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VERBATIM RECORD OF THE NINE HUNDRED AND EIGHTY-THIRD MEETING

Held at Headquarters, New York,
on Tuesday, 23 June 1959, at 10.30 a.m.

President:

Mr. DORSINVILLE

(Haiti)

Report of the Secretary-General on credentials 2

Note: The Official Record of this meeting, i.e. the summary record will appear in provisional mimeographed form under the symbol T/SR.983 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

AGENDA ITEM 2

REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (T/1468)

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Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): With regard to the report of the Secretary-General on credentials, the Soviet delegation would like to point out that it does not find listed the legitimate representative of the Chinese People's Republic, even though China is a member of the Trusteeship Council. With regard to this report, the Soviet delegation deems it its duty to state that the only legitimate representative of China in the Trusteeship Council, as in other organs of the United Nations, can be a representative appointed by the Central People's Government of the Chinese People's Republic, the authority of which extends over the whole territory of this vast country and which is recognized by the Chinese population of many millions. We consider it absolutely abnormal and absurd that we do not find among us in the Trusteeship Council a representative of one of the greatest and oldest countries in the world, one of the founding fathers of the United Nations, a country with approximately one-quarter of the total population of the earth. It cannot be admitted that private individuals who have not been empowered by the Chinese People's Government to hold here the places --

Mr. KIANG (China): Mr. President, I wish to rise to a point of order by requesting you to rule out of order the remarks we have just heard.

The PRESIDENT (interpretation from French): Before calling upon the representative of the Soviet Union, I should like to recall that the representatives here are the representatives accredited by Governments recognized by the United Nations and it is in that capacity that they sit here in the Trusteeship Council. I would ask the representative of the Soviet Union in making his remarks to be careful that any remarks he makes with regard to any member of the Council should be in conformity with the practice that has always been followed here of showing courtesy towards all members of the Council, and so forth.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): Mr. President, I should like to know one thing, Are we really discussing at this point the report of the Secretary-General on credentials or are we discussing another item of the agenda?

The PRESIDENT (interpretation from French): We are discussing the report on credentials.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): That is precisely my point. In connexion with this report we have a statement in which we would like to present the position of the Soviet Union on this important issue, namely, on the representation of China in the Trusteeship Council. I think nobody can deny the fact that China was, is, and will continue to be, as long as the Trusteeship Council exists, a permanent member of this Council. The question is that at this point an abnormal situation has come into being under which China is not represented on our Council even though China is a legitimate member of this Council. Therefore, any remarks which would prevent a representative of the Soviet Union from stating the position of the Soviet Union on the question of the credentials of China are out of order. That is the issue which we are considering. The credentials that have been submitted to the Council have not yet been approved, and therefore it is perfectly in order that we should say that in the report which has been submitted by the Secretary-General we do not find the legitimate representatives of China.

In this connexion we express our surprise and our dissatisfaction in view of this strange, indeed, abnormal and absurd situation. Because of that, my delegation will make a concrete motion, namely, that we should not recognize the credentials of the person who illegally represents China on this Council. We request that these credentials be voted on separately.

Mr. KIANG (China): Mr. President, I merely want to protest against the slanderous remarks just made by the previous speaker, and they certainly should be stricken from the record.

The Government which I have the honour to represent here in this Council is the only Chinese Government freely and legitimately constituted which alone can speak for the Chinese people in the United Nations. I think it is indeed an affront to this Council for the Soviet Union to seek to bring in the voice of a puppet regime, a creation of the Soviet Union, which was condemned by the United Nations. I think all members of the Council know that only very recently world public opinion condemned that regime for its massive murder and organized suppression of freedom.

Mr. SEARS (United States of America): In the report of the Secretary-General the credentials of all the representatives in the Trusteeship Council were found to be in order. Therefore, this Council should logically vote on the report as a whole. In the view of the United States it is unnecessary and inappropriate to vote separately on part of the credentials report. Accordingly, I request that the proposal of the Soviet Union be put to a vote in accordance with the provisions of rule 60. My delegation will therefore vote against the proposal for a separate vote on the credentials of each member.

The PRESIDENT (interpretation from French): We have before us the proposal of the Soviet Union which has requested a separate vote according to rule 60 of the rules of procedure. We have a counter proposal from the representative of the United States in opposition to a separate vote being taken. I shall read out rule 60 of the rules of procedure:

"Parts of a report, draft resolution, other motion or amendment may be voted on separately at the request of a representative and subject to the will of the Trusteeship Council. The proposal shall then be voted on as a whole."

(The President)

Since opposition has been voiced -- opposition to the Soviet request -- I must consult the Council with regard to this matter. Therefore, I shall put to the vote the Soviet proposal asking for a separate vote.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): It is not the first time that we hear this proposal of the United States when we are discussing the credentials report; and every time, for some reason, our proposal is met with objection. If the representative of the United States has his own position in regard to this issue, and this position as we know differs from our position, he can very well state that position in casting his vote. But I do not see why we must decide now whether we should hold a separate vote on the credentials which are subject to some disputation.

(Mr. Oberemko, USSR)

This procedural discussion took up quite some time at the last session and once again the representative of the United States is trying to inveigle us into this very fruitless procedural debate. It is a matter of principle on which every delegation may wish to state its position and it should have an opportunity to do so. The Soviet delegation's position happens to differ radically from that of the United States. That is perfectly all right. What we are asking, therefore, is that we should have an opportunity to state this position in our vote on the credentials of persons who do not represent China, but who for some reason are appended to the report contained in document T/1468 under the heading of "China".

If for procedural reasons you do not like our suggestion that we should take a separate vote, then I am prepared to move an amendment to the report. This amendment will consist of deleting the names of these people who, in our belief, do not represent China. My amendment is that we should merely have the word "China" and then a blank. We would leave the words "Representative", "Alternate Representative" and "Adviser", but we would leave the names blank. That is my amendment inasmuch as there are no representatives of China now to be found in the Trusteeship Council. That is our suggestion and I therefore propose that we take a vote on our amendment.

Mr. RASGOTRA (India): The report of the Secretary-General on the credentials of the various members of this Council is now under consideration. Obviously, it is for the Council to decide as to whether the credentials of members, or at least certain members, are or are not in order. It seems therefore most reasonable to my delegation that if a member or more members of the Council desire an opportunity to vote separately on credentials of certain members, that opportunity should be provided as it is envisaged under the rules of procedure, and I am referring here to rule 60 of the rules of procedure.

It seems to us that the representative of the Soviet Union made a proposal under rule 60 for that purpose and it seems desirable to my delegation that that proposal should be put to the vote first. If, however, as was indicated by the representative of the Soviet Union, he wishes to withdraw the earlier proposal and to press his amendment, we shall take our position with regard to the voting accordingly.

Mr. KELLY (Australia): I wish to speak on a point of clarification. Is not the second proposal of the representative of the Soviet Union a proposal under rule 60 for a vote on part of the report of the Secretary-General on credentials? No positive amendment has been suggested. He has asked, so I understand -- and I ask your enlightenment on this point -- for a vote on a part of the Secretary-General's report, so that rule 60 still obtains.

The PRESIDENT (interpretation from French): I understood the Soviet proposal as calling for a separate vote on the Secretary-General's report. Whether under the initial form or under the second form which he proposed, it seems to me that it is rule 60 which in effect is applicable in either case. Therefore, I will now submit to the Council the Soviet proposal as to whether the Council agrees that a separate vote be taken on the report of the Secretary-General.

The proposal was rejected by 9 votes to 4, with 1 abstention.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. President, you have now settled the procedural matter, namely that we should not take a separate vote as we have suggested. But there remains my second proposal, namely an amendment. It is no longer a request for a separate vote. This is an amendment on the substance of the text, namely that we delete the three names which figure under the sub-heading of "China". This is an amendment. Under the rules of procedure, any proposal that provides for a deletion, an addition or a change is regarded as an amendment. Amendments are to be put to the vote, as you know. I would therefore request you, Mr. President, to put the Soviet amendment to the vote.

Mr. KIANG (China): I certainly do not wish to comment on the amendment as such. Never in the history of the United Nations could any amendment be moved to a report from the Secretary-General. The report is written by the Secretary-General. How could anyone else amend a report written by the Secretary-General? It is common sense. I think it is ridiculous for this Council to entertain such an amendment under rule 61.

Mr. de CAMARET (France) (interpretation from French): The representative of China, Mr. Kiang, has just said what I wanted to say. We have never as yet in our history amended a report of the Secretary-General. This is not a document of the Council; it is the report of the Secretary-General. I would like to ask the Secretary of the Committee or our Under-Secretary whether anybody has at any time in the past amended a report of the Secretary-General on credentials. This seems to be a totally new procedure.

Mr. MUFTI (United Arab Republic) (interpretation from French): I have a very brief statement with regard to the objection which has just been raised. My delegation is of the opinion that the report submitted to the Council is no longer the property of the Secretary-General; rather it has become the property of the Council. Consequently, it is for the Council to express its views on this report and the Council can very well amend the report if it feels that it is necessary to do so.

That is the position of my delegation. But this has nothing to do with the vote or the position of my delegation when the vote is taken.

Mr. KELLY (Australia): Again, Mr. President, I am in search of clarification from you. I am wondering whether if in fact this is an amendment -- and I reserve the position of my delegation on that -- rule 57 of the rules of procedure has any relation to the circulation of this amendment.

Mr. DAVIN (New Zealand): It seems to me that the Soviet proposal is before us in terms of rule 61 of the Council which states:

"A proposal to add to or delete from or otherwise revise a part of a draft resolution or a motion shall be considered as an amendment. An amendment shall be voted on first ..."

I have great difficulty indeed in seeing this particular report of the Secretary-General as a draft resolution or a motion. I think it would be straining the use of language to describe it as such, and therefore I see considerable difficulty in involving rule 61 in this connexion.

Mr. RASGOTRA (India): It seems to my delegation that the amendment proposed by the representative of the Soviet Union is perfectly in order. After all, when you put a report to a vote before this Council, what is implied is that the Council adopts that report. Strictly speaking, therefore, the motion before the Council is that the Council adopt the report presented by the Secretary-General on this question of credentials or on any other question. That in essence is the proposal.

Anyone is perfectly competent to propose an amendment to such a proposal or to propose deletion of a part. The resolution is not often defined in these cases, but it is implied. I think, therefore, that every member has a right to propose an amendment under the rules of procedure and that amendment should be put to the vote.

Mr. SEARS (United States of America): I am somewhat confused about the parliamentary situation, but I will make a motion.

For reasons which are well known, the United States opposes any proposal designed to exclude representatives of the Republic of China or to seat representatives of the Chinese Communist regime. Therefore, we make the following motion:

The Trusteeship Council decides not to consider for the duration of its twenty-third regular session any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China.

(Mr. Sears, United States)

It is the understanding of the United States that under the terms of rule 63 this motion has priority over the proposal of the representative of the Soviet Union.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): The representative of the United States has already said here that he is somewhat confused by the situation, and therefore perhaps it would be really wiser not to make any additional proposals that would compound the confusion.

The representative of the United States referred to rule 63. It is said that there can be cases where two or more draft resolutions or other motions relating to an original proposal are introduced and in that case the President puts to the vote the motion furthest removed in substance from the original proposal.

I should like to say this to the representative of the United States. However much you may try, you cannot try to cover our proposal by rule 63. The representative of New Zealand was quite right in pointing out that we had moved our proposal under rule 61. We have introduced an amendment and that amendment has to be put to the vote. It seems to us that the procedural issue is as clear as crystal, and therefore it is absolutely unnecessary to confuse the issue any further. There is a proposal of the Secretary-General to approve these credentials, and we have the list of these credentials in the document before us. We have an objection to one of these credentials. That is why we are moving as an amendment to the proposal of the United States that we approve these credentials our amendment that one of these credentials be deleted. This is a perfectly clean amendment. Therefore, I would urge the President under the rules of procedure to put this amendment to the vote. This will enable all the delegations here to state clearly their position on the question of the representation of the Chinese People's Republic in the United Nations and specifically in this case in the Trusteeship Council.

Mr. KIANG (China): I think a very serious situation is arising from this debate. I am referring to the application of rule 61. Now I think before I discuss that, I should summarize the parliamentary situation as follows:

There was a request for a separate vote on this report and it was voted down. So the immediate action which the Council really should take is to vote on the report. Now if there is any disagreement on the report, it is perfectly all right for that member to express his view, and the only thing which the Council can do is to approve or disapprove of the report as a whole.

How can rule 61 be applied? This report of the Secretary-General is a report drafted and prepared and submitted to the Council by the Secretary-General. This Council is not the author of that report. Even if it is adopted, it is true that it is the property of the Council, but it is not a report of which the Council can be a part of or an author or a partner of the author.

So I would suggest, I would appeal to the President that he should rule on this matter now. In the name of the Chinese delegation I request the President to make a ruling on this matter.

The PRESIDENT (interpretation from French): We have heard several proposals with regard to the report contained in document T/1468. There has been a proposal from the Soviet Union. We heard certain opinions voiced with regard to that proposal. For my part, I have certain doubts with regard to the admissibility of the Soviet proposal. The Report of the Secretary-General on Credentials is a report submitted by the Secretary-General to the Trusteeship Council. It would seem to me that the report is a whole. We may have reservations with regard to this or that part of the report, but it does not seem that we can request that this or that part of the report be deleted. However, since there are contrary opinions which have been expressed, I will submit the question to the Council. I think it is for the Council itself to decide whether the amendment proposed by the Soviet Union is acceptable. I have given my personal opinion with regard to the matter. But, as I said before, this is a question which can be debated; there are arguments pro and con and the Council itself must decide on these credentials.

(The President)

I will therefore ask the Council to express its opinion by voting on the Soviet proposal. Before we take a formal vote I will ask all those who wish to voice their opinions to do so.

Mr. KELLY (Australia): I simply wish to know whether we are voting on a proposal concerning the admissibility of what has been described as the Soviet amendment or whether we are voting on the substance of the Soviet amendment. As I understand the President's remarks, he, having declined in the circumstances to give a ruling, has invited the Council to vote on this question of admissibility.

The PRESIDENT (interpretation from French): Before I call on the representative of the Soviet Union, I wish to make my position as President very clear. I propose to submit to the Council the question of the admissibility of the amendment submitted by the representative of the Soviet Union. It is not a question of substance which will be submitted to the Council.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): It seems that the President is acting rightly in not making a ruling; indeed he is not called upon to make a ruling and has correctly understood the rules of procedure, which are quite specific on this matter. If any report comes to the Council -- and this document is a report -- which we have to confirm or approve, then the Trusteeship Council is entitled to go into the substance of that report. What I would like to know is, is the Trusteeship Council under the existing rules of procedure empowered to consider the substance of any reports that come to it, to accept them, reject them, change them or redraft them, whatever the nature of such reports? If the reply is in the negative, then of course the situation may appear in quite a different light, and that might set a precedent. Under the rules of procedure that now exist, and they have not been amended or rejected, we are empowered to discuss reports, and we are empowered to discuss this report. After all, we are not blind or powerless people who will accept any document which comes to us. Suppose that the Secretary-General had unintentionally made a mistake, or that there was a misprint or something in the document. Does the Council consider that it is empowered to discuss reports from the Secretary-General in substance, in such a way as to make amendments if need be, to accept or reject certain parts, or to accept or reject them as a whole?

Mr. MUFTI (United Arab Republic) (interpretation from French): I wish to state the position of my delegation concerning the question now before the Council. My delegation does not feel that there would be any mistake in a report from the Secretary-General, but we have taken this position for reasons which we shall have occasion to clarify when we proceed to the vote. My delegation does not feel that it is necessary to take a vote on a preliminary

(Mr. Mufti, United Arab Republic)

question. In view of the fact that all those who have spoken have raised objections of substance, and in view of the fact that the rules of procedure are very clear and contain nothing to prevent the submission of an amendment to a report presented to the Council, my delegation does not feel that we need to take a vote on the preliminary question. It is possible for those who wish to do so to oppose the amendment for reasons of substance and to express their point of view by voting against the amendment. That is the position of my delegation.

Mr. RASGOTRA (India): It is my delegation's understanding of the rules of procedure that at this stage of our proceedings there is no question whatever of a procedural motion concerning the admissibility of the Soviet Union amendment. What we had before us when we started was a report from the Secretary-General and the motion before the Council, though it was not specified by the Chair, was to be construed as a motion for the adoption of the report. The representative of the Soviet Union then proposed that the report should be voted on in parts. That proposal was defeated. What remained before us then was an amendment, proposed by the representative of the Soviet Union before that vote was taken. There is nothing in the rules of procedure which empowers the Council to vote on the admissibility of an amendment. The question of the will of the Council, or the expression of that will through a vote, therefore does not arise at this stage. Another proposal which was before us, and I presume it still is, is the proposal made by the representative of the United States. That proposal can only be under rule 63, as the representative of the United States himself stated. Therefore it cannot claim precedence over the amendment proposed by the representative of the Soviet Union which is covered by rule 62. It is obvious therefore to my delegation that the position under the rules of procedure is that the amendment submitted to the Council by the representative of the Soviet Union should now be put to the vote.

Mr. KELLY (Australia): I am prompted to make one or two observations in the hope that they may be helpful to the representatives of India and the Soviet Union and the President.

(Mr. Kelly, Australia)

As there is no motion before the Council, it is difficult to see how an amendment to a non-existent motion can be entertained. It appears to me that the relevant rules are rules 14, 16 and 60. With the lucidity characteristic of the Secretary-General, the opening phrase of document T/1468 reads:

"Pursuant to rules 14 and 16 of the rules of procedure of the Trusteeship Council, the Secretary-General has the honour to submit to the Council the following report."

What does rule 14 say? Paragraph 2 of rule 14 says:

"The credentials shall be examined by the Secretary-General who shall submit a report thereon to the Trusteeship Council for approval."

Therefore, what we have before us at the present time is a report of the Secretary-General, submitted for approval and not for amendment. Rule 60, I then submit, comes into play, and rule 60 says:

"Parts of a report, draft resolution, other motion or amendment may be voted on separately at the request of a representative and subject to the will of the Trusteeship Council."

The Council has already decided in a most emphatic fashion that the Secretary-General's report shall not be voted on in parts. I therefore submit with great respect that the Council has now no option but to approve or to disapprove in toto of the Secretary-General's report. There I will let the matter rest for the time being.

Mr. RASGOTRA (India): I have only one comment to make concerning the remarks made by the representative of Australia to the effect that at this stage the Council can only express approval of the report placed before it by the Secretary-General. By no stretch of the imagination can it be considered that when a proposal from the Secretary-General comes before this Council or any other organ of the United Nations there is a compulsion to approve the proposal and that under the rules of procedure an amendment to it cannot be moved. As I have said, an amendment has been moved and that amendment comes within the scope of rule 62. Putting aside the amendment at this stage will in our view constitute a violation of that rule.

(Mr. Rasgotra, India)

I submit once again, therefore, that the correct procedure for the Council to follow at this stage is to proceed to vote on the amendment submitted by the representative of the Soviet Union. If that amendment is rejected or approved, the next step will be to vote on the report as a whole.

Mr. DAVIN (New Zealand): It seems to me that we have got into some difficult questions of precedent. I believe that the practice of other Councils when the Secretariat presented a report which involved adoption by the Council usually included the tabling of a draft motion. That does not ever seem to have been the practice in the Trusteeship Council, at least with regard to the report on credentials. There certainly does seem to be, as the representative of Australia pointed out, a special provision for this in rule 14, paragraph 2, of our rules of procedure. I wonder whether or not it is the normal practice of this Council for motions to be presented on secretariat papers. Can the Secretariat recall any previous instances where reports of the Secretary-General have been amended at the instance of delegations?

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): We have just heard the very lucid statement of the representative of India. The representative of India was speaking strictly in terms of the rules of procedure of the Trusteeship Council. The situation is absolutely clear. The representative of Australia attempted to assist the delegations of the Soviet Union, India, United Arab Republic and some others. If this had been an offer of real assistance rather than an attempt to compound the confusion, we would have been the first to welcome it. However, I very much fear that the intention was rather more insidious. I therefore request the President to be so good as to reply to the question put by my delegation, namely can the Trusteeship Council, under its rules of procedure, discuss the substance of a report submitted to it? Can it make any changes in that report? Can it approve or reject that report? Is it empowered to exercise that type of latitude?

I submit that rule 14, to which the representative of Australia referred at the beginning of his remarks but from which he very hastily fled later, states quite clearly that the credentials of representatives on the Trusteeship Council shall be communicated to the Secretary-General, that they shall be examined by the Secretary-General and that he shall submit a report thereon to the Trusteeship Council for approval. This report is not merely a paper of information; it is not something that reports certain action which the Secretary-General has taken. It is a document submitted by the Secretary-General -- we read "the Secretary-General has the honour to submit to the Council the following report" -- and then

(Mr. Oberenko, USSR)

the Trusteeship Council must decide whether it approves that report. The situation is completely clear. We have a proposal on the part of the Secretary-General that we approve his report. To this very simple proposal an equally simple amendment has been moved by the Soviet delegation for the deletion of certain words of the report.

We know exactly what the differences are with regard to the principles of the various positions. That is something else. However, why is it necessary to become involved in this matter of procedure? This question has nothing to do with the substance of our position.

Mr. CLAEYS BOUUAERT (Belgium) (interpretation from French): I have listened with considerable attention to the remarks just made by the representative of the Soviet Union. It does not seem to me that his arguments rebut in any way the views expressed by the representative of Australia. Indeed the question that arises is: What is the authority in this Organization which can assess the credentials of delegations? Rule 14 attributes this function to the Secretary-General. The Secretary-General drafts a report, and in so doing he obviously takes into account the decisions of other competent bodies of this Organization, in the present case the decisions of the First Committee and of the General Assembly. The Secretary-General presents his report. Members of the Council are, of course, entitled to reject the report. If the report is rejected, it is then referred back to the Secretary-General for correction. However, it is not for the Council to substitute itself for other bodies of this Organization so as to assess the merits of the credentials of any delegation.

The PRESIDENT (interpretation from French): The representative of the Soviet Union in his last statement raised two questions to which he would like to have a reply from the President. The first question concerns the substance of the report. He asked whether the Council was empowered to discuss the substance of the report of the Secretary-General on credentials. My reply is yes. The report is submitted by the Secretary-General to the Council for approval or rejection. Council members have the right to voice their opinions about the whole of the report or about any part of it.

(The President)

The second question was: May the Council amend the Secretary-General's report? On this point very serious doubts have been expressed by some delegations. I myself also have doubts on this point. Our experience with reports submitted by the Secretary-General or by a Committee shows that the report is examined as to its substance, and the representatives express their opinions on the substance in one form or another at the time the vote is taken. But as to the question of modifying the Secretary-General's report itself, I must say that there are very serious doubts. That is why I propose to submit this matter to the Trusteeship Council itself for decision. I do not know of any precedent with regard to this matter. If there were such precedents, I think the situation might easily be clarified. The Council must take a decision on the report.

We have before us an amendment to modify the report. I believe, therefore, that the Council must take a preliminary decision on whether to consider the amendment submitted by the Soviet delegation to modify the Secretary-General's report. The question of the approval or rejection of the report is a subsequent matter.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): This is surely the first time that we are unable to agree with the President. If the Council is empowered to approve or reject the report of the Secretary-General as a whole -- and the President has said that the Council is empowered to do so -- then why is it that the Trusteeship Council cannot introduce any change or clarification to the report? I think that the President's position is correct and is in accordance with the rules of procedure when he says that the Council is empowered to discuss the substance of a report. That is specifically what we are suggesting. Has the Council in the past ever made any change in any reports of the Secretary-General? As far as I remember, it has. I believe that we could receive some information on this point from the Secretariat.

The representative of Australia, who is now objecting to our amendment being put to the vote, suggested yesterday that changes should be introduced in a document submitted by the Secretary-General with regard to the situation in Ruanda-Urundi. The representative of Australia requested that the document should contain specific mention of the population of Ruanda and the population of Urundi.

(Mr. Oberemko, USSR)

I have always found that his proposal was perfectly legitimate, and the Secretary-General should take it into account, and we hope that an amendment will follow to this effect. If you can add something to a document of the Secretary-General, why cannot you also delete something from a document of the Secretary-General? Therefore, there is a precedent which dates back only twenty-four hours, and there are others. But besides these precedents -- and I should like to stress this -- we have quite clear rules of procedure to this effect. Under these rules of procedure we submitted our motion. Therefore, as these rules of procedure stand, if there is no suggestion to amend them, we stress that our amendment should be put to the vote.

Mr. CLAEYS BOUUAERT (Belgium) (interpretation from French): I should like the question being put to the vote to be very clear. It is quite evident that what we are putting to the vote is the admissibility of an amendment to a report of the Secretary-General on credentials and not concerning any other document which might be prepared by the Secretary-General. The Secretary-General submits documents which then may be incorporated in resolutions or recommendations falling within the jurisdiction of the Trusteeship Council, and it is evident that any modification can be introduced at that time. But here we have specifically an amendment to the report on credentials.

Rule 14, paragraph 2, is very clear: "The credentials shall be examined by the Secretary-General". That is what it says. The Secretary-General acts as guardian of the resolutions and decisions taken by other competent organs of our Organization, and we should not substitute ourselves here for these other organs. Of course, if certain delegations feel it necessary, we can reject the report, on the grounds that there is some mistake in it which would make it incompatible with other decisions taken previously by other organs of our Organization, but in that case the rejected report would be sent back to the Secretary-General.

(Mr. Claeys Bouuaert, Belgium)

For that reason, Mr. President, it would seem to me that the line of conduct which you have proposed for the Council is right. We must decide whether an amendment to the Secretary-General's report on credentials is admissible. I must say outright that in voting I shall express the opinion that it is inadmissible for the reasons I have given.

Mr. KELLY (Australia): I think it necessary, for the record, to point out that yesterday I made no specific proposal for any amendment of an information document submitted by the Secretary-General to the Council. I simply made a suggestion that when a similar document was being prepared in future -- a document that was purely in the nature of a summary of information submitted by the Administering Authority -- a certain request of mine should be borne in mind.

I have no doubt at all that the proper procedure to be followed in this matter by a delegation that wished to disapprove of part of the report of the Secretary-General on credentials was to propose that part of the report be not approved, and also to request that a separate vote -- implicitly a vote of approval or disapproval -- be taken with respect to part of the report on credentials.

As I understand the position, this Council has already decided not to take a vote of approval or disapproval on any part of the report of the Secretary-General. I therefore reached the conclusion that the only course of action now open to the Council was to approve or disapprove in toto the report of the Secretary-General. On the other hand, we have had a substantive motion from the representative of the United States and what purports to be an amendment to the Secretary-General's report from the representative of the Soviet Union. I have the gravest doubts as to whether the amendment proposed by the representative of the Soviet Union is, in fact, now admissible; and if, Sir, you put the question of its admissibility to the Council I shall have no option but to vote against its admissibility at this stage in the light of the information provided to us.

(Mr. Kelly, Australia)

I feel that, had we the opportunity for sufficient research, we might perhaps have obtained much light on this question from the proceedings of the United Nations since its establishment, but the data is not available. The question of admissibility must, in the circumstances, as you have suggested, be determined by the Council. Without committing my delegation to any future course of action in these matters, I shall in the circumstances vote against the admissibility of an amendment purporting to be an amendment to a report by the Secretary-General.

Mr. DAVIN (New Zealand): I should like to throw out the suggestion at the moment -- I do not make it a formal motion under rule 56 -- that we might postpone discussion of this question for, say, twenty-four hours in order to look into the legal situation and the procedural situation more carefully. I do not press this, if my colleagues object. I am prepared to vote if a vote is deemed necessary, but I merely put out the idea for consideration.

Mr. SEARS (United States of America): Anything that the representative of New Zealand suggests obviously receives great attention here, but it seems to me that we are spending an awful lot of time on this matter. It is becoming complicated by many statements on the rules. We have plenty of work before us, which concerns millions of people in the Trust Territories. I would therefore think, from the point of view of my own delegation at least, that we would be advised to get this thing out of the way as soon as possible.

The PRESIDENT (interpretation from French): My understanding is that the representative of New Zealand did not make a formal proposal; he simply made a suggestion. We have heard the opinion voiced by the representative of the United States. If there are no further comments, I shall come back to the initial question.

I respectfully ask members of the Council to be good enough to take a decision with regard to the Soviet proposal. Once again, this is not a question of substance which we have before us now; it is a question of procedure. The

(The President)

Soviet Union submitted an amendment to the effect that voting should be carried out in a certain manner on the report, and it is this question that we must decide because it would seem that the procedure is somewhat unusual. The Secretary-General's report must be approved or disapproved, but I have certain doubts as to the submission of amendments. I would submit the question, however, to the Council and ask the Council to take a decision.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I would submit that it might be wiser not to take such a hasty decision, since, after all, it affects the rights of each of our delegations. Today by a majority we would decide that this amendment is not only unacceptable to the Council but it is unreceivable. I would request the Secretariat of the Council to indicate to me under which rule of procedure a delegation would be prevented from moving this or that amendment. I should like to explain clearly the motives of my delegation. I hope you will understand what I mean.

(Mr. Oberenko, USSR)

Each delegation is entitled to submit an amendment to the Council. The Council then can decide whether this amendment will be incorporated in the report of the Secretary-General, or not. The only way to decide that is to take a vote on this amendment. Therefore, those who object to a change in the report of the Secretary-General will vote against our amendment. Those who consider that the report should and can be amended will vote together with us in favour of our amendment.

I should like to say something more. When you took a decision to vote in part or not to vote in part, then you might have conceived of a situation when the Council would have accepted the proposal. What would have happened then? We would have taken a separate vote on part of the report. We would already have thus expressed our views not on the whole of the report but on an individual part of that report. Therefore, the point is whether a delegation is entitled or not to move an amendment. This, of course, should be answered in the affirmative. Then the Council is empowered to accept or to reject that amendment. But I would draw the attention of the members of the Council to the fact that this is not only a matter of the Soviet amendment. In the future, any amendment that is moved may be first weighed before it is moved. In the past, I can never recall that an amendment was not voted once it had been moved, either in this Council or in the General Assembly. Therefore, I would urge you not to take such a hasty decision on changing the rules of procedure as they are now drafted, but on the contrary, in accordance with the rules as they now stand, to take a vote on our amendment. If our amendment is not voted on, then the Council will obviously be departing from existing rules of procedure; in that case I am prepared, with all members of the Council, to consider a motion to amend the rules of procedure to that effect. But why must we do so only in this particular case? If the rules of procedure need to be changed, very well, let us put an item on the agenda to that effect, and then we will decide it. But why must we do this in such precipitate haste?

Mr. STARS (United States of America): Mr. President, I move that the Council vote on the question of the admissibility of the Soviet Union's proposal, without further delay.

Mr. OBERENKO (Union of Soviet Socialist Republics)(interpretation from Russian): We are witnessing a peculiar transformation in the representative of the United States. It is even difficult to follow the trend of thought of the United States. First, he moved hastily that we should not consider at all at this session the issue of the recognition of the credentials of the legitimate representatives of the Chinese People's Republic, and the position of those who have usurped the rights of China. This proposal was moved by him early in the debate. Now, departing from this original proposal and in complete disregard of logic, he is suddenly wondering whether the Soviet amendment can be voted on at all. How do you reconcile the two positions? On the one hand you insist that the Soviet amendment should not be voted on, and then suddenly you move a substantive proposal to that effect. I submit that the representative of the United States is not very consistent, even in his erroneous position. But reverting to the procedure of the case, I think the position is quite simple. The Council does not have to take any emergency decision that would apply only to this particular case. The report of the Secretary-General on credentials is one of the innumerable reports that come to us from the Secretary-General. It does not require any emergency procedure for its consideration. It can be considered under the existing rules of procedure. If any member of the Council wishes to move emergency procedure for this particular report, then I would move that this proposal figure as a separate item in our agenda and that we take a decision on that now; and that those delegations who wish to provide for an emergency procedure, that they submit their reasons and their motivation; then we will discuss that on their merits.

Mr. de CAMARET (France)(interpretation from French): I will be brief.

I understood that the representative of the United States had asked, no doubt under paragraph (d) of rule 56, which I will read:

"For the closure of the debate on any motion or draft resolution, including amendments thereto, or on any amendment or amendments to a motion or draft resolution;"

This is the specific rule. We have discussed the matter for more than an hour, whether or not we should discuss the receivability of the Soviet proposal.

(Mr. de Camaret, France)

Before voting, I should like to say that as far as I am concerned I hold the views as expressed by the representatives of Australia, Belgium, New Zealand and others, that inadmissibility is not in doubt. The representative of the Soviet Union no doubt invoked rule 61, which refers to a proposal. Well, we do not have a proposal; we have a report of the Secretary-General. I think we are all in agreement, with the exception of one or two delegations, that this is a document of the Secretary-General, and that it does not behoove us to amend it.

I shall, therefore, support the proposal of the United States that we close the debate and take a vote on this motion.

Mr. MUFTI (United Arab Republic)(interpretation from French): My delegation agrees to the closure of the debate. It agrees that we should proceed immediately to vote upon the Soviet amendment, if that is exactly what the representative of France requests.

Mr. RASGOTRA (India): I do not wish to go over the ground once again, but it seems to me that once a report, or a proposal, comes before the Council for approval or disapproval, it is within the powers of the Council, and within the powers of members of the Council, to express disapproval of one particular part of a report which in the view of that member of the Council may be a mistaken part.

(Mr. Rasgotra, India)

That is the position here and there is an amendment to that effect from the representative of the Soviet Union. There is no question of a vote being taken on the admissibility of an amendment. The will of the Council can be invoked under rule 60, not on amendment, not on a report, not on a draft resolution, but on the question whether parts of that report, parts of that amendment or parts of the draft resolution will be voted upon separately.

It could well be that you may, Mr. President, in your powers as President of the Council, rule an amendment out of order. But it does not seem to us that it is proper and correct under the rules of procedure to invoke the will of the Council yet once again on an amendment which is proposed by the representative of the Soviet Union, which is a simple amendment. The question is one of voting on the amendment and not whether that amendment should be voted or should not be voted in parts.

Now the fresh proposal of the representative of the United States has to be viewed in that context. Before my delegation is asked to vote on that proposal, we would naturally like to know the rule under which the proposal is placed before the Council. If there is no rule in support of a proposal of that nature at this stage, Mr. President, you must obviously give a ruling as to whether that particular proposal is in order or not. I am conscious of the fact that this does not bring us closer to a clearer picture of what is now before the Council.

I would therefore formally propose at this stage that the Council should adjourn for fifteen minutes to enable members to consult together and perhaps be in a position to come to a decision quickly on this question. I therefore move that proposal formally.

The PRESIDENT (interpretation from French): We have heard a formal proposal from the representative of the United States, supported by the representatives of France, and the United Arab Republic, calling for a closure of the debate. Rule 56 of the rules of procedure, in paragraph 3, makes reference to:

"A motion for closure of debate on a draft resolution or other motion shall not be considered by the Trusteeship Council until each representative shall have had the opportunity to speak on that draft resolution or other motion. Debate on a motion for closure of debate shall be limited to one speaker for each side."

The PRESIDENT (interpretation from French): Two speakers have supported the motion for closure and the rules of procedure authorize me to call on one speaker against the motion for closure. However, the representative of India has proposed the suspension of the meeting for fifteen minutes. As there is no objection, we will suspend the meeting for fifteen minutes.

The meeting was suspended at 12.05 p.m. and resumed at 12.20 p.m.

Mr. MUFTI (United Arab Republic)(interpretation from French): First of all, my delegation would like to thank all those delegations that made an effort to resolve our difficulty. I should like to make the following proposal which perhaps will allow us to get out of this impasse which seems to be characteristic of the situation. My delegation would like to propose that we proceed immediately to the vote on the Soviet amendment, specifying at the same time that such a vote shall not constitute a precedent for questions of principle which seem to be at stake in such a vote, and that the question as to whether amendments to Secretary-General's reports on credentials can or cannot be presented by the Council be debated later at the appropriate time to be chosen by the Council. Therefore, it would seem that this proposal is in conformity with the rules of procedure, and it would safeguard the position of the Council with regard to the question of principle which has been raised. If this proposal is acceptable to members of the Council, I think that it will allow us to get out of this impasse.

Mr. SEARS (United States of America): I am not too well versed in legal procedures. I told the representative of the United Arab Republic that I thought what he was going to say was a good thing. I should like to make one reservation which is perhaps unnecessary: that I will oppose forever a long debate on the same subject again under any rules. We have discussed this sufficiently, and I hope that we will terminate this discussion as quickly as possible and get on with our business.

Mr. KELLY (Australia): I am wondering whether the representative of the United Arab Republic would amend his proposal to provide that not only should this Soviet motion be decided without deciding any vote on the question of principle, but also without deciding any question of procedure.

(Mr. Kelly, Australia)

There are two issues involved here, one of principle and one of procedure. The issue of principle is whether or not this Council can amend a report of the Secretary-General. But if we proceed directly to a vote on the motion of the representative of the Soviet Union, we implicitly take a procedural decision. I would be prepared to proceed to a vote as suggested by the representative of the United Arab Republic on the motion of the representative of the Soviet Union without being committed by way of precedent to any decision on a question of principle or any decision on a question of procedure.

Mr. MUNTJI (United Arab Republic)(interpretation from French): My delegation is ready to accept the observation which has just been advanced by the representative of Australia.

Mr. KELLY (Australia): I wish to thank very warmly indeed the representative of the United Arab Republic for the extraordinary initiative which he has taken and which goes a long way toward meeting all the problems which have been confronting us.

The PRESIDENT (interpretation from French): I should like to believe that all the members of the Council are aware of the meaning or sense of the United Arab Republic's proposal, as it has been made even more precise by Australia and as the United Arab Republic has accepted that clarification.

Mr. KIANG (China): I should like to ask for a clarification from you, Mr. President. Before we recessed, you had put the following question to the Council: the question of admissibility. Do I understand that you have withdrawn that question which you had already put to the Council?

The PRESIDENT (interpretation from French): We had a fifteen-minute recess in order to allow the Council members to consult each other so as to find a solution to the difficulty in which we found ourselves. Before the suspension I had proposed that the Council take a decision on the question of principle, namely, the question of the admissibility of the amendment of the Soviet Union. Consultations were held during the suspension of the meeting, and the representative of the United Arab Republic submitted a proposal which seemed to meet with general approval and seemed to permit us to get out of our difficulty.

The question of principle which I had put to the Council has not formally been withdrawn but in view of the proposal which has now been made I will not propose it again, but I will not object to its being raised again.

The representative of the United Arab Republic has proposed that we proceed to the vote on the Soviet amendment, bearing in mind that the vote which would take place would not constitute any commitment on the part of any delegation present here with regard to the principle itself of an amendment concerning the report of the Secretary-General. I take it that this question might in the future be raised by any delegation concerned and might be debated by the Council and that the Council would then take a decision in the future. However, for the moment, we shall proceed to vote without any delegation's being committed one way or the other with regard to the question of principle which has been raised.

Mr. KIANG (China): Mr. President, I thank you for what you have said in the way of clarifying the point which I had in mind.

I only wish to say this: that this Council has committed quite a few mistakes in procedure in the past few years. We should never set a precedent. That has nothing to do with any particular delegation, with the rules of procedure of this Council and the rules of procedure of the whole Organization as well.

Now, Mr. President, I want to warn all my colleagues here, no matter what you say, that it is a compromise of principle if that kind of proposal is going to be put to the vote instead of the one which you, Mr. President, first asked the Council to vote on.

Mr. DAVIN (New Zealand): The first I heard of this proposal by the representative of the United Arab Republic was when he made it formally to the Council here. I must confess, Mr. President, that I would greatly prefer your original proposal to be put to the vote, namely, whether this question is, in fact, admissible. I would have great difficulty indeed in voting for the proposal of the representative of the United Arab Republic because I think that in essence it is a wrong procedure.

The Council took a decision on the substance of this matter under rule 60 in declining to admit a vote on the admissibility of part of the Secretary-General's report. I do not see why we should now accept the same amendment in another form, in my view in a form which considerably strains, if not in fact violates, rule 61 because I still do not see any motion before this Council on which the amendment can be moved under the terms of rule 61. I would prefer that your original proposal, Mr. President, on the admissibility of the question be put.

Mr. CASTON (United Kingdom): On the immediate procedural question which is now before us, I need say no more than that I entirely agree with everything that has just been said by the representative of New Zealand. My delegation considers that the amendment moved by the representative of the Soviet Union is an inadmissible amendment. It is an amendment on which we should not proceed to a vote. We say this because we agree with a number of the interpretations of our rules of procedure which have been advanced by some delegations, in particular those concerning the status of the report of the Secretary-General on credentials. We also say this because whatever differences of opinion might arise on the question as to whether we can or cannot in principle amend the report of the Secretary-General on credentials, the fact remains that the particular proposal for an amendment which is now before us is one which is identical in its effect to the previous proposal that the report be voted upon in parts. For very good reasons of substance, my delegation voted against that proposal. Therefore, if it is now decided to proceed to a vote on the Soviet Union amendment, my delegation will have no alternative to voting against the amendment because we think it is quite improper for it to be put to a vote at all.

Mr. de CAMARET (France) (interpretation from French): I would like to endorse what has just been said by the representatives of the United Kingdom and New Zealand. The French delegation would much prefer to vote on the admissibility of an amendment to the Secretary-General's report.

Mr. KOCIANCICH (Italy): I also would like to join the representatives of New Zealand, the United Kingdom and France and state that my delegation would prefer -- we think it is a more proper and, as a matter of fact, the only correct procedure -- to vote upon what the President had previously proposed, namely the question of the admissibility of the Soviet Union amendment.

Mr. MUFTI (United Arab Republic) (interpretation from French): It seems that the question of the admissibility or inadmissibility of the Soviet Union amendment is one which the President himself submitted but he then clearly indicated to the Council that he would not press that question to the vote.

(Mr. Mufti, UAR)

Since certain delegations have expressed a wish to have that question voted upon, my delegation would like some other delegation to take it in hand and submit it to the Council. In that case, my delegation would propose that no vote be taken on the Secretary-General's report and would ask that a new item be put upon the agenda relating to the amendment of the rules of procedure of the Council. If the Council is ready to decide the question of principle in this manner, my delegation would have the right to withdraw its earlier proposal and make a new one along the lines I have just indicated.

The PRESIDENT (interpretation from French): Are there any further comments? Is the Council ready to vote?

Mr. KIANG (China): What does the President want us to vote on?

The PRESIDENT (interpretation from French): The representative of the United Arab Republic has asked whether any other delegation was ready to take up and sponsor a proposal relating to the admissibility or inadmissibility of the Soviet Union amendment. He further said that if a formal proposal were made on that question by some delegation, he would then make a new proposal regarding a new item on the Council's agenda dealing with the question of principle, namely, whether it is possible to amend the Secretary-General's report. That is how I understood the question.

Mr. KIANG (China): And does the President wish us to vote on exactly what he has said, every word of it, or has he any formula which he would like us to vote upon? I would suggest that the President should dictate to the Secretary of the Council and let him read out exactly what he wants us to vote upon.

Mr. CLAEYS BOUUAERT (Belgium) (interpretation from French): I wish to say a few words to try to find a way out of this procedural tangle. As regards the amendment moved by the representative of the Soviet Union, objections have been raised to its admissibility; as far as I can remember, they were raised by the representative of the United States. The admissibility of the amendment was upheld

(Mr. Claeys Bouuaert, Belgium)

by several other delegations and in order to extricate ourselves from the impasse the President decided to submit the question of admissibility to a vote. In order to extricate the Council from its present situation, the President has only one recourse, namely to put that question to the vote of the Council.

Mr. MUFTI (United Arab Republic) (interpretation from French): I would like to point out once again that at present there is no proposal concerning the admissibility or inadmissibility of the Soviet Union amendment before the Council. If some delegation wishes to propose that a vote be taken upon such a proposal, then that delegation should proceed to make its opinion known to the Council. At present there is no such motion.

The PRESIDENT (interpretation from French): I believe that I ought to make some clarification here before we stray too far afield. I heard the last comment from the representative of the United Arab Republic to the effect that there is no formal proposal concerning the admissibility of the Soviet Union amendment. I had considered the question of asking the Council to take a decision regarding that matter; a long discussion ensued and the meeting was suspended to see whether we could reach a compromise. The representative of the United Arab Republic submitted such a compromise, there were numerous objections to it, and therefore I think it is now for me, as President, to take up again the proposal which I had intended to submit formally to the Council, namely to decide on the principle of the admissibility or otherwise of the Soviet Union amendment. When the representative of the United Arab Republic suggested that some other delegation might formally submit this question, I saw no delegation indicate such an intention.

There have, however, been objections to the formula which has been proposed, and I do not believe that we can continue in this misunderstanding indefinitely. Therefore I shall once again take up the proposal which I have made and now I formally ask the Council to take a decision on the principle of the admissibility

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or inadmissibility of the Soviet Union amendment. I think the representative of the United Arab Republic will agree that we should not continue the discussion as we have been doing up to now.

The question of principle must therefore be decided. As was indicated by the representative of the United Arab Republic, any delegation, including his, can formulate another proposal after the one I am now making has been disposed of, but I do not think we can continue this misunderstanding any longer.

Mr. MUFTI (United Arab Republic) (interpretation from French): My delegation would like to propose formally that the question which the President has just put should appear as a separate item on the agenda of the Council and that meetings should be devoted to the discussion of that item. Consequently, we propose the postponement of the examination of the report of the Secretary-General until a discussion has taken place in the Council on the separate item.

The PRESIDENT (interpretation from French): Rule 56, paragraph 1 (g) states, "To postpone discussion of the question to a certain day or indefinitely". It has been proposed that we should postpone discussion indefinitely and that we should inscribe a new item on our agenda. Does the Council agree that the question should be postponed until a later date?

Mr. DAVIN (New Zealand): I just wish to record formally my opposition to the postponement of this question at this time. I raised the question of postponement earlier, but I think we have now spent enough time in discussing it. I think we are ready to take a decision on the President's proposal.

Mr. MUFTI (United Arab Republic) (interpretation from French): My delegation is obliged to express its surprise at the statement which has just been made by the representative of New Zealand in view of the fact that the same delegation proposed the postponement of the examination of this question. My delegation cannot understand how delegations can change their views so rapidly in the Council.

Mr. RASGOTRA (India): We are not in a position to favour a precipitous vote on the President's proposal for the Council to determine whether or not it is admissible for a member to move an amendment to a proposal which is before the Council. We view this as a rather novel proposition which raises many issues and questions regarding the validity of our rules of procedure. It is necessary, as the representative of the United Arab Republic pointed out, that delegations should have time to consider the implications and

(Mr. Rasgotra, India)

the various aspects of a proposal of this kind. To our way of thinking it is a completely new item.

It is not a question of whether a certain amendment can or cannot be voted upon or should or should not be voted upon. The President has raised a basic issue, namely whether or not an amendment to a proposal which is before the Council is admissible. This issue is not covered by any rules of procedure in its negative aspect. The positive aspect is covered by the rules of procedure, namely that members are competent to move amendments to proposals that are before them.

We therefore support the proposal that this item should be placed on the agenda and that members should be allowed time to consider all its implications before they are called upon to vote. I think that is a fair enough proposition for everyone. We cannot be expected to vote in a precipitous manner on a proposal of this vital importance which introduces a new element into our rules of procedure, and which thereby constitutes an amendment in substance to the rules of procedure.

The PRESIDENT (interpretation from French): I should like to comment on what I believe was a mistake in interpretation on the part of the representative of India. His statement seemed to deal with an interpretation of rule 61 of the rules of procedure, but rule 61 is not involved. The question, as I submitted it, is whether the Council is ready to agree to the principle of an amendment, as proposed by the representative of the Soviet Union, to the report of the Secretary-General on credentials. This does not prejudice other rules of our rules of procedure, particularly rule 61.

Mr. RASGOTRA (India): I wish to apologize to the President for having to disagree with him, and it causes me a great deal of regret to have to do so. As I have said, it is my delegation's view that once a report or a proposal or a document comes before the Council for consideration and approval, which can only follow examination and consideration, it is within the competence of any member to propose amendments to that report or proposal. The President's proposal takes this issue beyond the rules of procedure. If it is to be confined

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to the rules of procedure to which we have adhered in the past, then it must be interpreted under some rule. I submit that there is no rule under which the competence or the will of the Council can be invoked as to the admissibility or inadmissibility of an amendment. This proposal therefore constitutes a new item. The proposal relates to the competence of members to move amendments to proposals before them. This, therefore, should be inscribed on the agenda of the Council as a separate item and members should appropriately be given time to consider it before they are called upon to vote. Surely every member is entitled to ask for some time to consider a new proposal before voting so that he may express the views of his delegation and his Government, especially when the matter is of such vital importance to the entire set of rules of procedure and to the procedures that we have followed in the past.

Mr. KOCIANCICH (Italy): I believe that almost every delegation in the Council has had an opportunity to express its views on the question of the admissibility of the amendment proposed by the representative of the Soviet Union. This question was the object first of all of a motion moved by the representative of the United States, which was subsequently withdrawn. However, later on the President picked it up and made it his own proposal, if my understanding is correct. It was the President's intention formally to put to the vote of the Council the question of the admissibility of the Soviet amendment. For these reasons and having in mind rule 56, paragraph 1 (d), I formally move the closure of the debate on the President's proposal on the admissibility of the Soviet amendment.

Mr. MUFTI (United Arab Republic) (interpretation from French): The representative of Italy took it upon himself to sum up the debate here in the Council, and he said that all opinions had been expressed with regard to the question of admissibility.

(Mr. Mufti, United Arab Republic)

My delegation is not entirely of that opinion, in view of the fact that the observations which we might make on a question of principle of such great importance would be much lengthier if this matter were to be debated at a later meeting. That is why my delegation would like to voice opposition to closure of the debate.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I would support the arguments which have just been advanced by the representative of the United Arab Republic. It seems to me that if the representative of Italy had pondered the matter a little longer he would have come to less superficial conclusions than the one he has just voiced. What is involved here is the right of every delegation, including his own, and one may easily foresee a time when the representative of Italy may also have to invoke this right to move an amendment. If the representative of Italy were denied this right on the basis of today's precedent, he might very well object. Therefore it is perhaps better not to take such a superficial and hasty approach to these matters.

I should like to say that, if the representative of Italy in making his motion wished to put an end to the debate on the matter we are now discussing, namely, the report of the Secretary-General on credentials, so that a vote could be taken immediately on the Soviet amendment, we should have no objections to that. That would be perhaps the correct course. The time has come to take a vote on the Soviet amendment.

However, if the representative of Italy had in mind putting an end to the debate on whether or not the Soviet amendment is receivable -- and that, of course, involves a broader issue of the right of delegations to move amendments in general -- then I think that the representative of Italy would be well advised to ponder the possible consequences of such a proposal for all delegations, including his own. I submit that this proposal is hasty and not well taken and it therefore should not be entertained.

The PRESIDENT (interpretation from French): There have been two speakers against closure -- in fact, perhaps one more than is provided for under the rules of procedure. Now I am ready to call on any representative who wishes to support this motion.

Mr. RASGOTRA (India): Mr. President, it seems to me that implied in this motion of closure is the desire to precipitate a vote on the proposal which is attributed to you. We have heard about this proposal and the various aspects of it, but I regret to say that my delegation is still not quite clear as to what that proposal is. On a point of order, therefore, I wish to invoke rule 57 and to request you to have this proposal circulated and to fix a date and time for its discussion before we are called upon to vote upon this proposal.

I hope I am not making an unreasonable request. This right is granted to representatives under rule 57. The proposal is an important one, from what I understood of it, and it is only normal that members should be granted the time that they desire to give consideration to the proposal before they are called upon to vote on it.

Mr. KELLY (Australia): My delegation is now confronted with the necessity of taking fully into account the observations just made by the representative of India. I might perhaps be disposed to give those observations more sympathetic consideration if he were to indicate to the Council whether he would also wish the Soviet amendment to be circulated in writing in accordance with the terms of rule 57.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): I consider that the request by the representative of Australia is quite legitimate, and we are perfectly prepared to make our proposal in writing. This will, of course, entail quite natural consequences; that is, we shall have to consider it somewhat later, after the representative of Australia has had a chance to study our proposal and understand it.

Mr. RASGOTRA (India): I wish to thank the representative of Australia for the courtesy he has shown me, but I want to say, in addition to what I have said, that the proposal I made is not subject to any conditions. There is one amendment by the representative of the Soviet Union, and you yourself, Mr. President, moved a proposal of much larger consequences. The two, in my view, are not related. What we are considering at the moment is closure on your proposal and a vote to follow that closure. I requested that time be given to members and

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that the proposal be circulated, so that members could think about it. That was my request. Acceptance cannot be made conditional upon my delegation giving an assurance of any kind with regard to another proposal, a different one, an amendment. But I am glad to hear what the representative of the Soviet Union had to say on the subject, namely, that he is willing to circulate his amendment when the time comes to consider that. I should like to assure the representative of Australia that my delegation will, as in the past, give due deference to the views and wishes of his delegation.

Mr. MUFTI (United Arab Republic) (interpretation from French): My delegation feels that the discussion has been much too prolonged and that our agenda is too heavy for us to allow ourselves this sort of discussion. Therefore, we issue an appeal to members of the Council to review their position with regard to the compromise proposal that I made. I think that the question of principle and the question of procedure might indeed be left until a later stage and that we might thus dispatch this amendment which was submitted to the Council, without taking a position on questions of principle or procedure which might, as I have said, be discussed at a later date.

Mr. CLAEYS BOUUAERT (Belgium) (interpretation from French): The situation is not, perhaps, so complicated as all that, Mr. President. Your proposal was interpreted as a draft resolution which should be the subject of routine procedure -- publication, circulation and so on. I think that the situation is far simpler than that.

The amendment was moved by the representative of the Soviet Union. This amendment gave rise to objections which would make it non-receivable because of the provisions of rule 14 of our rules of procedure. You have rightly said that to get out of this impasse the Council should decide by a vote whether the Soviet amendment is receivable or not, since its admissibility has been contested by certain delegations. Having said this, I endorse the motion for closure of the debate and I suggest that we take a vote.

Mr. OBEREMKO (Union of Soviet Socialist Republics) (interpretation from Russian): Unfortunately, in this world of ours the situation is not sometimes as simple as the representative of Belgium would have it seem. I would draw his attention to the fact that two issues are at stake. I understand your desire to take a vote as fast as possible. Apparently you are very sure of the results of such a vote. But I would like to draw your attention to the fact that there are two questions, as the representative of India quite rightly pointed out, that we consider a proposal by a vote on the receivability or nonreceivability of amendments to the report of the Secretary-General. I can tell you very frankly that my delegation shares completely the views of the delegations of India and of the United Arab Republic. This is a completely new issue, namely the rights of delegations to move amendments. It would seem to me that this proposal is so important, it is so complex that it cannot be decided by a mere wave of a hand, by a simple majority, about which the representative of Belgium seems to be so sure. If you suggest that the rules of procedure be amended, well then, have the courage to that effect. It will be included in our agenda and it will be given due consideration by us. I would request you, Mr. President, that there should be no abuse by certain members of the Council of your prestige as President. I would like to appeal to you that this proposal, whether a Soviet amendment be acceptable or not, receivable or not, that this formula should stem not from you as President of the Council. since after all you are a fair-minded person, a man who has to see to it that the rules of procedure are strictly observed -- and to date you have done so. I should like to appeal to you that if a delegation deems it desirable to make such a proposal, well, let that delegation have the courage to move it on its own behalf, and that it should not seek the mantle of the President to cover itself because the delegation itself is too shy or too timid to move it.

Mr. RASGOTRA (India): The point of order that I raised a while ago, remains undecided. I raised the point of order in relation to rule 57 which says, that "Reports, draft resolutions and other substantive motions or amendments shall be introduced ...". It does not say "will be" or "may be introduced" it says "shall be introduced in writing and handed to the Secretary-General."

(Mr. Rasgotra, India)

I request you, Mr. President, to give a ruling on the point of order that I raised under rule 57, rather than to permit the Council at this stage to continue with the discussion of the closure of the motion on your proposal which we do not have in writing as is required under rule 57.

The PRESIDENT (interpretation from French): Before calling on the representative of New Zealand, I should like to emphasize that it seems to me that rule 57 is not applicable at the present moment, as invoked by India. I did not make a substantive proposal. I did not submit any resolution. I simply proposed a procedure to allow us to get out of this impasse which resulted from an amendment submitted by the Soviet Union -- an amendment to which objections were raised by members of the Council. That is the question as the Chair has always envisaged it. There is no resolution from the President concerning a matter of substance, as would be the case if rule 57 were applicable.

Mr. DAVIN (New Zealand): Mr. President, you have expressed what I had in mind myself in reading rule 57. Let me say, first of all, that I would deprecate any attempt to extend the purport of the decision we are now about to take beyond its ordinary limits. You would have been quite competent, as President, to have ruled that such a proposal was or was not admissible. You naturally felt some hesitation in doing this, and you proposed to invite the opinion of the Council. I assume you would do it in the form of an inquiry to the Council, at least you would ask members of the Council, who believed it to be admissible, to so indicate by raising their hands. That would be a simple enough procedural motion. I do not think that such a proposal would have to be put in writing in the terms of rule 57. I believe that is the best way of solving our problem at the moment. If it were necessary I would be prepared to move, myself, that the opinion of the Council be taken on that. But I think it is quite competent and proper for the President, where he is in doubt and does not feel he can give a ruling on the procedural point, to take the sense of the Council in that way.

The PRESIDENT (interpretation from French): Before continuing this discussion, I would like to point out that it is some six minutes past one o'clock, the ordinary time for adjournment. I am wondering whether it would not be appropriate for us to suspend the meeting and thus allow Council members to reflect further upon the difficulties facing us, and at this afternoon's meeting perhaps we might find a solution acceptable to all.

Mr. de CAMARET (France)(interpretation from French): Mr. President, you have just made a proposal, but I would like to speak on the Italian motion for closure. However, it is, of course, luncheon time and I am perfectly willing to give support to the proposal to adjourn the meeting. Otherwise, I would support the Italian motion for closure.

Mr. MUFTI (United Arab Republic)(interpretation from French): I think that the proposal which you have just made, Mr. President, is a very reasonable one. We will then have time to reflect and to come back to this question this afternoon. But I would like to make a remark concerning the statement made by the representative of New Zealand. My delegation does not raise its hand lightly at the Council table here. If such a vote were imposed upon us, we would find ourselves in a position where we could not participate. We could not participate in a vote which would decide such an important question.

Mr. OBEREMKO (Union of Soviet Socialist Republics)(interpretation from Russian): I too would like to support your proposal, Mr. President, that we should not settle such important matters in such haste and therefore that we should adjourn our meeting for lunch. Before adjourning, I would like to find out how we should act in connexion with the Australian proposal, namely, that the Soviet amendment be circulated in writing. Is the representative of Australia pressing this proposal? Does the Council deem it necessary that we should circulate our amendment in writing, because we could take advantage of the luncheon interval to circulate this amendment in the various languages?

Mr. KELLY (Australia): I made no proposal that what is called the Soviet amendment be introduced in writing and handed to the Secretary-General. Even if a document purporting to be an amendment were introduced in writing and handed to the Secretary-General, the question of its admissibility would later have to be determined. But I have made no such proposal.

The PRESIDENT (interpretation from French): Before adjourning, I would recall that we have a proposal from the representative of Italy, namely, the question of the closure of debate.

The meeting rose at 1.10 p.m.

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Trusteeship Council
24th Session, 17th Meeting (AM)

Press Release TR/1500
23 June 1959

TRUSTEESHIP COUNCIL -- TAKE 1

Before resuming the discussion of Ruanda-Urundi, the Trusteeship Council this morning first took up the report of the Secretary-General on the credentials of the members attending the current session (Doc. T/1468).

The President, MAX H. DORSINVILLE (Haiti), asked whether there were any comments on the report.

VALENTIN I. OBEREMKO (USSR) said the Soviet delegation wanted to point out that it did not find listed in the report the "legitimate" representative of China. The only representatives who could "legitimately" represent China were those appointed by the People's Republic of China. It was "absurd" and "abnormal," he said, to see here representatives who did not represent China.

CHIPING H.C. KIANG (China), on a point of order, requested the Chairman "to rule out of order the remarks just heard."

The PRESIDENT recalled that all representatives present had been accredited by governments recognized by the United Nations, and it was in that capacity that they sat in the Council. He asked the representative of the Soviet Union, when making his remarks, "to be careful" that comments regarding any one member of the Council conformed with the practices "always established here with regard to courtesy."

Mr. OBEREMKO then asked whether the Council was now discussing the report on credentials.

The PRESIDENT said yes.

Mr. OBEREMKO said he wished to state the position of his delegation on the report. China, he said, had been, was and would remain a member of the Council, as long as the Council existed. Yet the report on credentials, he said, did not list the "legitimate" representative of China. He said he viewed this "strange, absurd and abnormal" situation with "surprise and dissatisfaction."

The Council, he said, should not recognize the credentials of persons who "illegally" represented China. He asked that the credentials of China be voted on separately.

Mr. KIANG (China) protested against the "slanderous remarks of the previous speaker" and said they should be stricken from the record. Mr. KIANG said the government he represented "is the only Chinese government freely and legitimately

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constituted which alone can speak for the Chinese people in the United Nations."

It was an "affront" to the Council, he said, for the Soviet Union to bring into the Council the "voice of a puppet regime of Soviet creation" which had been "condemned" by the United Nations. World opinion, he added, had "condemned that regime" for the "organized suppression of freedom."

MASON SEARS (United States) said that in the report the credentials of all members were found to be in order. The Council, in his view, should vote on the report as a whole, and not separately as proposed by the Soviet representative.

He proposed that the Council vote first on the Soviet request for a separate vote, and he said that he himself would vote against it.

The PRESIDENT said that, since opposition had been raised to the Soviet request, he must in accordance with the rules of procedure first put that request to the vote.

Mr. OBEREMKO said this was not the first time that the United States representative had made the proposal he just did when the Council discussed the report on credentials. He said he would amend his motion by asking for the deletion of the names listed under China.

M. RASGOTRA (India) said that, if a member or members of the Council wished to vote separately on the credentials of certain members, such an opportunity should be provided, as envisaged under Rule 60 of the Rules of Procedure. The representative of the Soviet Union had made a proposal under Rule 60 for that purpose, he said, and it seemed desirable to him that that proposal be voted upon first.

(END OF TAKE 1)

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TRUSTEESHIP COUNCIL -- TAKE 2

The Council then voted on the Soviet request for a separate vote. The request was rejected by a vote of 4 in favor (Burma, India, United Arab Republic, USSR), 9 against, with 1 abstention (Italy).

Mr. OBEREMKO (USSR) said that, as the procedural matter had been settled, he wished a vote on his amended motion -- namely, to delete the names listed under China.

Mr. KIANG (China) said this was the first time in the Council's history that a proposal had been made to amend the credentials report of the Secretary-General. In his view, it was "ridiculous" to entertain such a proposal.

MICHEL DE CAMARET (France) supported the views of the representative of China.

JAWDAT MUFTI (United Arab Republic) considered that the Council was free to amend the report if necessary.

Mr. SEARS (United States) proposed the following resolution:

"The Trusteeship Council decides not to consider, for the duration of its 23rd regular session, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China."

He expressed belief that, under Rule 63, his motion had priority over the proposal of the Soviet representative.

Mr. OBEREMKO (USSR) moved, as an amendment to the United States proposal, that the credentials be approved but that "one of these credentials be deleted." He asked, under the Rules of Procedure, that his amendment be put to a vote, to enable all delegates to state their position on the representation of the Chinese People's Republic in the United Nations -- specifically, in this case, in the Trusteeship Council.

Mr. KIANG (China), declaring that the procedural matter had already been settled by the Council, asked the President to rule on the admissibility of the second Soviet motion.

The PRESIDENT said members might have reservations on parts of the report, but he believed that the report should be viewed as a whole. However, since differences of view had been expressed, he proposed that the Soviet motion be put to the Council for a decision.

(END OF TAKE 2)

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TRUSTEESHIP COUNCIL -- TAKE 3

KEVIN T. KELLY (Australia) asked whether the Council was being asked to vote on the question of substance raised by the Soviet representative or on the admissibility of the latter's motion.

The PRESIDENT said he was asking the Council to vote on the admissibility of the Soviet motion.

Mr. OBEREMKO (USSR) thought the President was correct in not making a ruling. The Council, in his view, was empowered under the rules of procedure to discuss the report and to make changes.

Mr. MUFTI (United Arab Republic) said there was no need to take a preliminary vote on admissibility.

Mr. RASGOTRA (India) said that no rule called for a vote on the admissibility of an amendment. He felt the Council should now vote on the Soviet amendment.

Mr. KELLY said that, at this stage of the Council's proceedings, it had no option but to approve or disapprove the Secretary-General's report as a whole.

Mr. RASGOTRA held that the Council should vote first on the Soviet amendment and then on the report.

T.P. DAVIN (New Zealand) asked whether it was normal practice for reports of the Secretary-General to be amended at the instance of delegations.

Mr. OBEREMKO asked the President whether, under the rules, the Council could discuss the report and make changes in it.

ALFRED CLAEYS BOUUAERT (Belgium) did^{not}/think the Soviet arguments in any way rebutted those of the Australian representative.

The PRESIDENT, replying to the USSR, said the members could discuss the substance of the report. However, serious doubts had been raised as to whether the Council could amend the report. He said he shared these doubts. Therefore, he believed the matter should be put to the vote. There was no precedent as far as he knew.

(END OF TAKE 3)

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TRUSTEESHIP COUNCIL -- TAKE 4

Mr. OBEREMKO (USSR) again requested a vote on his amendment to the Secretary-General's report.

Mr. KELLY (Australia) pointed out that the Council had already decided not to vote on the report in parts. He had serious doubts as to the admissibility of the USSR amendment, and he believed that that issue should be voted on.

Mr. DAVIN (New Zealand) suggested that the Council postpone discussion of the question for 24 hours in order to look more carefully into the legal and procedural aspects.

Mr. SEARS (United States) suggested that the matter be decided as soon as possible. The Council had "plenty of work" to do, he added.

The PRESIDENT then asked members to take a decision regarding the Soviet proposal, which, he said, was one of procedure.

Mr. OBEREMKO declared that delegations had the right to submit amendments to the report, and they were free to vote any way they wished.

Mr. SEARS moved that the Council vote without further delay on the admissibility of the Soviet amendment.

Mr. OBEREMKO did not think that there could be such a "metamorphosis" of the rules of procedure.

Mr. DE CAMARET (France) supported the United States motion. He moved closure of the debate.

Mr. MUFTI (United Arab Republic) suggested the Council proceed to vote immediately on the Soviet amendment.

Mr. RASGOTRA (India) proposed that the Council adjourn for 15 minutes to enable the members to consult. This proposal was accepted, and the Council then suspended its meeting for 15 minutes.

After reconvening, the Council resumed the discussion on the Soviet proposal to amend the report of the Secretary-General on credentials, and on the question whether such a proposal was admissible.

The Council, however, was unable to agree on what procedure to follow in dealing with the matter.

The PRESIDENT then proposed, in view of the late hour, that the discussion be postponed until the afternoon meeting.

There being no objections, the Council adjourned at 1:19 p.m. until 3 p.m. today.

(END OF TAKE 4 AND PRESS RELEASE TR/1500)