lengthy consideration of the question of the establishment of an international criminal court, the Special Committee should currently be considering the question of the deletion of the "enemy State" clauses. The Democratic People's Republic of Korea was firmly opposed to the adoption of the resolution on that subject and would maintain that position until such time as Japan liquidated its past crimes.

58. Mr. Lehmann (Denmark) took the Chair.

59. Mr. KANEHARA (Japan), speaking in exercise of the right of reply, said that his delegation had clearly stated its position on the deletion of the so-called "enemy State" clauses and reserved the right to return to the subject at the appropriate time.

60. Mr. Han Taek LIM (Republic of Korea), speaking in exercise of the right of reply, said that no foreign country could purport to state the position of his country on the subject of the deletion of the "enemy State" clauses, as the representative of the Democratic People's Republic of Korea had done. His delegation reserved the right to return to the subject at the appropriate time.

61. Mr. CHOE Tong U (Democratic People's Republic of Korea), speaking in exercise of the right of reply, said that the South Korean representative should have been ashamed to make statements such as the one he had just made before the Committee.

62. Mr. Han Taek LIM (Republic of Korea), speaking in exercise of the right of reply, said that he would proceed no further in that discussion without instructions from his Government. He wished to reiterate that his delegation reserved the right to return, if necessary, to the subject.

63. Mr. CHOE Tong U (Democratic People's Republic of Korea) said that he wished to make it clear that he had in no way claimed to be speaking for the Government of South Korea. He had merely expressed a sentiment which was shared by the entire Korean people, in the north, in the south and overseas.

AGENDA ITEM 143: REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-EIGHTH SESSION (continued) (A/C.6/50/L.4 and L.5)

64. Mr. HAFNER (Austria), introducing draft resolutions A/C.6/50/L.4 and L.5 on the report of the United Nations Commission on International Trade Law on the work of its twenty-eighth session, said that Albania, Azerbaijan, Bulgaria, Cyprus, France, India, Myanmar and Thailand had joined the sponsors of the first draft resolution and that France and Thailand had joined the sponsors of the second.

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65. Introducing first draft resolution A/C.6/50/L.4, he said that the text followed the traditional patterns of previous texts which had been adopted on the same subject. He highlighted the main points of the draft resolution and its principal objectives.

66. Turning to draft resolution A/C.6/50/L.5, which concerned the draft United Nations Convention on Independent Guarantees and Stand-by Letters of Credit, he drew attention to the significance of the text elaborated by UNCITRAL in a field in which the lack of uniform and harmonized rules obstructed the smooth process of international trade and led to certain abusive practices. It had taken UNCITRAL 11 sessions to prepare a draft text, which merited the broadest support, since all States had had an opportunity to take part in its elaboration.

67. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.6/50/L.4 without a vote.

68. Draft resolution A/C.6/50/L.4 was adopted without a vote.

69. Mr. ROGACHEV (Russian Federation) expressed satisfaction at the results achieved by UNCITRAL and at the important contribution which the Commission was making to the development of international law. Having said that, he considered that the draft resolution just adopted failed to take sufficient account of the situation of countries with economies in transition which were in the process of reforming their legislation, and that the paragraphs which dealt with technical assistance did not devote sufficient attention to them. It was regrettable that the Russian Federation's proposals on the subject had been rejected.

70. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.6/50/L.5 without a vote.

71. Draft resolution A/C.6/50/L.5 was adopted without a vote.

72. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 143.

AGENDA ITEM 147: CONSIDERATION OF THE DRAFT ARTICLES ON THE STATUS OF THE DIPLOMATIC COURIER AND THE DIPLOMATIC BAG NOT ACCOMPANIED BY DIPLOMATIC COURIER AND OF THE DRAFT OPTIONAL PROTOCOLS THERETO (continued) (A/C.6/50/L.2)

73. The CHAIRMAN, introducing draft decision A/C.6/50/L.2 proposed by the Chairman, said that item 147 had been included in the agenda for years without any progress ever having been achieved. Considering that it would be more useful for the Committee to devote its attention to fields in which it was likely to develop international law, he proposed in the draft decision before the Committee to invite the General Assembly to bring the draft articles prepared by the International Law Commission to the attention of Member States and to remind them of the possibility that that field of international law might be subject to codification at an appropriate time in the future.

74. If he heard no objection, he would take it that the Committee wished to adopt the draft decision without a vote.

75. Draft decision A/C.6/50/L.2 was adopted without a vote.

76. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 147.

AGENDA ITEM 148: REVIEW OF THE PROCEDURE PROVIDED FOR UNDER ARTICLE 11 OF THE STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS (continued)  
(A/C.6/50/L.3)

77. The CHAIRMAN, introducing draft resolution A/C.6/50/L.3 proposed by the Chairman, recalled that the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations had not proved to be a constructive or useful element in the adjudication of staff disputes within the Organization. The purpose of the draft resolution was to delete that article.

78. If he heard no objection, he would take it that the Committee wished to adopt the draft resolution without a vote.

79. Draft resolution A/C.6/50/L.3 was adopted without a vote.

80. The CHAIRMAN said that the Committee had thus completed its consideration of agenda item 148.

The meeting rose at 5.50 p.m.