

questions listed in that Article—recommendations with respect to the maintenance of international peace and security, elections of members of organs of the United Nations, suspension from membership and so on—made it clear that the expression "important question" should be interpreted to mean a proposal as a whole.

100. The resolution on Korea (A/1039) recently adopted by the General Assembly (233rd meeting) was undoubtedly an "important question" within the meaning of Article 18 of the Charter. If that resolution had been voted upon paragraph by paragraph according to the procedure suggested in the proposed new rule 76a, each paragraph would have required a two-thirds majority. The only "important parts" of that resolution, as normally of any resolution, were the operative paragraphs. According to the proposed new rule, however, a paragraph such as the second paragraph of the preamble of the resolution on Korea would have required a two-thirds majority, although it could hardly be considered an "important question" within the meaning of Article 18. The proposed new rule 76a would therefore seem to conflict with a provision of the Charter.

101. In the Sixth Committee several representatives, while favouring the application of the two-thirds majority rule to parts of, and amendments to, important proposals, had suggested that a simple majority would suffice for unimportant parts of proposals or for drafting amendments. Quite apart from the fact that the new rule would not permit such flexibility, the decision whether a part of a proposal or an amendment to it was or was not an important part would give rise to procedural difficulties.

102. During the debate in the Sixth Committee a number of representatives had expressed concern at the undesirable manoeuvring permitted by the past practice of the General Assembly, which required a two-thirds majority for parts of important proposals and a simple majority for amendments to such proposals. That drawback could, however, only be eliminated by requiring a simple majority not only for amendments but also for parts of important proposals.

103. The logical approach to Article 18 had been outlined by the Brazilian representative in the Sixth Committee, who had pointed out that since Article 18, paragraph 2, of the Charter created an exception to the general rule concerning simple majority votes, it must be interpreted strictly and as referring only to decisions on the whole of a proposal.

104. In the opinion of the Australian delegation, the proposed new rule would not only be

an illogical interpretation of Article 18, paragraph 2, of the Charter, but would also be against the best interests of the General Assembly. The voting on amendments and on parts of important proposals had a purely procedural significance; it merely determined the form in which resolutions would be submitted for acceptance by a two-thirds majority and ensured that resolutions were voted as a whole in the form commanding the widest support and hence most likely to succeed.

105. One of the purposes of amendments was to widen the scope of agreement and their acceptance frequently permitted delegations to approve resolutions which they would otherwise have opposed. The adoption of a simple procedure for voting on amendments would thus increase the number of resolutions which could command a two-thirds majority. Any rigid procedure which served to reduce the number of agreed solutions could not be too greatly deplored.

106. One of the main functions of the General Assembly was to increase understanding among nations. It was a meeting place for the exchange of views, for the give and take of debate, for the reaching of compromises. The greatest flexibility should prevail in the stages before a resolution was put to the vote. The Australian delegation feared that the adoption of the proposed new rule 76a would narrow down the already limited area of agreement and would thus operate against one of the fundamental purposes of the United Nations.

107. The Australian delegation had attempted to put one side of the case. The other side had been ably stated in the Sixth Committee by the Belgian representative. Such a conflict of interpretation emphasized the need for further detailed study of the question. The Australian delegation considered that before the issue was decided, a thorough study of the question should be made by the Secretariat on the basis of the procedure followed in the past in voting on parts of, or amendments to, important proposals. It hoped that the Secretary-General would be authorized to make such a study and that his report would be circulated to Member Governments well in advance of the next session. Delegations would thus be in a position to take a final and responsible decision at the fifth session of the General Assembly.

108. Before adjourning the meeting, the PRESIDENT declared the list of speakers in the debate on methods and procedures of the General Assembly closed.

The meeting rose at 1.10 p.m.

## TWO HUNDRED AND THIRTY-SIXTH PLENARY MEETING

*Held at Flushing Meadow, New York, on Saturday, 22 October 1949, at 3 p.m.*

*President:* General Carlos P. RÓMULO (Philippines).

### Methods and procedures of the General Assembly: report of the Special Committee (concluded)

REPORT OF THE SIXTH COMMITTEE (A/1026); AMENDMENTS PROPOSED BY AUSTRALIA (A/1036), BRAZIL (A/1037/Rev.1) and GUATE-

MALA (A/1041) TO THE DRAFT RESOLUTION SUBMITTED BY THE SIXTH COMMITTEE

1. Mr. WENDELEN (Belgium) said that his delegation would like to confine itself to a few remarks on the Australian representative's amendment and on the comments he had made on that amendment (235th meeting).

2. While making due allowance for the legal scruples of the Australian delegation, Mr. Wendelen felt that the hesitations of a delegation should not prevent the General Assembly from approving the new rule 76(a) which the legal experts of the Sixth Committee had adopted by 28 votes to 7, with 14 abstentions. Moreover, the Belgian delegation doubted the efficacy of the Australian amendment. Mr. Wendelen thought that if the Secretariat had had a clearly defined attitude to the difficult question under discussion, it should have been able, in the course of four sessions of the General Assembly, to work out an interpretation to guide successive Presidents in the application of rule 76 of the rules of procedure. That had unfortunately not been the case. What the Secretariat could do—and was prepared to do—was to express a legal opinion. That opinion would be added to those which the fifty-nine delegations represented at the Assembly had already formulated.

3. The Secretariat might also proceed to an analysis of precedents. But that was a factor which the proposers and supporters of the text under consideration had not neglected. It was also a factor which had been invoked many times in the course of the two meetings which the Sixth Committee had devoted to the question<sup>1</sup>.

4. The Belgian delegation also feared that, if the Australian amendment were adopted, the fifth session of the General Assembly, in a year's time, might find itself confronted with the same problem, without any new factors contributing to a solution.

5. At the same time, Mr. Wendelen thought it unlikely that, in view of the discussion which had taken place in the General Assembly, the existing policy could be pursued without objections being raised to the procedure which had been applied hitherto.

6. In his opinion, the existing practice constituted a violation of the two-thirds majority to rule and left a loop-hole for procedural manoeuvres of the kind that everyone wished to avoid.

7. Finally, he considered that the prevailing uncertainty regarding the application of an essential Article of the Charter could not be allowed to continue.

8. If the Australian amendment were adopted, the Secretariat would draw up a report; the Assembly would consider that report at its fifth session and perhaps adopt a decision which was unlikely to be applied before the sixth session.

9. Thus, during five successive sessions of the Assembly, a procedure contrary both to the spirit and to the letter of Article 18 of the United Nations Charter would have been applied. Mr. Wendelen thought that the Sixth Committee's draft resolution simply endorsed the logical interpretation of that rule. In his opinion, there could be no doubt that a vote on amendments and on paragraphs relating to important questions constituted a decision within the meaning of Article 18 of the Charter.

10. The representative of Australia had raised a series of objections, the importance of which

Mr. Wendelen realized. He had been particularly struck by the argument that the adoption of amendments by means of a simple majority made it possible to reach compromises in plenary meetings of the General Assembly. He fully realized the value of that argument. As had been pointed out during discussions in the Sixth Committee, however, he believed that, when compromises could be found, they were found in Committee and that the likelihood of reaching a compromise once a question had been submitted to the General Assembly was remote. To facilitate compromise by a procedure open to criticism was to do dis-service to the Assembly.

11. For those reasons the delegation of Belgium would support the text proposed by the Sixth Committee. It was most anxious that that text should be adopted by the General Assembly as soon as possible and that a decision on an essential point of procedure should not be postponed for one or two years.

12. Mr. BARTOS (Yugoslavia) said that the General Assembly, in drawing up its rules of procedure at its first session, held in London in 1946, and in revising them on subsequent occasions, had prescribed not only rules regarding its procedure but in addition certain guarantees for the free expression of the opinion and judgment of all Members of the Organization at meetings of the Assembly and the Committees.

13. The importance and prestige of the United Nations had imposed upon the Organization a continual lengthening of its debates, with the result that with an overburdened programme of work, the General Assembly's sessions had become too long. It was therefore natural that it should have been thought necessary to accelerate that work in order to enable the Assembly to dispose of all the questions within its competence in the time at its disposal. A Special Committee had been instructed to work on that question. The General Assembly had before it the Sixth Committee's report on the proposals of the Special Committee.

14. The Yugoslav delegation thought it necessary that certain measures should be taken to speed up the General Assembly's work. It was unable, however, to accept some of the Special Committee's proposals which had been adopted by the majority of the Sixth Committee, for, in its view, under cover of technical considerations, they went so far as to abolish certain fundamental guarantees affecting the General Assembly's democratic method of functioning.

15. It seemed that, in the view of the Special Committee, the length of the General Assembly's sessions was caused by the fact that Member States had the right to express their points of view freely.

16. Hence the proposals were for the most part directed against the fundamental right of sovereign States to express their opinion freely and fully; a right which was the very essence of democracy.

17. The Yugoslav delegation wished to draw particular attention to certain of those proposals which it considered to be anti-democratic.

18. Mr. Bartos referred in the first place to the right granted to the President or Chairman to limit a speaker's time without consulting the

<sup>1</sup> See *Official Records of the fourth session of the General Assembly, Sixth Committee, 156th and 157th meetings.*

Assembly or the Committee concerned (rules 19 (c), 67, 68, 69, 80, 105, 106 and 107). If the President or Chairman was efficient and if he enjoyed general confidence—and the contrary was unimaginable—the rule enabling the President or Chairman to propose to the Assembly or to a Committee that a speaker's time should be limited should suffice. That rule was among those submitted for the General Assembly's approval, and the Yugoslav delegation favoured it.

19. Mr. Bartos mentioned next the President's or Chairman's right to allow or to refuse explanations of voting, thereby limiting the right of sovereign States to explain their sovereign acts (rules 80 and 117).

20. Thirdly, the prohibition of the discussion in the General Assembly of the report of one of the Main Committees, unless such discussion was expressly requested by a vote of at least one-third of the members of the General Assembly (rule 59), would prevent States vitally concerned in the question dealt with in the report from making a final appeal to the Assembly for an equitable solution.

21. Fourthly, the fact that amendments bearing on proposals relating to important questions or questions deemed important, as well as parts of such proposals, could be adopted only by a two-thirds majority (article 76(a)), and that a compromise could no longer be achieved, as had been customary hitherto, by a simple majority vote on such amendments or parts of proposals, would often prevent a compromise solution. Moreover, the criticism and doubts expressed in the course of the 235th meeting by the Australian delegation were convincing, and the Yugoslav delegation considered that the advice contained in the Australian amendment should be accepted.

22. Fifthly, the reduction of the quorum necessary for meetings of the Committees from one-half to one-third of the members (rule 98) would diminish not only the Assembly's authority but also the quality of the discussions and decisions.

23. Finally, the abolition of the right of delegations to request that a proposal should be voted on in parts (rules 81 and 118) would reduce the possibility of international co-operation, since delegations would be obliged to vote against proposals for certain parts of which they might have been able to vote in accordance with their basic principles.

24. The Yugoslav delegation thought that if those provisions were adopted they would be detrimental to correct and democratic procedure and harmful to the prestige of the General Assembly.

25. Similarly, the Yugoslav delegation felt that it would be detrimental to the Organization's authority and to the interests of international co-operation to adopt the proposals contained in paragraphs 13 and 14 of annex II to the effect that international conventions to be concluded under the auspices of the United Nations should be drafted and transmitted to Member States for their signature without prior approval of their final form by the General Assembly, contrary to the terms of the Charter.

26. For those reasons the Yugoslav delegation appealed to all the delegations to reject those pro-

posals, which did nothing to foster international collaboration.

27. Hence if a vote were taken rule by rule, the Yugoslav delegation would vote against the rules which Mr. Bartos had mentioned. If a vote were taken on the report as a whole, his delegation would be obliged to vote against the report. In view of the gravity of the anti-democratic measures which he had just stressed, the relative usefulness of the amendments for which provision was made in the other rules did not justify any change in the basic position of the Yugoslav delegation.

28. Referring to the proposed amendments, Mr. Bartos said that his delegation would vote for the Australian amendment because it corresponded to the wishes already expressed by that delegation in the Sixth Committee.

29. The Yugoslav delegation would also vote for the Guatemalan amendment because it made it impossible to place on the minority the responsibility for declaring a discussion out of order and imposed on the majority the responsibility for preventing the minority from expressing its views.

30. With regard to the Brazilian amendment the Yugoslav delegation was not opposed to it as a whole since it was not intended to restrict freedom of speech. It would, however, abstain from voting on the second part of that amendment because it did not provide for cases where a proposal was amended in such a way that the delegation which had originally submitted it could no longer vote in favour of its own proposal.

31. Mr. COHEN (United States of America) supported the draft resolution submitted by the Sixth Committee together with the proposed changes in the rules of procedure.

32. Those proposals were the result of painstaking study by two Committees and would contribute to increasing the effectiveness and the expeditiousness of the Assembly's procedure. While they were not final, complete or perfect, little could be done to improve upon them at that stage. The procedures of the Assembly would develop through experience. In that sense, all its rules were tentative and experimental in nature. The draft resolution recognized that fact by requesting the Secretary-General to keep the rules under study and to make recommendations to the Assembly and its Committees whenever he deemed it appropriate.

33. The proposals submitted by the Sixth Committee provided for the rational planning of Assembly sessions. They took into account the fact that freedom of debate was a basic prerequisite for the Assembly's work and provided reasonable measures for limiting unnecessary repetition. Finally, they sought to assist presiding officers to take the initiative when necessary, subject always to the overriding control of the Assembly.

34. For those reasons, the United States delegation would vote in favour of the draft resolution submitted by the Sixth Committee.

35. Mr. HENRÍQUEZ UREÑA (Dominican Republic) said that the work accomplished by the Special Committee deserved high praise; it showed that a detailed study had been made of the changes which could be introduced into the rules of procedure.

36. There were points, however, with which the delegation of the Dominican Republic could not agree, especially in regard to limiting the length of debate.
37. If that limitation were imposed on motions for closure of a discussion, explanations of a vote and other similar matters, it was understandable but where the substance of a question was involved and the right of each Member State to speak on the matter, to explain its position or to present arguments, the case was different.
38. The General Assembly was, of course, sovereign and could limit debate when the majority thought it appropriate. But there were disadvantages in expressly allowing for that possibility in the rules of procedure and in empowering the President to propose the limitation, because when the President gave a ruling, it was difficult to submit a motion which would challenge it and which might easily undermine his authority. In the Assembly it was not individuals but sovereign States which voiced their views, and it was not advisable to limit the right of States to express their opinions.
39. The Dominican Republic wished it to be understood that it did not raise the question because it desired to intervene in debates; it had always tried not to speak at undue length. But although the delegation of the Dominican Republic had spontaneously imposed on itself a reasonable time-limit, that did not mean that it favoured the idea that the rules of procedure should restrict the right of delegations to explain their points of view. It was undoubtedly important to shorten debates, but the delegations themselves were best fitted to achieve that end without being constrained by the rules to do so.
40. Even in parliaments the idea of adopting any measures against filibusters had been abandoned. Those obstructionists exemplified the abuse of a right; but it was preferable for the abuse to exist rather than for the right to be limited or abolished. Consequently the delegation of the Dominican Republic could not vote for some of the revised rules of procedure, particularly rules 31 and 97, which were superfluous, since the existing rule 65 already recognized the power of the Assembly to limit the length of time to be allotted to speakers.
41. The existing rule 31 could be maintained in its original form without the proposed addition of two final paragraphs expressly providing for limiting the length of speeches and the number of occasions on which each representative could speak. It was hardly necessary to revise rules 65, 97 and 103, since in their existing form they merely stated the power of the General Assembly and the Committees to limit debate.
42. Mr. Henríquez Ureña felt there was no need to enter into greater detail concerning the exercise of that power; it was self-evident that the President could call to order any speaker who exceeded the time-limit since the mere fact that a time-limit had been imposed implied that such an obligation was laid on the President.
43. Mr. KRAJEWSKI (Poland) stated that the draft resolution submitted by the Sixth Committee dealt with an issue which constituted a vital part of the structure of the United Nations, namely, the procedure and conduct of the business of the General Assembly. The rules governing that procedure determined to a great extent the character of the Organization. The question before the Assembly was whether every Member State was to continue to enjoy the right to express its views and to submit considerations which it deemed necessary or whether discussion was to be restricted, thus preventing many delegations from presenting their points of view.
44. Under resolution 271 (III) of the General Assembly, a Special Committee had been established to consider methods and procedures which would enable the Assembly to discharge its functions more effectively and more expeditiously. The Special Committee had studied the various aspects of the problem, its report had been discussed in the Sixth Committee and the latter had, in turn, presented a report on the question to the Assembly.
45. The task of the Special Committee had been twofold: to investigate and recommend methods enabling the Assembly first, to discharge its functions more effectively and, secondly, to conclude its deliberations more expeditiously. Those two functions conflicted to a certain extent. In endeavouring to dispose of matters too rapidly, the Assembly might fail to subject them to thorough analysis; on the other hand, a thorough and precise analysis might result in prolongation of debate. It was therefore essential, in view of the Polish delegation, to evolve a sound compromise procedure. Only thus could the basic functions of the Organization be safeguarded.
46. Mr. Krajewski emphasized that in no circumstances could the desire to shorten debate and to dispose of agenda items as quickly as possible be permitted to undermine the effectiveness of the work of the Assembly. To sacrifice effectiveness to speed would be to harm the Organization as a whole and to prevent the Assembly from carrying out the functions assigned to it under the Charter. Speed was merely a means to an end. In all cases, effective action was the goal to be achieved. The means should not be mistaken for the end; in striving to achieve the goal, undue emphasis should not be placed upon the need to shorten debate and to reduce the length of Assembly sessions.
47. Unfortunately, the report of the Special Committee laid undue stress upon the time factor without sufficient regard for the detrimental effects of time limitations on the most essential part of the Assembly's deliberations, namely, its effective action. The duration of the Assembly's sessions might, of course, be restricted to a fortnight. However, the practical result of such limitation must be borne in mind. It would mean that the Assembly would not be able to give adequate attention to the many complicated and important issues with which the United Nations had to deal. It would mean that the Assembly would be unable to reach well-considered and mature decisions. Those were the dangers inherent in some of the recommendations submitted by the Special Committee, and transmitted by the Sixth Committee.
48. The revised text of rule 59 of the rules of procedure was designed to preclude debate in plenary meetings of the General Assembly on a report of a Committee unless at least one-third of the members present and voting considered such discussion to be necessary. In the view of the Polish delegation, that provision constituted a

serious infringement of the rights of Member States. Issues might arise affecting the vital interests of varying numbers of States; changes or decisions might be of great importance to fifteen or ten States or even to one State only. There was no justification for preventing the most interested party from expressing its views on a matter from the rostrum of the General Assembly on the grounds that other States, less concerned with the matter, had expressed lack of interest in it. That procedure was contrary to the principle of the sovereign equality of States and to the provisions of Article 10 of the Charter, which empowered the Assembly to discuss any question which came within the scope of the Charter.

49. Moreover, the discussion of important problems should not be confined to Committees alone. In reality, a Committee was subsidiary to the Assembly and often did not deal with all the aspects of a given problem. It was all the more important that every member of the Assembly should be permitted to speak freely and make his views known to all the other Members of the United Nations. Revised rule 59 would limit the rights of Member States and would be incompatible with the Charter.

50. The report of the Sixth Committee indicated that the Committee had had serious misgivings in recommending the revised text of rule 59. The recommendation had been adopted in the Committee by a vote of 22 in favour and 21 against, with 4 abstentions, in other words, by a majority of one vote. The views of twenty-one members, representing more than one-third of the Committee's membership, should be taken into consideration. Their views made it imperative that the important alteration proposed in the existing rules should not be accepted. The General Assembly should reject that recommendation.

51. Similarly, the Polish delegation considered the revised text of rule 65, which would limit the number of times a representative could speak on a given question, to be a restriction of the right of free speech. Representatives should have the right to intervene more than once on the important questions before the Assembly. The existing wording of rule 65 adequately provided for the limitation of time allowed to speakers. Any further limitation might result, for example, in restricting a representative to a single intervention lasting five minutes on an issue which vitally affected his country. Such action was inadmissible.

52. Moreover, the doubts of many representatives on the question had been reflected in the votes taken in the Sixth Committee. The modification of rule 65 of the rules of procedure of the Assembly had been adopted by a narrow majority of 25 to 13. A USSR proposal for the deletion of the proposed second sentence of the rule had been rejected by 22 votes to 15, with 5 abstentions. In view of that fact, the Polish delegation opposed the adoption of the Sixth Committee's recommendation.

53. The changes proposed in rule 81 of the rules of procedure of the General Assembly and in the corresponding rule governing Committees, rule 118, would deprive members of their right to insist that parts of a proposal should be voted on separately. The modified rule would leave to the Committee or to the Assembly the decision whether or not the division should take place. It

constituted another serious limitation of the rights of every delegation. A proposal might cover many problems on which delegations held varying views. By forcing members to vote on the proposal as a whole, they might actually be placed in a position where they could not vote at all. The right to vote parts of proposals separately had been recognized in the rules of procedure of many international organizations and there was no reason why the United Nations should depart from that principle. Moreover, the recommendation of the Sixth Committee concerning division of the vote had been adopted by a vote of 21 to 18, with 8 abstentions. In view of that narrow majority, the Assembly should reject it and retain the relevant rules in their existing form.

54. The recommendation of the Sixth Committee called for a further change in the rules bearing upon the vote on a proposal as a whole. It introduced a definition of the operative part of a proposal. The Polish delegation considered that any such definition would be open to conflicting interpretations and would complicate matters. The Assembly should therefore also reject that proposed change in rule 81 and the corresponding rule 118.

55. The Polish delegation further opposed the suggested modification of rule 98, reducing the number of members constituting a quorum from a majority to one-third of the total membership. In the rules of procedure of international as well as national bodies, a quorum was constituted by a majority of the members. A meeting where no such quorum existed could take no decisions; it could not proceed to a vote and therefore had to be adjourned if a point of order arose or if the Chairman's ruling were challenged. To hold a meeting with a minority of members, incapable of taking decisions, was an illusory method of saving time. The proposed change had apparently been intended to impress members with the need for punctuality in attending meetings. It was doubtful, however, whether they would take the warning seriously. The change was artificial and could serve no useful purpose. It could result only in improperly constituted meetings devoid of legal validity. For all those reasons, rule 98 should be retained in its existing form.

56. Mr. Krajewski reiterated that efforts to save time in the Assembly's proceedings should not be made to the detriment of the proper conduct of business and the effectiveness of its deliberations. The proposed changes in the rules of procedure which his delegation opposed would not be advantageous and might, on the contrary, seriously affect the conduct of work. It appeared obvious to the Polish delegation that, as there were no valid reasons for modifying the existing rules, the proposed alterations must have been motivated by other considerations. They were a clear manifestation of a tendency to deprive some Member States of their right to speak freely. Some delegations were determined not only to adopt resolutions by mechanical majorities, but to prevent the opponents of certain resolutions from voicing their opinions. They wished to eliminate discussion and to deprive minority groups of the fundamental democratic rights enjoyed by all States. The effect of the proposed alterations in the rules would be to place the elementary rights inherent in the democratic structure of the United Nations in the hands of haphazard majorities, to do with as they wished.

57. Consequently, the Polish delegation urged that serious consideration should be given to the question. By voting in favour of the proposed changes, Member States might be permanently curtailing their own rights in the Assembly and impairing their freedom of action in respect of their own vital interests. They should not think in terms of majorities, for majorities were subject to change. It was in the interest of every Member State to prevent any further restriction or limitation of its rights. Once free discussion were curbed, it might eventually result in depriving those with different views of the right to speak at all. If free discussion were thus eliminated, the United Nations would become a mere voting machine.
58. For those reasons, the Polish delegation considered the proposed changes in the rules of procedure to be contrary to the interests of Member States and of the Organization as a whole, and urged the Assembly not to approve them.
59. Mr. RODRÍGUEZ FABREGAT (Uruguay) said that the Assembly, which had appointed a Special Committee at its previous session, could be sure that that Committee had carried out a detailed study of the question entrusted to it and had devoted its best attention to the subject.
60. The Special Committee had prepared a report which had gone to the Assembly's Sixth Committee for consideration. There it had been discussed at length and considerable alterations had been made in the Special Committee's proposals. The Sixth Committee had prepared the report which was before the Assembly, accompanied by a draft resolution approving the new rules of procedure.
61. Mr. Rodríguez Fabregat had a criticism to make in regard to the Sixth Committee's report. He felt that the draft resolution took into account neither the quality nor the nature of the Assembly's work.
62. The sole objective which appeared to have been taken into account in the draft resolution could be summed up in the words so frequently used in the Assembly, "to save time".
63. Certainly time should not be wasted, but it must be emphasized that when the Charter had established the General Assembly, it had placed more than a sum of minutes between the beginning and the end of its work; it had placed before it the concrete problems of peace, the solution of which was of vital importance for the destinies of the world.
64. When the Assembly had decided to appoint a Special Committee it had instructed it to consider methods whereby the General Assembly and its Committees could "discharge their functions more effectively and expeditiously". Thus it had had two objects in view: to save time, and to ensure greater efficiency. The Assembly had thought that on the basis of the existing rules of procedure and in the light of the fundamental principles of the Charter, which were accepted as standards, the working method of the General Assembly might be established, even if only in experimental form.
65. Both in the Special Committee and in the Sixth Committee the Uruguayan delegation had held that no measure should be adopted which involved saving time by sacrificing principles, particularly if those principles related to the inherent rights of Member States.
66. Under the new provisions, the time for debate was to be restricted, the time granted to speakers was to be limited on every possible occasion, and it was even to be made possible, in certain circumstances, to forego, in plenary meetings of the Assembly, a discussion of matters reported on by Committees of the Assembly.
67. The argument had been adduced, and would probably be repeated in the Assembly, that debate in the plenary meeting was frequently unnecessary, because a subject had been fully discussed in one of the six Main Committees; all the rules concerning limitation of debate at plenary meetings had been proposed to the Assembly on the strength of that argument. Mr. Rodríguez Fabregat wished to clarify his position as though he were carrying out a precise, well-defined and concrete study of that question which so vitally concerned the work and future of the General Assembly.
68. It had been said that the repetition of statements which had already been made should be prevented, as well as any abuse of the right to take the floor—it was always an honour to be able to address the vast audience of world public opinion from the rostrum of the Assembly—and the adoption of the first rules submitted to the representatives was recommended for the purpose of limiting debate at plenary meetings, on the ground that there was ample opportunity for discussion in the Main Committees. But if the report was looked at carefully, it would be seen that after rule 59, the same limitations which had been introduced for plenary meetings were repeated for the Main Committees. Consequently there was a double restriction: on the one hand in the Assembly, since it was thought that there would be ample opportunity for making statements, submitting proposals, agreeing and taking decisions in one of the six Main Committees; and on the other hand in the Committees, whose Chairmen, appointed by the Assembly, were granted powers which had often been exercised in a harmful way in the debates on questions submitted for study by State Members.
69. Referring to revised rules 31, 59 and 97, Mr. Rodríguez stated that the revised rule 31 meant that the scope of the existing provision, which laid down essential principles concerning the powers of the President of the Assembly, would be amplified.
70. The Special Committee and the Sixth Committee had approved provisions authorizing the President of the General Assembly, during discussion of an item, to propose to the Assembly the limitation of the time to be allowed to speakers, the limitation of the number of times each representative might speak on any question, the closure of the list of speakers or the closure of the debate. But the Uruguayan delegation preferred that rule 31 should remain in its existing form.
71. Referring to the work performed by the current President and by his predecessors in accordance with rule 31, the representative of Uruguay said that there was nothing to warrant an expansion of the President's powers; such an expansion would mean only a greater limitation of the rights of the Assembly and of the prerogatives of its members. The new rules recom-



mended for adoption tended to exaggerate somewhat the powers of the President. Thus he could limit or propose the limitation of the time to be allowed to speakers during discussions concerning the inclusion of a new item in the agenda (rule 19(c)), in any circumstances and whatever the subject of the discussion (rule 31); for points of order (rule 64); for a motion for the adjournment of the debate (rule 67); for a motion for the closure of the debate (rule 68); and for a motion for the adjournment of the meeting (rule 69). Moreover, under rule 80, the decision to permit a representative to explain, on behalf of his Government, the vote of his delegation, rested with the President who, if he granted such permission, could also limit the time to be given to a representative who wished to explain his vote on behalf of the sovereign Government of a Member State. Finally, under rule 81, the President could limit the time of the two speakers for and the two speakers against a proposal moved by the representative of a Member State to the effect that parts of a proposal should be voted on separately.

72. The same provision applied, under rules 97, 102, 105, 106, 107, 110, 117 and 118, to the Chairmen of the Assembly's six Main Committees. It might be noted that the sentence which occurred most frequently in the whole draft under discussion was that the President might limit the time to be allowed to speakers.

73. That sentence was so often repeated in the draft rules and the President's power to limit debate were so wide, that the Sixth Committee had been obliged to incorporate a new rule, 31(a), which provided that the President, in the exercise of his functions, remained under the authority of the Assembly. The former excess had occasioned the latter.

74. The Uruguayan delegation continued to fear that principles were being sacrificed for the sake of saving time. Under the new rules of procedure, if they were adopted, the following situation might arise. The Chairman of a Committee, under rule 97, could limit the time allowed to speakers; the Assembly might receive the report adopted by the Committee, but the one-third majority required under rule 59 for the discussion of a report by the Assembly might not be obtained. In such a case, a vote would of course be taken immediately. Under rule 80, the President could refuse a representative permission to explain his vote on behalf of his Government or, if he gave him permission, he could limit the time of such explanation to a matter of minutes. Thus a representative who wished—and for whom it was essential—to exercise his right to explain the standpoint of a State Member of the Organization would be limited to a few minutes.

75. Mr. Rodríguez Fabregat drew attention to revised rule 59, which had been carefully studied in the Special Committee but had been voted on in the Sixth Committee in a way he wished to bring to the notice of the Assembly.

76. The Special Committee's proposal had been rejected by 24 votes to 22. It had been argued that the reports and draft resolutions of a Committee should not be dealt with by the Assembly unless one-third of the members decided otherwise. The Sixth Committee had rejected that negative statement of the principle and had instead adopted the rule in the form submitted to the Assembly,

77. However, a final clause had been added, under which any proposal for the discussion of a Committee report could not be debated but must be put to the vote immediately. On behalf of his delegation, Mr. Rodríguez Fabregat wished to request the deletion of that final passage.

78. Referring in that connexion to the Guatemalan representative's amendment (A/1041), he said that the question of principle had been clearly stated from the point of view of parliamentary procedure. He did not think it necessary to dwell on that point since most representatives had been trained in the school of democratic political procedure and knew that the normal practice was that any proposal sent up by a committee should be discussed.

79. Only after a draft was submitted by a Committee was there something for the Assembly to decide; all the earlier proceedings were concerned with the preparation of the draft. The Committee dealt with it in the form in which it came from a delegation of a Member Government; it analysed it, studied it, divided it into separate parts, assembled its various component parts into a draft and, lastly, transmitted that draft to the General Assembly. Only then did the Assembly take cognizance of a concrete proposal on which it was required to give its opinion, and only then were representatives able to inform their Governments that the question to be discussed had been given a concrete form.

80. It was logical that any proposal that a question should not be discussed in the Assembly should be made by those who wished to prevent such discussion; it was not those who desired—as they were entitled to do—that a question should be debated who should have to submit a proposal to that effect. Only in exceptional cases should it be proposed that no discussion should take place and, when such a proposal was made, the reasons for foregoing a debate should be specified.

81. The rule should be retained in its existing form. But if the Committee's proposed rule were put to the vote, the delegation of Uruguay would prefer to accept the Guatemalan amendment. If any amendment regarding the number of votes necessary to avoid discussing a question or a draft resolution submitted by a Committee should be suggested, the Uruguayan delegation would give it special attention.

82. The draft before the Assembly contained certain points not directly affecting the rules of procedure. They were special considerations, one of which was brought to mind in connexion with the Australian representative's proposal that the questions mentioned in paragraph 34 of the report of the Special Committee should be studied by the Secretary-General. The Uruguayan delegation would approve such a step. Moreover, there were other questions of the same character and of equal importance which should also be studied.

83. As the United States representative had rightly said, any rule of procedure for the General Assembly was bound to be experimental. That was true, because the United Nations in general, and each of its organs in particular, of which the General Assembly was one, were still developing. Everyone realized that the rules adopted would be experimental. It should not be felt that the study of the Assembly's rules of procedure was completed, particularly when questions of principle were involved. The matter should be

studied again by the Secretary-General or by the Special Committee on Methods and Procedures of the General Assembly appointed by the Assembly at its preceding session. Another solution would be to adopt the proposal which Mr. Rodríguez Fabregat had recently made in the *Ad Hoc* Political Committee,<sup>1</sup> to the effect that the point raised by Australia should be studied by the Interim Committee of the General Assembly, together with the problem referred to in paragraph 15 of the Special Committee's report regarding the preparation of the Assembly's agenda.

84. The question of the preparation of the agenda had given rise to many suggestions and several proposals, but no decision had been adopted. It had been proposed that an agenda committee should be established and that an Assembly committee should remain in permanent session to study the agenda; it had also been proposed that the Interim Committee should be made responsible for the preparatory work on the Assembly's agenda, which would genuinely shorten the proceedings. If the Assembly found its work prepared, if a special organ could arrange the various items on the agenda, if certain aspects of that agenda were first studied by an organ such as the Interim Committee, on which all States Members of the United Nations were represented in principle, the Assembly would find some of its work done in advance and would thus save time without sacrificing principles.

85. The representative of Uruguay wished, therefore, to suggest that the Secretary-General should be requested to make a "thorough legal analysis" not only of paragraph 34 of the report of the Special Committee, as proposed by the Australian delegation, but also of paragraph 15, to which he had just referred, together with paragraphs 13 and 14, which dealt specifically with the study by the General Assembly of the texts and provisions of international conventions. The delegation of Uruguay had stated its point of view on that question in the Sixth Committee. Perhaps an intermediary body could be established where Members of the Organization could study draft conventions prepared by special committees before those drafts were submitted to the Assembly.

86. Mr. MENDOZA (Guatemala) said his delegation had submitted an amendment to the General Assembly concerning revised rule 59, which the Sixth Committee had approved by only 22 votes to 21. That amendment concerned an important question of principle, namely, freedom of discussion in the General Assembly.

87. The text proposed by the Committee largely restricted that principle by requiring a previous vote on the question of discussion; moreover, it provided that there could be no explanation or debate whatsoever before the vote. That circumstance was so serious that the new wording proposed for rule 59 would prevent the Guatemalan delegation from supporting the draft resolution whereby those changes would be endorsed and given effect.

88. Under the Guatemalan amendment (A/1041), the following text would be substituted for revised rule 59:

<sup>1</sup> See *Official Records of the fourth session of the General Assembly, Ad Hoc Political Committee, 19th meeting.*

"Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place unless two-thirds of the members present and voting at the plenary meeting consider such a discussion to be unnecessary."

Thus the amendment required the practical application of the principle of free discussion of reports, while providing that the Assembly, by a two-thirds majority, might decide to forego an unnecessary debate.

89. It was the duty of the General Assembly to approve, amend or reject the reports of its Main Committees, as well as the proposals which they contained. The proposed rule 59 restricted that function. The Sixth Committee had wished to prevent plenary meetings from being prolonged to excess by the repetition of what had previously been said in committee, but that objective should not be sought through the restriction of the right of the General Assembly to discuss freely the subjects submitted to it. The same result could be achieved by the application of rule 68, which offered effective means for avoiding waste of the Assembly's time through repetitions. That rule, even without the reinforcement introduced into it by the Sixth Committee, offered a full guarantee against waste of time by enabling the President to limit the time of speakers who opposed the closure of debates.

90. The representative of Uruguay had said that he preferred the existing rule to the amendment proposed by Guatemala, and had used as an argument the manner in which the current President opened meetings and debates on fundamental questions. But a distinction must be made between current practice and the existing text, which read:

"Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the members present and voting at the plenary meeting consider such a discussion to be necessary".

91. The correct application of that rule would be for the President, on opening a meeting and introducing the report of a Committee, not to permit a debate on it unless one-third of the members present and voting decided in favour of a discussion. Under the Guatemalan amendment, however, the President, on opening the meeting, would automatically open the debate on whatever proposal was before the Assembly. If any delegation did not wish to have the matter discussed, it would have to move, on a point of order, that a vote should be taken to forego the debate, and that motion, to be adopted, would require a two-thirds majority of the members present and voting.

92. The delegation of Guatemala would vote against the amendments which limited freedom of discussion or which reduced the time necessary for speakers, and would support the Australian amendment concerning the omission of the new rule 76 (a). It would also support paragraph 1 of the Brazilian amendment concerning explanation of votes in a secret ballot. But it would vote against paragraph 2 of that amendment, because the case might arise where the author of a proposal or an amendment would feel compelled to explain his vote, although in practice such a case would probably be rare.

93. Mr. LOUFI (Egypt) reminded the meeting that both in the Sixth Committee and in the Spe-



cial Committee on Methods and Procedures of the General Assembly, the Egyptian delegation had supported the proposals and recommendations which it believed would enable the General Assembly and its Committees to carry out their work with more speed and efficiency.

94. The Egyptian delegation had not agreed, however, to all the changes proposed in the rules of procedure by the Sixth Committee, although it had voted in favour of the Committee's report, which it had felt to be acceptable as a whole and likely to contribute to the acceleration of the work of the General Assembly and its Committees.

95. Nevertheless, the Egyptian delegation was formally opposed to revised rule 59 of the rules of procedure. Mr. Loutfi would confine himself to a very brief discussion of that rule since the representative of Uruguay had analysed it in detail.

96. In its revised form, the following sentence would be added to rule 59: "Any proposal to this effect shall not be debated, but shall be put immediately to the vote". That addition had been proposed in the Sixth Committee by the Iranian delegation.

97. In point of fact, rule 59 had never yet been applied; the amendment proposed by the delegation of Iran had been adopted in the Sixth Committee by only 22 votes to 21, with 4 abstentions; and rule 59, which had never been applied because of its ambiguity, had become even less clear in its revised form.

98. The Sixth Committee's report endeavoured to give an interpretation of the rule. It was explained in paragraph 30 of the report that "debate on a Main Committee's report would be allowed in the plenary unless it appeared from a vote taken upon the request of any member that more than two-thirds of the members present and voting did not consider such a discussion to be necessary". But, according to the Iranian amendment adopted by the Sixth Committee, the Assembly would have to vote immediately, without preliminary discussion.

99. Under that interpretation of the revised rule, if a Member State considered that there was no need to discuss the report of a Main Committee in plenary meeting, and if it submitted a motion to that effect, an immediate vote would have to be taken; and if the motion were approved by two-thirds of the members, the report would not be discussed, but a decision taken without debate. Thus it would not be possible, even for as many as eighteen members of the General Assembly, to try to explain why they would like a discussion on the report of a Main Committee. It was wholly inconceivable that delegations should be prevented from giving their opinion on the prior question which would then arise; namely, whether it was or was not necessary to discuss the report of a Main Committee.

100. The delegation of Egypt considered that such a situation would prejudice the rights of the minority and prevent it from expressing its opinion on a question under discussion in a plenary meeting of the General Assembly.

101. It would be harmful to the prestige of the United Nations to adopt the rule. The Egyptian delegation would therefore vote against revised rule 59 and in favour of the maintenance of rule

59 in its original form. The existing form of the text seemed preferable, for so far it had never given rise to any difficulty.

102. The delegation of Egypt would vote in favour of the report.

103. Mr. FERRER VIEYRA (Argentina) said his delegation would vote in favour of the Sixth Committee's report.

104. Turning to some of the amendments to the texts included in the annexes to the draft resolution, he called attention in the first place to the amendment submitted by Guatemala to rule 59. He recalled that the Sixth Committee had considered the question of rule 59 with great care, bearing in mind the relevant proposal of the Special Committee. The Special Committee had felt that in principle, in order to save time, delegations should not be encouraged to repeat at plenary meetings the debates which had already taken place in a Main Committee. It had therefore proposed, in paragraph 27 of its report (A/937), a rule providing that questions on which a Main Commission had reported should not be discussed in plenary meeting of the Assembly unless, by a vote taken without debate, one-third of the members present and voting made it clear that they considered such discussion necessary. Thus, under that rule a Main Committee's report could be discussed, the President would have to ask the General Assembly to decide by a vote whether or not it considered a debate on the report to be necessary.

105. The Argentine representative recalled that several representatives had spoken in the Sixth Committee against that proposal of the Special Committee, which they thought endangered the principle of free discussion, since many of the smaller delegations might not be represented on some of the Main Committees; moreover, some of the questions were considered in the Main Committees from a purely technical point of view, without taking into account their political implications, which in the General Assembly might become the decisive factor.

106. In addition to the proposal of the Special Committee, two other proposals relating to that question had been submitted and put to the vote. The Special Committee's proposal had been rejected. A text submitted jointly by Canada, Chile and Venezuela, under which the Assembly would decide in each case, by a two-thirds majority vote, whether a report submitted by a Committee should or should not be discussed, had been put to the vote in parts and rejected. Finally, the text submitted by Iran, under which the sentence "any proposal to this effect shall not be debated, but shall be put immediately to the vote" would be added to the original rule 59, had been adopted.

107. That provision meant that in order to prevent discussion in the Assembly of a question already studied in Committee, a representative would have to submit a formal proposal on which the Assembly would vote without prior debate; moreover, a two-thirds majority would be required for the adoption of such a proposal. Thus a formal proposal by a delegation to the effect that a question should not be discussed would be essential.

108. In principle the Argentine delegation approved that provision, which safeguarded the rights of the Assembly and hence of all the States

Members. Neither would it oppose the Guatemalan amendment, provided that it was understood that "any proposal to this effect shall not be debated, but shall be put immediately to the vote". It would be possible in that way to save time, while safeguarding the right of the Assembly to discuss any question it deemed of interest.

109. In principle, the delegation of Argentina would also support the Australian amendment. That amendment, however, raised a practical problem of interpretation. Some Presidents allowed that parts of a proposal whose adoption required a two-thirds majority could be adopted by a simple majority; others required a two-thirds majority for the adoption of the separate parts as well as for the whole of the proposal. That situation was anomalous and should be settled once and for all in conformity with Article 18 of the Charter. The representative of Argentina felt that the rule proposed by the Special Committee for that purpose constituted a correct interpretation of the provisions of that Article. The Argentine delegation would therefore ask that the Australian amendment should be voted on in parts, and it would vote against the deletion of rule 76 (a) because it felt that that principle should be established. It would vote in favour of requesting the Secretary-General to proceed to a study of the question because it considered such a study to be necessary.

110. The Brazilian amendment, lastly, raised some doubts. Mr. Ferrer Vieyra considered that it would be ambiguous to include in rule 80, relating to the explanation of a vote, the phrase "except when the vote is taken by secret ballot". The secret ballot was in the first place a right of representatives and a safeguard for them. But the Argentine delegation felt that a representative could hardly be forbidden to explain his vote. A distinction should be drawn between the right to vote by secret ballot, which was also a safeguard recognized in the rules of procedure, and the option which a representative must have to explain his vote. Mr. Ferrer Vieyra could not agree in principle to the abolition or limitation of that option, which could be exercised unilaterally. He also had doubts concerning the last part of the amendment, because very often a proposal consisting of several paragraphs might, if amended, become unacceptable. It was possible that although the original proposal still stood in the name of its original sponsor, the latter might feel impelled to abstain or vote against his own proposal as amended, as had occurred in some Committees. It seemed logical, therefore, that after the vote in such circumstances, the representative who had sponsored the original proposal should have the right to explain his vote.

111. Those were the general views of the delegation of Argentina on the matter, and since the Brazilian amendment was still under consideration, it would await the views of other delegations before forming a final opinion.

112. Mr. GARCÍA AMADOR (Cuba) said that his delegation shared the concern expressed by the General Assembly in its resolution 271 (III) about the increasing length of its sessions and the growing tendency towards protracted debates in its plenary meetings and Committees. It had thought that with the formation of the Special Committee the procedural defects in the functioning of the Assembly would be remedied with-

out danger to the principles of the United Nations; that had not, however, come about. The Special Committee's recommendations endangered one of the basic principles of the General Assembly without even solving or alleviating the procedural problem. Those recommendations would conflict with the spirit of Article 10 of the Charter, because they placed obstacles in the way of the unrestricted discussion by the Assembly of any questions or any matters within the scope of the Charter, as Article 10 provided.

113. The Cuban delegation had voted in the Sixth Committee against all those recommendations of the Special Committee which it considered inconsistent with the spirit of Article 10 of the Charter and in favour of those which, in its opinion, would expedite the work of the General Assembly without hampering the full discussion of the matters submitted to it. It had been guided by the principle that the exercise of freedom of speech could not and should not be restricted in the most representative organ of the United Nations and it would adopt a similar attitude when the vote came to be taken on the amendments approved by the Sixth Committee. Similarly, it would vote for the amendments submitted by the Australian delegation, for the amendment contained in paragraph 1 of the Brazilian amendment and for the Guatemalan amendment. It believed that the last-mentioned, in which it took a particular interest, fully safeguarded the rights which had been previously ensured by the provisions of rule 59.

114. Mr. CHAUMONT (France) said that from the outset France had been happy to note the initiative taken by the Scandinavian countries in seeking to improve the work of the General Assembly, and that it had appreciated the real value of the praiseworthy work of the Special Committee in connexion with General Assembly resolution 271 (III) of 29 April 1949.

115. The suggestions made by the Committee were not all equally important and the French delegation had not been able to support them all, but on the whole it favoured them. The essential provisions concerned certain changes in the rules of procedure of the General Assembly. The powers of the President of the General Assembly and of the Chairmen of Committees were increased, but always on the understanding that those officers remained subject to the authority of the Assembly and the Committees respectively. The French delegation also considered the provision limiting a quorum to one-third of the members of Committees to be very useful. That requirement, modest as it seemed, was really very important.

116. Contrary to some of the statements that had been made, the proposed changes had no political implications. They were essentially technical. They did not constitute a threat to the independence and authority of the General Assembly or to the sovereignty of Member States.

117. On the other hand, it would not be wise to endeavour to apply the changes during the current session. Any such step might well be given a political signification which was not inherent in the new rules and any time saved would be purely negligible. Therefore it would be wiser to fix the date for their application for 1 January 1950, as suggested in the draft resolution of the Sixth Committee.

118. A number of amendments had been submitted to the Assembly. With regard to the amendment of the Australian delegation, which reintroduced an argument sustained by that delegation in the Sixth Committee, Mr. Chaumont recalled that the French delegation had vigorously opposed that argument and had warmly favoured the attitude taken by the Belgian delegation. It maintained its objection.

119. The Australian argument could be refuted very easily. All that was necessary was to read the text of Article 18, paragraph 2 of the Charter, the first sentence of which read:

"Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting."

120. Thus it was a question of decisions. When an amendment to a proposal was submitted, the decision of the General Assembly bearing on that amendment was obviously a decision in the sense of Article 18 of the Charter. It could not be denied that when an amendment was adopted by the General Assembly, a decision was taken by that body.

121. Furthermore, Article 18, paragraph 2 spoke of "important questions", and it was self-evident that a question did not cease to be important because an amendment or a proposal was submitted in regard to that question.

122. Consequently, under the terms of Article 18, paragraph 2 of the Charter, it was impossible to argue that a distinction should be made between decisions on proposals and decisions on amendments. What mattered was the question itself. If the question was important, it kept its importance whether or not there was an amendment or a proposal in regard thereto.

123. Perhaps a practice had been established by the General Assembly, but if that practice was bad, the Assembly was entitled to give it up.

124. Turning to the amendment submitted by the delegations of Brazil and Guatemala, Mr. Chaumont said that the French delegation would vote for the Brazilian amendment.

125. Mr. J. MALIK (Union of Soviet Socialist Republics) recalled that the General Assembly, by its resolution 271(III) had requested the Special Committee to consider methods and procedures which would enable the General Assembly and its Committees to discharge their functions more effectively and expeditiously.

126. Both methods and procedures were involved, but the Special Committee had first of all applied itself exclusively to the question of procedures. It had drawn up a series of amendments to the rules of procedure, amendments which, in the main, were directed to limiting the rights of representatives and which could not but hamper the regular discussion of questions in the General Assembly. The Sixth Committee adopted the greater part of those amendments. Mr. Malik would not make a detailed analysis of the provisions and would mention only those to which he took most serious objection. He had in mind particularly the following:

(a) Revised rule 59 of the rules of procedure, on which the greater number of speakers preceding him had commented; further obstacles would be placed by that provision in the way of discussion of problems in plenary meetings of the General Assembly;

(b) Revised rules 65, 97 and 103; the aim of those provisions could be no other but to limit, in a purely mechanical way, the number of statements any representative could make on a given question;

(c) Revised rules 81 and 118, which did away with the established procedure whereby parts of a proposal were voted on separately;

(d) Revised rule 82 and the corresponding revised rule 119;

(e) Revised rule 98, which reduced to one-third the quorum required for the discussion of a question.

127. Those various provisions fundamentally affected by the procedure through which the General Assembly could discharge the functions entrusted to it by the Charter and through which the delegations of Member States could enjoy all the rights to which they were entitled.

128. The basic working method of the Assembly was laid down in Article 10 and the succeeding Articles of the United Nations Charter, and consisted in the discussion and consideration of various questions. Without such discussion and consideration the General Assembly could not adopt the necessary recommendations on matters coming within its competence. It must have a method of discussion through which the views of the delegations could be made clear and brought into harmony.

129. The amendments which the Sixth Committee had adopted on the recommendation of the Special Committee were designed to hamper the work for international co-operation which the General Assembly and its organs had to carry out. Thus the Sixth Committee, while requiring that a majority should be present at the time of voting, had agreed to lower the quorum required for the discussion of a question to one-third. The instituting of that double quorum—one for discussion and the other for voting—would convert the Assembly into a mere voting machine.

130. The unimportant position it was intended to assign to discussion was also made clear by the revised text of rule 59 which made it impossible to speak for or against the discussion of a report of a Main Committee in plenary meeting, whereas statements were allowed in connexion with a series of procedural questions of much less importance.

131. The provisions concerning separate votes on parts of a proposal seriously limited the rights of the various delegations, violated the rights of the minority and made it almost impossible for the minority to defend its proposals. Those provisions constituted a direct infringement of the democratic principles of voting.

132. Mr. Malik stressed the fact that a number of delegations had opposed those changes in the Sixth Committee. The votes had been divided almost equally. Thus the amendment to rule 59 had been adopted by 22 votes to 21, with 4 abstentions; the amendment to rule 81 by 21 votes to 19, with 5 abstentions; and the amendment to rule 98 by 19 votes to 15, with 9 abstentions. Hence it could not be said that those modifications had been adopted by the majority of the Members of the United Nations. In fact, they had been introduced by those Members which sought, by every means, to dominate the greatest possible number

of delegations and to deprive the delegations in the minority of their democratic rights. Such a procedure destroyed the sovereign equality of all the States in the General Assembly and would greatly weaken the Assembly's authority.

133. For all those reasons, the USSR delegation asked the General Assembly to reject the amendments proposed by the Sixth Committee to rules 59, 81, 98 and 118 of the rules of procedure. It was ready to submit a proposal to the effect that the revised rules listed above should be voted upon before the Assembly voted on the whole draft resolution and the annexes. However, it considered that it was not necessary to do so, since the President had stated that the draft resolution would be voted on in parts. In any case, the delegation of the Soviet Union would vote against the adoption of the proposed amendments to the rules of procedure.

134. Sir Alexander CADOGAN (United Kingdom) stated that the United Kingdom delegation warmly supported the proposals presented by the Sixth Committee and would vote for the draft resolution submitted by that Committee.

135. The delegation of the United Kingdom was prepared to vote in favour of the Australian amendment which, in its view, was wise and proposed a good procedure.

136. With regard to the first part of the Brazilian amendment, although two days previously the United Kingdom delegation would have thought it superfluous, it had come to recognize it as essential and would support it too.

137. The United Kingdom delegation was unable, however, to accept the Guatemalan amendment for a revised text of rule 59, since it preferred the text proposed by the Sixth Committee.

138. In connexion with that rule, which dealt with the discussion in the Assembly of reports submitted by Main Committees, Sir Alexander recalled that the text proposed by the Sixth Committee had been attacked in various quarters as constituting a limitation of the right of free speech and as a restriction of the rights of minorities. But those who attacked the rule on those grounds tended to lose sight of two facts. In the first place, the report of a Main Committee of the General Assembly to the Assembly itself was not like the report of a sub-committee to a Main Committee, or the report of one body to another body. And since all Members of the United Nations were represented on all the Main Committees, they were at liberty there to state their point of view on every question that came up for consideration. In the second place, all Main Committee discussions took place in public, were fully reported, and there was therefore no restriction whatever on the dissemination of the views of the minority.

139. It had been contended that it was the function and the right of the Assembly to revise and alter, or even perhaps to reject, reports which it received from Main Committees. The representative of the United Kingdom pointed out, however, that the revision, alteration or rejection of a report of a Main Committee required the support of many more than one-third of the members of the General Assembly. That being the case, they could easily, by their votes, ensure that the discussion took place in plenary meeting and they were even entitled to hope that their pro-

posals for revision, alteration or rejection would be adopted.

140. The United Kingdom delegation felt therefore that there was no reason to alter the amendment to rule 59 as proposed by the Sixth Committee.

141. In conclusion, Sir Alexander said that his delegation would vote for the draft resolution of the Sixth Committee and for the amendments submitted by Australia and Brazil.

142. The PRESIDENT stated that he would first put to the vote annex I of the Sixth Committee's draft resolution (A/1026) and that a separate vote would be taken on those rules to which amendments had been presented or to which objections had been specifically raised. Following that, a vote would be taken on annex II, and then on the draft resolution itself.

143. He put to the vote the first group of rules in annex I, from new rule 1 (a) to new rule 19 (c) inclusive.

*The rules were adopted by 44 votes to none, with six abstentions.*

144. The PRESIDENT said that at the request of the representative of Uruguay a separate vote would be taken on revised rule 31.

*The rule was adopted by 41 votes to 8, with 3 abstentions.*

145. The PRESIDENT put to the vote the group of rules beginning with new rule 31 (a) to new rule 56 (a) inclusive.

*The rules were adopted by 45 votes to none, with 7 abstentions.*

146. The PRESIDENT called for a vote on the Guatemalan amendment (A/1041) to revised rule 59.

*The amendment was rejected by 28 votes to 17, with 9 abstentions.*

147. The PRESIDENT put to the vote revised rule 59.

*A vote was taken by roll-call.*

*Saudi Arabia, having been drawn by lot by the President, was called upon to vote first.*

*In favour:*

Sweden, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Argentina, Belgium, Bolivia, Brazil, Burma, Canada, China, Colombia, Denmark, Dominican Republic, France, Greece, Iceland, Iran, Lebanon, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Philippines.

*Against:*

Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Australia, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Guatemala, Haiti, Honduras, India, Iraq, Israel, Liberia, Mexico, Peru, Poland.

*Abstaining:* Turkey, Afghanistan, Ethiopia.

*The rule was adopted by 28 votes to 24, with 3 abstentions.*

148. At the request of the representative of Yugoslavia, the PRESIDENT announced that revised rules 64 and 65 would be voted on together and that the rules which followed, beginning with revised rule 67, would be voted on separately.

*Revised rules 64 and 65 were adopted by 45 votes to 5, with one abstention.*

*Revised rule 67 was adopted by 50 votes to 2, with one abstention.*

*Revised rule 68 was adopted by 48 votes to one, with 3 abstentions.*

*Revised rule 69 was adopted by 47 votes to 2, with 4 abstentions.*

*Revised rule 72 was adopted by 45 votes to one, with 4 abstentions.*

149. The PRESIDENT drew attention to the Australian amendment (A/1036), paragraph 1 of which called for the deletion of new rule 76 (a).

150. Mr. FERRER VIEYRA (Argentina), speaking on a point of order, requested that the first and second paragraphs of the Australian amendment should be voted on separately.

151. Mr. MENDOZA (Guatemala) suggested that a vote should first be taken on the deletion of new rule 76 (a), and that the second part of the Australian amendment should be put to the vote when the vote was taken on the draft resolution. The two parts of the amendment were quite distinct. The second part should be voted upon in connexion with paragraph 6 of the draft resolution.

152. Mr. MAKIN (Australia) did not object to the taking of separate votes on the two parts of his amendment, but felt that both parts should be voted on at that stage.

153. The PRESIDENT called for a separate vote on each of the two paragraphs of the Australian amendment.

*Paragraph 1 was adopted by 27 votes to 23, with 3 abstentions.*

*Paragraph 2 was adopted by 37 votes to 6, with 9 abstentions.*

154. The PRESIDENT recalled that the Brazilian delegation had submitted an amendment (A/1037/Rev.1) to revised rule 80, and announced that paragraphs 1 and 2 would be put to the vote separately. That part of the amendment which dealt with revised rule 80 read as follows:

"1. Add, at the end of the second sentence: 'except when the vote is taken by secret ballot.'

"2. Add, at the end of the rule, the sentence: 'The President shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.'"

*Paragraph 1 was adopted by 36 votes to 6, with 9 abstentions.*

*Paragraph 2 was adopted by 31 votes to 15, with 8 abstentions.*

155. Mr. FERRER VIEYRA (Argentina), speaking on a point of order, said that before he could vote on revised rule 80, he would like to know its final text, as amended by Brazil. The Spanish version of the Brazilian amendment was somewhat contradictory and confusing.

156. The PRESIDENT said that the Spanish version of the Brazilian amendment would be altered to conform with the English text.

157. He put to the vote revised rule 80, as amended by Brazil,

*The rule was adopted by 39 votes to 8, with 2 abstentions.*

158. The PRESIDENT put revised rule 81 to the vote.

*The rule was adopted by 36 votes to 12, with 3 abstentions.*

159. The PRESIDENT put revised rule 82, new rule 89 (a), revised rule 97 and new rule 97 (a) to the vote.

*The rules were adopted by 47 votes to 6, with no abstentions.*

160. The PRESIDENT put revised rule 98 to the vote.

*The rule was adopted by 38 votes to 12, with 4 abstentions.*

161. The PRESIDENT put revised rules 102, 103 and 105 to the vote.

*The rules were adopted by 43 votes to 8, with 2 abstentions.*

162. The PRESIDENT put revised rule 106 to the vote.

*The rule was adopted by 44 votes to 4, with 6 abstentions.*

163. The PRESIDENT put revised rule 107 to the vote.

*The rule was adopted by 44 votes to one, with 8 abstentions.*

164. The PRESIDENT put revised rule 110 to the vote.

*The rule was adopted by 47 votes to none, with 7 abstentions.*

165. The PRESIDENT put the Brazilian amendment (A/1037/Rev.1) to revised rule 117 to the vote. Under that amendment, revised rule 117 would be amended in the same way as revised rule 80.

*The amendment was adopted by 35 votes to 10, with 6 abstentions.*

166. The PRESIDENT put revised rule 117, as amended by Brazil, to the vote.

*The rule was adopted by 38 votes to 8, with one abstention.*

167. The PRESIDENT put revised rule 118 to the vote.

*The rule was adopted by 38 votes to 12, with 3 abstentions.*

168. The PRESIDENT put revised rule 119 to the vote.

*The rule was adopted by 45 votes to 6, with 2 abstentions.*

169. The PRESIDENT called for a vote on annex II of the Sixth Committee's draft resolution; that annex contained the recommendations and suggestions of the Special Committee on Methods and Procedures.

*Annex II was adopted by 45 votes to 5, with 3 abstentions.*

170. The PRESIDENT put the draft resolution of the Sixth Committee to the vote.

*The resolution was adopted by 43 votes to 5, with 3 abstentions.*

The meeting rose at 6.20 p.m.