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President: Mr. Rudecindo ORTEGA (Chile).

AGENDA ITEM 5

**Question considered by the Security Council at its 749th and 750th meetings, held on 30 October 1956**

**TRANSFER OF THE ITEM TO THE PROVISIONAL AGENDA OF THE ELEVENTH REGULAR SESSION OF THE GENERAL ASSEMBLY**

1. The PRESIDENT (*translated from Spanish*): This meeting has been convened to decide whether the item before this first emergency special session should be transferred to the provisional agenda of the eleventh regular session of the General Assembly. A draft resolution to that effect has been submitted by the United States delegation [A/3329].

2. Mr. LODGE (United States of America): The purpose of the draft resolution submitted by my delegation [A/3329] is to bring about consideration at an early date, in the regular session of the General Assembly, of the two draft resolutions which my delegation sponsored and which aim at a long-range approach to the problems of Palestine and Suez [A/3272, 3273]. These two draft resolutions have been pending here for some time. I think that everyone is familiar with them and knows that they aim at getting at the basic causes.

3. We did not want to press for action on those two draft resolutions at this special session because we did not want the actions that have been taken at the special session to be hampered. We wanted to be sure that those actions were in fact being carried out — that the cease-fire and the withdrawal, and all those things, were really well established. Inasmuch as our two draft resolutions deal with basic causes, we wanted all delegations to have time to study them, to think about the matter and to receive instructions. We think it is important to arrive at an equitable and just solution of these problems which have caused the world so much anxiety. That is the whole purpose of this very short draft resolution contained in document A/3329 — to see that these are transferred to the regular session for urgent consideration there.

4. Mr. SERRANO (Philippines): The draft resolution before us [A/3329] seeks to place on the provi-

sional agenda of the eleventh regular session, as a matter of priority, the item now on the agenda of the first emergency special session, which is the question considered by the Security Council at its 749th and 750th meetings. It also refers to the eleventh regular session for its consideration the records of the meetings and the documents of the first emergency special session, including the draft resolutions contained in documents A/3272 and A/3273.

5. I shall speak first of the transfer of this item. I am not quite certain at the moment whether, on constitutional grounds, an emergency special session could validly transfer items to a regular session. I am not quite certain at the moment; I have not given it much thought, but these are the points which occur to my mind. This first emergency special session was called under rule 8, paragraph (b), of the General Assembly's rules of procedure, following a request of the Security Council, by a vote of seven members. It was convened for the purpose of considering the question considered by the Security Council at its 749th and 750th meetings. In other words the primary and sole purpose of the convening of this first emergency special session was to consider that item, not to transfer it to another session, because in a constitutional and juridical sense an emergency special session is a body distinct from a regular session of the General Assembly. That, I hope, is quite clear; the two Assemblies can even coexist in a legal sense. I do not think there can be any legal obstacle to the General Assembly's holding its regular session while an emergency special session is being held, in other words, there is no legal obstacle to the coexistence of the two bodies. That is my point. I have some doubts whether any emergency special session could validly transfer for consideration by another Assembly items that were given to it for its own consideration. In this respect I am expressing only my doubts; I am not quite certain about it.

6. On the other hand, it is my view that the procedural basis for this United States draft resolution [A/3329] is rule 15 of the rules of procedure. I hope that I am not mistaken in this, and I should be happy to be corrected at any time by the representative of the United States. I have examined with some care the preparation of items for the regular session, the provisional agenda and supplementary items as governed by chapter II, rules 12 to 14, of the rules of procedure; and, as I see the case, rule 15 should provide the procedural basis for the inclusion of the present item in the provisional agenda of the regular session of the General Assembly.

7. Rule 15 contains two parts. The first part of the rule states that additional items of an important and urgent character — and the question considered by the Security Council at its 749th and 750th meetings is certainly of an important and urgent character — may be placed on the agenda of a regular session by a majority vote of the Members present and voting. Let us

assume that the "General Assembly" referred to in the first sentence of rule 15 is this emergency special session of the Assembly. Let us also assume that this emergency special session decides, by a majority of the Members present and voting, to place the question considered by the Security Council at its 749th and 750th meetings on the agenda of the eleventh regular session. How wise would such a decision be?

8. Let us examine the second sentence of rule 15. That sentence deals with the way in which the additional items referred to in the first sentence may be considered by the Assembly. It states that no additional item may be considered until seven days have elapsed since the item was placed on the agenda, unless the General Assembly decides otherwise by a two-thirds majority of the Members present and voting, and until a committee has reported upon the question concerned. Let us again assume that the item discussed during this first emergency special session of the Assembly has been transferred to the agenda of the regular session. How is that item to be considered by the regular session? Under rule 15, two conditions must be met. First, the item may not be considered until seven days have elapsed since it was placed on the agenda, unless, of course, the General Assembly decides otherwise by a two-thirds majority of the Members present and voting; and, secondly, the item may not be considered until a committee has reported upon the question concerned. These two conditions will therefore preclude an immediate consideration of the present item once it has been transferred to the agenda of the regular session of the Assembly.

9. We should not be faced with the above-mentioned obstacles if we decided that the emergency special session should be held simultaneously with the regular session of the General Assembly. I therefore do not know whether it would really be wise to adopt the United States draft resolution and thus bring rule 15 into play. I am wondering whether it would not be preferable to leave this extremely urgent question before the emergency special session, which could be convened whenever it was thought necessary.

10. There is another aspect of the matter which I would request the United States delegation to consider carefully. If we leave this item before the emergency special session of the Assembly, with the understanding that this session may be convened whenever the situation requires, the world will know that this urgent question is being dealt with by the Assembly on an emergency basis, in the exercise of the Assembly's emergency powers. There would thus be an important psychological impact upon the world. The moment we decide to transfer this item to the agenda of the regular session, we reduce the importance and urgency of the question; we give it the character of an ordinary item on the agenda. That, as I have said, is a psychological factor which must be taken into account.

11. Furthermore, on 2 November the Assembly adopted a resolution [997 (ES-I)] calling for a ceasefire. We are still in the process of implementing that resolution. Now, paragraph 6 of the resolution reads as follows: "Decides to remain in emergency session pending compliance with the present resolution". In other words, the Assembly decided that, so long as the terms of the resolution had not been fully implemented, it would remain in emergency special session. The practical effect of adopting the present draft resolution and transferring the item before us to the agenda of the

regular session of the Assembly would be to nullify the resolution which we have already adopted.

12. Hence, on the basis of procedural and psychological considerations, I wonder whether it would be wise to transfer the present item to the agenda of the eleventh regular session of the General Assembly. I hope that the Assembly will reconsider this matter.

13. Mr. LOUTFI (Egypt) (*translated from French*): I have just read the draft resolution proposed by the United States [A/3329], which we are now discussing. I have some doubts concerning paragraph 3 of this draft resolution, which reads, "Requests the General Assembly at its eleventh regular session to give urgent consideration to documents A/3272 and A/3273".

14. You will recall that the General Assembly adopted several resolutions: one during the night of 1 to 2 November [997 (ES-I)], another during the night of 3 to 4 November [999 (ES-I)], and a third on 7 November [1002 (ES-I)]. In this last resolution, the General Assembly, reaffirming its previous resolutions, "Calls once again upon the United Kingdom and France immediately to withdraw all their forces from Egyptian territory, consistently with the above-mentioned resolutions". A similar request was addressed to Israel. Nothing has so far been done to comply with these resolutions, and so, at a time when the General Assembly is being invited to give urgent consideration to a political solution, Egypt feels unable to discuss any political solution as long as foreign troops remain on its soil. No country can enter into negotiations when it is the victim of a premeditated act of aggression like the one launched against my country. In such circumstances it would be very difficult for Egypt to understand or even discuss such a solution.

15. There is also a somewhat technical aspect of the question we are discussing. Certain documents can, of course, be transmitted to the regular session of the General Assembly, but why should the Assembly be requested to give them urgent consideration? The regular session of the General Assembly must be left to decide whether the question should or should not be given urgent consideration.

16. These are the comments I wish to make this morning, stressing the fact that the General Assembly resolutions on the very grave question of the occupation of my country by foreign troops have not so far been implemented. Aggression by France, the United Kingdom and Israel continues. These States are keeping their troops on Egyptian territory in utter defiance of the General Assembly resolutions.

17. Mr. EBAN (Israel): The Israel delegation will vote in favour of the draft resolution [A/3329], which would transfer the current item from the special emergency session to the regular session of the General Assembly. This important procedural step requires me to comment briefly on some of the urgent problems which still confront the United Nations.

18. My Government is more than ever convinced that what it has accomplished in Israel's defence was both necessary and right. The power of an aggressive dictatorship to terrorize the Middle East has been drastically reduced. We have been moved by the words of many representatives from this rostrum, who have spoken eloquently of the violent provocations which Israel has endured for the past seven years. We are sustained by other evidences of support in world public opinion. A moment of opportunity has been created which, if bravely seized, could inaugurate a new system of rela-

tions between Egypt and Israel. Agreement has been reached on the withdrawal of foreign troops from Egypt and on the dispatch of a United Nations force which will be responsible for taking measures to prevent the renewal of acts of war.

19. My Government's agreement to these measures, announced yesterday, arose from its desire to contribute to the preservation of world peace. That agreement is founded upon the natural assumption that other parties concerned will carry out their Charter obligations, will cease from *fedayeen* raids, will abandon practices of belligerency by sea and by land, will abstain from threats against the territorial integrity and political independence of any State, will, in short, refrain from those acts and attitudes out of which the dark sequence of recent events arose.

20. Beyond the agreement announced yesterday, my Government is prepared to solve all outstanding problems between Egypt and itself by negotiation. We believe that the United Nations should at an early date call for such a freely negotiated settlement. For this, and for this only, it is for Egypt and Israel, and not for others, to determine the conditions for their future coexistence. We therefore welcome the prospect that the United Nations might, at an early date, be discussing these fundamental elements in Middle Eastern relationships.

21. We would recall at this stage the eloquent words spoken last week from this rostrum by the representative of the United States. He said:

"Let us stop the futile process of patching up previous agreements and understandings, which but serves to provide new pretexts for further provocations. Let us face up to our responsibilities under the Charter. Let us work together for a lasting settlement of what has become a dangerous threat to the peace of the world." [A/PV.563, para. 37.]

The first responsibility of sovereign States under the Charter is the responsibility to settle their disputes by negotiation.

22. In conclusion, it is my duty to call the attention of the General Assembly to dark clouds which still hover over the Middle East. For two successive days, *fedayeen* bands organized by Mr. Nasser have been invading the territory of Israel from Syria and Jordan, attacking the civilian population, sabotaging installations, and striking at road communications. Now, the General Assembly resolution of 2 November [997 (ES-I)] called not only for a cease-fire and a withdrawal of forces from Egypt, it also called simultaneously for the parties to desist from raids into neighbouring territory, and this call was made simultaneously with the call for the cease-fire and for the withdrawal of forces from Egypt. It is plain that Mr. Nasser has instigated and renewed *fedayeen* activities in circumstances carefully chosen to ensure that the consequences would fall upon others than himself. In his speech yesterday, Mr. Nasser again publicly gloated over the activities of *fedayeen* units.

23. It is obvious that the further development of this activity would gravely threaten international peace and security. The unprovoked crossing of Israel's frontiers by armed units from Syria and Jordan is a warlike act, is a violation of the cease-fire, and is in contradiction to the resolutions which the General Assembly has recently adopted. Therefore, all who wish for peace in the Middle East will devote their attention not only to the problems of cease-fire and withdrawal from

the territory of Egypt, but also to the urgent necessity of bringing about a cessation of these continuing violations of the Charter.

24. My Government has also been disturbed by reports of the recent concentration of offensive weapons in neighbouring countries and by certain public threats against Israel's integrity and existence. In September 1955 there took place a transaction for the massive rearmament of Egypt, and this, as much as any other single cause, is the origin of the critical events through which we have recently passed. It is therefore my duty to remind the General Assembly that paragraph 3 of its resolution of 2 November [997 (ES-I)] urges all Member States to "refrain from introducing military goods in the area of hostilities and in general refrain from any acts which would delay or prevent the implementation of the present resolution". This recommendation lays heavy responsibilities not merely on the States of the Middle East but on all from outside whose actions or utterances are capable of bringing about a reduction of the dark tensions through which we are passing.

25. Mr. LODGE (United States of America): I want to say that what we want to do is entirely consistent with what the representative of Egypt has said. We do not want to go into the long-range factors in any way that would interfere with the cease-fire, with the withdrawal of troops, and with the entry of the international force. In fact, that is why we are not pressing these draft resolutions in this special session today. We want to be sure that all the decisions the General Assembly has taken concerning a cease-fire and withdrawal of troops and the entry of the international force are well established and are being carried out before we deal with this other matter. But once that has happened, then we do think that we should go into the basic causes and try to look for the underlying factors. What we want is to get consideration of them in the General Assembly after the phase that we are now in is finished.

26. In the cause of harmony and in order to meet everybody's view as much as possible, I shall be glad to delete paragraph 3 of the United States draft resolution [A/3329]. I do not want to try to commit subsequent Assemblies, and since I understand that I have the right to modify my own draft resolution, I will delete that paragraph. That, I think, will take care of the viewpoints that have been expressed here.

27. The PRESIDENT (translated from Spanish): It may be useful to have a statement from the Chair concerning the problem under debate.

28. The representative of the Philippines has raised two points. In the first place, he has questioned whether on constitutional grounds an emergency special session can validly transfer items to a regular session. On this point we must refer to the provision under rule 13 of the rules of procedure to the effect that the provisional agenda of a regular session shall include, *inter alia*, all items the inclusion of which has been ordered by the General Assembly at a previous session. The Philippine representative has also suggested that an emergency special session of the General Assembly might be held simultaneously with a regular session. This procedure would be contrary to the provisions for the convening of emergency special sessions, which are held solely because the General Assembly is not in regular session. Those who drew up the provisions for emergency meetings certainly did not intend that such meetings should be held when the General Assembly was

in regular session and hence fully capable of dealing with the items before it.

29. Mr. MENON (India): My delegation is in agreement with the intentions and the purposes of the draft resolution before us [A/3329]. In spite of statements made from this rostrum, we will not go into the merits of the questions, which may have some bearing on this draft resolution. We do not think this is the appropriate occasion to do so because what we have is a procedural draft resolution.

30. The second statement of the United States representative withdrawing paragraph 3 from the draft resolution certainly improves it and facilitates our position somewhat. All the same, my delegation wishes the Assembly to take into consideration the following matters.

31. First of all, the form of this draft resolution can only be that this emergency special session of the Assembly recommends to the eleventh regular session that this item be put on its agenda, because the eleventh regular session is totally master of its own procedure. Secondly, it is not possible to put on the agenda of an Assembly the whole contents of the draft resolution; all that can be put on the agenda is the question as it is formulated here: "Question considered by the Security Council at its 749th and 750th meetings . . ." Then when that item comes before the eleventh regular session and is adopted, it will be up to any delegation to introduce any draft resolutions there might be. Therefore, I would say that we should recommend that the item be placed on the agenda and also that the records of these meetings be considered. But the placing of the item on the agenda would have to follow the usual procedure of going before the General Committee and obtaining the necessary number of votes.

32. If there is any apprehension that difficulties may arise, the last paragraph would have to be modified to widen its provisions in this way: ". . . may continue to consider the question if the General Assembly does not consider it" or something of that character. That is one aspect.

33. I come now to the substance of this recommendation. This special emergency session arises from the Security Council resolution of 31 October 1956 [S/3721], in which the Council considered that a grave situation had been created by action undertaken against Egypt. That is the subject we are considering. We are not considering the internationalization, the nationalization or anything else of the Suez Canal. We are considering the grave situation created by the action undertaken against Egypt. Then, because there was no unanimity in the Security Council, that matter came here. Therefore, the competence of the General Assembly is restricted to the consideration of that situation. That is one set of facts.

34. The other set of facts, to which the representative of Egypt has referred, and with the purport and purpose of which the representative of the United States is in agreement, is that what has now to be done is to remedy the situation created by action taken against Egypt — that, or similar, phraseology is what we used regarding the invasion of Egypt by the British-French alliance and the State of Israel. To try to introduce other matters — for example, the solution of the whole question of the Suez Canal by a vote of this Assembly — would in the first instance require the consent of the Egyptian Government, whose sovereignty and integrity

have to be respected. I do not want to go into the merits of those proposals. There are further questions to be considered: whether a complex matter of this kind is best decided by debate in the General Assembly or by diplomatic negotiations; whether the Security Council is still seized of the matter and unless that position is altered, whether the Assembly can consider it at all.

35. Finally, on that particular aspect, my Government cannot accept this matter of the future of the Suez Canal as being merely a matter for France, the United Kingdom and Egypt. I can understand a situation in which it is very largely a matter for Egypt, but I cannot understand how the rest of the world can be exhausted by the claims, the desires, the fears or the apprehensions of the United Kingdom and France alone. If they are users of the Canal, so are other people. If the economic life of the United Kingdom depends very largely upon the free and open navigation of the Suez Canal, I beg to submit with respect that the economic life and even the existence in any kind of reasonable way of my country depends even more on free passage through the Canal. So we cannot confine the situation to these two parties, even though difficulties have been created, either on the one hand by the action of Egypt, or on the other hand by the attitude taken by France and the United Kingdom in the first instance, and afterward by their actual acts of aggression.

36. My delegation, therefore, agrees with the purposes of the draft resolution as it stands; that is to say, that the Assembly, whether in special or regular session, must continue with the matters that it has been considering. Secondly, we want to try to rationalize procedures somehow — that apparently is the intention of the United States of America — so that we do not have the regular session of the Assembly sitting at the same time as two other sessions of the Assembly. I submit that this draft resolution should be altered so that this emergency special session will recommend to the eleventh regular session to place on its agenda this particular item. When that item comes before that Assembly, a delegation — in this particular case, the United States — would have to bring up these matters. Then it would be for the Assembly to decide whether they could be taken into account at all.

37. Furthermore, nothing should be considered which would detract — and the representative of the United States does not want to detract — from the urgency of the evacuation from Egypt of foreign troops, irrespective of what the Assembly here has done. The news about all this is conflicting. Some of it creates some degree of apprehension because, even when it is agreed that these foreign troops are to be withdrawn, there are responsible statements that they are going to be concentrated somewhere else. That being so, if we are to deal with the Security Council resolution of 31 October, which points out that a grave situation has been created by the action undertaken and that remedial procedures are to be adopted to meet it, we have to take all that into account. I am afraid that the present formulation of the United States draft resolution [A/3329] would not meet that purpose.

38. The representative of the United States will understand that we have had this draft resolution before us for just half an hour, while he has had the opportunity of thinking it over. But perhaps the United States delegation will now, in the light of what has

been said from this rostrum, try to put this in a way which conforms to procedures and which does not create all these difficulties, namely, refer to this item as the "Question considered by the Security Council at its 749th and 750th meetings . . ." etc., and recommend to the eleventh session that the item be placed on its agenda, and then save our position by amending the last paragraph so it will say that notwithstanding this recommendation, if the situation should arise that it cannot be considered by that session or has to be considered before that session meets, then the emergency session may continue.

39. The purpose of my putting forward these suggestions is, on the one hand, that we should not be bogged down by procedural difficulties afterwards; secondly, that we may not, even for a good purpose, break rules that have been made to safeguard against lapses.

40. So far as the substance is concerned, we have very grave doubts with regard to trying to put other questions into the liquidation of the aggression that has taken place in Egypt.

41. I hope, and my delegation fervently hopes that the representative of the United States will take into serious consideration the submissions we have made after due consideration.

42. The PRESIDENT (*translated from Spanish*): The representative of Belgium has asked to speak on a point of order.

43. Mr. NISOT (Belgium) (*translated from French*): The draft resolution before us is a purely procedural one, and leaves the Assembly's hand entirely free. There does not therefore seem to be any reason to continue this discussion. I move the closure of the debate.

44. The PRESIDENT (*translated from Spanish*): We have heard the proposal made by the representative of Belgium. Under rule 77 of our rules of procedure I may call upon two speakers opposing closure. I call on the representative of Saudi Arabia.

45. Mr. BAROODY (Saudi Arabia): I oppose the closure of the debate for obvious reasons: the draft resolution [A/3329] has entered into the substance of the deliberations that have taken place on the Egyptian question during the last few days. If the representatives of India and of Egypt and others have touched upon the substance, it was precisely because the substance was embedded in that draft resolution by the mention of two draft resolutions submitted by the United States [A/3272, 3273], and not pressed to the vote — for obvious reasons too.

46. I would, if I were to mention those reasons, be going into the substance of the debate, and that is why I will refrain from doing so. However, I cannot but mention that our delegation, among others, was dismayed at the attempts to save the faces of certain aggressors by submitting those draft resolutions at a time when Egypt was being subjected to invasion. That is why I believe that it is untimely to close the debate.

47. We should look at the discrepancy we find between the two procedural draft resolutions submitted this morning [A/3329, 3330] a discrepancy which has as its objective certain goals with which we do not agree. We commend the withdrawal by the United States of paragraph 3 of the draft resolution before us now [A/3329], but it would be futile if it does not also delete paragraph 2 of that text.

48. Since I am applying myself strictly to the closure of the debate — and I hope it will not be closed on this procedural question — I reserve my right to speak again to say what the intents and purposes of a draft resolution which refers to the United States draft resolutions [A/3272, 3273] would have in our deliberations when the General Assembly meets in its regular session on 12 November.

49. Mr. ASHA (Syria): I also come to this rostrum to oppose the motion made by the representative of Belgium. As we received the draft resolution only half an hour ago, we will certainly need much more time than that to look into it in order to ponder and see whether it meets the situation or not.

50. This Assembly has adopted a number of resolutions. The representative of Egypt has stated that foreign troops are still in his country. They have not been withdrawn. The representative of India stated that there are conflicting reports which disturb us from time to time. I do not understand the wisdom or the sagacity of the motion made by the representative of Belgium unless there is something being cooked up behind the scenes. I hope that that is not the case.

51. We should like to continue the consideration of this item before us now in a calm manner and in accordance with the existing rules of procedure. For these reasons we oppose the motion for the closure of the debate.

52. The PRESIDENT (*translated from Spanish*): Under rule 77 we must now proceed to vote on the motion for closure.

*The motion was rejected by 27 votes to 8, with 26 abstentions.*

53. The PRESIDENT (*translated from Spanish*): As the motion for closure has been rejected, the debate will continue.

54. Mr. QUIROGA GALDO (Bolivia) (*translated from Spanish*): The Bolivian delegation will support the draft resolution proposed by the United States delegation [A/3329].

55. The week now ending has been marked by two important events which will have far-reaching effects on international life in the immediate future. We have witnessed the beginning of victory for the United Nations in its resistance to aggression in the Middle East. We have seen the moral and political authority of this Assembly, supported by the most illustrious men of France and the United Kingdom, succeed in inducing reflection on the part of those who disregarded this international Organization and underestimated the effectiveness of the moral forces of the world. Another event whose importance should, in my opinion, be emphasized from this rostrum is the magnificent reaffirmation of confidence on the part of the American people in the policy of peace and conciliation untiringly pursued by President Eisenhower.

56. I think the events I have just mentioned allow us to entertain the hope that within a very few days not a single invading soldier will remain in Egyptian territory, and that the eleventh session of the General Assembly will make the necessary recommendations to ensure that the Egyptian people will receive, as soon as possible, the indemnity to which they are entitled for the destruction of human life and property committed by the aggressors and for the losses caused by the paralysation of the Suez Canal. This is a policy of rectification which we should set to work on conscientiously.



We should rectify what has been done in Egypt, although there is something which can never be rectified, which no one can rectify, namely, death.

57. Leaving aside all subtle technical considerations, I consider that the Egyptian question, as it has been considered by the General Assembly, should appear as a priority item on the agenda of the eleventh session of the General Assembly and that later, when the *status quo* prior to the aggression has been restored in Egypt, we may turn, in an atmosphere of calm, to the important problems of the Middle East, on the settlement of which the preservation of world peace largely depends. On the understanding that this will be done, the Bolivian delegation will vote in favour of the draft resolution proposed by the United States delegation.

58. Mr. TSIANG (China): I have a very simple point to make. I draw the attention of the Assembly to the language of paragraph 1 of the United States draft resolution [A/3329], which reads: "1. *Decides* to place on the provisional agenda of the eleventh regular session . . ." We can only place this item on the provisional agenda of the regular session. We do not determine the agenda. All the items on the provisional agenda will be subject to the rigid procedures set out in our rules of procedure. All the items on the provisional agenda, in other words, will come before the General Committee of the Assembly and before the Assembly itself.

59. I therefore regard this draft resolution as proposing the simple transfer of the item to the regular session of the General Assembly, and I shall vote in favour of its adoption.

60. Mr. URQUIA (El Salvador) (*translated from Spanish*): My delegation wishes to refer briefly to the procedural problem which has arisen as a result of the draft resolution proposed by the United States.

61. My delegation is prepared to vote for this draft resolution because it considers it absolutely necessary that, as the General Assembly is about to meet in regular session, this first emergency special session should take some action with regard to the very important problem which is still before it and which has not yet been resolved.

62. Objections have been voiced to paragraph 1 of the draft resolution on the ground that the Assembly cannot, in an emergency special session, decide on the inclusion of a particular item in the provisional agenda of a regular session. In my delegation's opinion, the special session cannot in strict law take any action relating to a matter within the competence of the regular session, namely the agenda, even though it is provisional and not final. We do not think that the President's reference to rule 13, paragraph (c), of the General Assembly's rules of procedure completely covers the situation, since that provision occurs in the chapter dealing with regular sessions. Rule 13, paragraph (c), states that the provisional agenda of a regular session shall include "All items the inclusion of which has been ordered by the General Assembly at a previous session". Since this provision appears in the chapter dealing with regular sessions, we believe that, in order to be included in the provisional agenda of a regular session, an item must have been placed on the agenda by a regular session.

63. We therefore find some procedural difficulty in the idea of a special session of the Assembly taking a decision concerning the business of a regular session.

For that reason we would have no objection if the wording of paragraph 1 were changed somewhat, to read as follows:

*"The General Assembly*

*"1. Decides to recommend that the question on the agenda of its first emergency special session be placed on the provisional agenda of the eleventh regular session as a matter of priority."*

64. We are not making a special point of this. We simply wish to indicate our views concerning the law on the subject. In any case we are prepared to support the draft resolution, because we consider it essential that some action should be taken on this matter.

65. Our interpretation of the law rests on the fact that when rule 13, paragraph (c), is used by a regular session of the Assembly to order the inclusion of a particular item in the provisional agenda of that body even though that agenda is provisional — then, inasmuch as the inclusion is the consequence of a decision of the Assembly, the removal of the item from the provisional agenda would be in the nature of a reconsideration of an earlier decision made by the Assembly itself.

66. I repeat that we are not prepared to vote against paragraph 1 of the United States draft resolution [A/3329] on that ground. As regards paragraph 2, which has also occasioned certain objections, we consider it perfectly natural that some decision should be reached with respect to the two draft resolutions proposed by the United States delegation [A/3272, 3273], which we did not have time to consider but which apply to the item we are discussing in this first emergency special session of the General Assembly. Consequently, if we propose that the General Assembly should continue to deal with the item, it would be natural to transfer the documents which are pending for consideration and decision to the regular session of the General Assembly.

67. With regard to paragraph 4, which would now become paragraph 3 since the original paragraph 3 has been withdrawn by the sponsoring delegation, we also feel that it is natural to think that if between now and 3 o'clock on 12 November, when the regular session of the General Assembly opens, something happens which changes the situation in Egypt, or makes immediate action by the Assembly essential, the Assembly should not be paralysed but should be able to take action with regard to the situation in Egypt.

68. Mr. MENON (India): I thank the President for his indulgence in allowing me to come back to the rostrum so soon. As I said a while ago, there really is no difference among all of us here with regard to the purposes of this draft resolution. My delegation, in making the observations that it did, was not trying to raise procedural objections, but to get this question considered in such a way that there would be no procedural or other difficulties afterwards.

69. The representative of the United States has kindly informed us that he is not insisting upon paragraph 3 of the draft resolution and also that all the words after the words "special session", in paragraph 2, can be dropped. So that the resolution would simply read:

*"1. Decides to place on the provisional agenda . . .*

*"2. Refers to its eleventh regular session for its consideration the records of the meetings and the*

documents of its first emergency special session". The present paragraph 4 will then follow as paragraph 3.

70. My delegation is happy to support this draft resolution in those terms and in those circumstances. Our understanding is that its purpose is merely to enable this item to get on to the agenda of the eleventh session. Therefore, it must be presumed that those of us who may become members of the General Committee will, at the first opportunity, take the initiative in placing on the agenda of the eleventh session an item such as "Question considered by the first emergency session", or whatever the language might be.

71. As I said a while ago, it is not possible to place the whole contents of this draft resolution on the agenda. Under the rules of procedure, an emergency session cannot coexist with a regular session, and therefore the present procedure is a very necessary procedure that has to be adopted in order to take the matter further. I would therefore recommend that this draft resolution be accepted with the deletions mentioned, with the understanding that the normal procedures will be followed in the General Committee, by either the United States itself or by some or all the members of that Committee, to place this question which was considered by the first emergency session on the agenda of the eleventh session.

72. I would request that we should now hasten our proceedings. If that is the general view of the Assembly, I would support our proceeding to put the draft resolution to the vote. I am not, however, moving a closure of the debate. I think we have reached a stage where we can accept this draft resolution without spending further time in discussing matters which can be discussed thereafter. I appeal to all my friends to accept this draft resolution on the basis that I have set out.

73. The PRESIDENT (*translated from Spanish*): I have no other speakers on my list. We shall therefore proceed to a vote on the draft resolution before us [A/3329].

74. The delegation sponsoring the draft resolution has withdrawn paragraph 3 and has also agreed to the deletion of the last phrase of paragraph 2, which reads as follows: "including the draft resolutions contained in documents A/3272 and A/3273". We shall now proceed to vote on the text I have mentioned, with the amendments proposed by the sponsor of the draft resolution.

*The draft resolution, as amended, was adopted by 66 votes to none, with 2 abstentions.*

75. Mr. ARENALES CATALAN (Guatemala) (*translated from Spanish*): I feel that I should explain my delegation's abstention in the vote on the resolution just adopted. As another representative has already said, the purpose of the resolution is acceptable to all members of the Assembly, which is proved by the re-

sult of . . . Nevertheless, there are two reasons why my . . . ion felt it should abstain.

76. O . . . reason is based on rule 15 of the rules of procedure and on some of the arguments advanced by the Philippine representative from this rostrum. I agree with the representative of India that we should also aim at avoiding procedural difficulties when this item comes up in the regular session of the Assembly. Under rule 15 of the rules of procedure, a waiver of the seven-day rule and of the report of a committee requires a decision by a two-thirds majority of the Assembly. My delegation considered that the delicacy and importance of the problems to be discussed might make it necessary to consider this item before the end of the seven-day period and without the two-thirds majority vote provided for in rule 15.

77. The second reason for my delegation's abstention is the President's interpretation concerning the question of the compatibility of the procedure we have just adopted with the General Assembly's "Uniting for peace" resolution [377 A(V)].

78. Mr. SERRANO (Philippines): I wish to explain briefly why I voted in favour of the resolution.

79. In my first intervention I expressed my views to the effect that an emergency special session could, constitutionally, coexist with a regular session. I also expressed the view that the items which are currently being discussed in this emergency special session might better be retained in such a session for psychological reasons. Lastly, I feared the effect of this resolution on paragraph 6 of the resolution adopted, on 2 November 1956 [997 (ES-I)], which requires that this Assembly should remain in emergency session "pending compliance with the present resolution".

80. However, after listening to the explanation by the President to the effect that an emergency special session is called only when no regular session is being held, I am inclined to think now that the basic motivation for this present resolution is the fear that unless we take the step contemplated by it, the General Assembly may cease to be seized of the item. That, as I say, is the fear which motivates this resolution.

81. Although I do not quite share this view up to the present moment, I have adopted a fixed form of conduct in my life according to which, when I entertain serious doubts between two conflicting solutions, one of which I think is safe although questionable as to its wisdom, and the other fraught with fatal consequences if it proves to be wrong, I always decide in favour of safety. That explains the reason why I voted in favour of the resolution.

82. Mr. CARAYANNIS (Greece): I just wish to state that I abstained in the vote on the resolution in view of the fact that it was not quite clear that a simple majority of the regular session of the Assembly would be sufficient for the consideration of this item at any time.

*The meeting rose at 12.25 p.m.*