

GENERAL ASSEMBLY

THIRTEENTH SESSION

Official Records


 Wednesday, 10 December 1958,
at 3 p.m.

NEW YORK

CONTENTS

	<u>Page</u>
Decision concerning the procedure of the meeting . . .	463
Agenda items 21, 22, 23 and 12:	
Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the number of non-permanent members of the Security Council and the number of votes required for decisions of the Council	
Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the membership of the Economic and Social Council	
Question of amending the Statute of the International Court of Justice, in accordance with the procedure laid down in Article 108 of the Charter of the United Nations and Article 69 of the Statute of the Court, with respect to an increase in the number of judges of the International Court of Justice	
Report of the Economic and Social Council (chapter I, section VI)	
Report of the Special Political Committee	463
Agenda item 61:	
Measures aimed at the implementation and promotion of peaceful and neighbourly relations among States	
Report of the Special Political Committee	465
Agenda item 62:	
Treatment of people of Indian origin in the Union of South Africa:	
(a) Report of the Government of India;	
(b) Report of the Government of Pakistan	
Report of the Special Political Committee	466
Decision concerning the procedure of the meeting . . .	468
Agenda item 30:	
Question of assistance to Libya	
Report of the Second Committee	468
Agenda item 27:	
United Nations Korean Reconstruction Agency:	
(a) Report of the Agent General of the Agency;	
(b) Progress report of the Administrator for Residual Affairs of the Agency	
Report of the Second Committee	469
Agenda item 29:	
Programmes of technical assistance:	
(b) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance	
Report of the Second Committee	469
Decision concerning the procedure of the meeting . . .	469
Agenda item 58:	
Question of initiating a study of the juridical régime of historic waters, including historic bays	
Report of the Sixth Committee	469
Agenda item 59:	
Question of convening a second United Nations Conference on the law of the sea	
Reports of the Sixth Committee and of the Fifth Committee	469
Agenda item 47:	
Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions	
Report of the fifth Committee	479
Agenda item 48:	
United Nations Joint Staff Pension Fund: annual report of the United Nations Joint Staff Pension Board	
Report of the Fifth Committee	479
Agenda item 53:	
Personnel questions (<u>concluded</u>):	
(c) Pensionable remuneration of the staff	
Report of the Fifth Committee	479
Agenda item 12:	
Report of the Economic and Social Council (chapter X)	
Report of the Fifth Committee	479

President: Mr. Charles MALIK (Lebanon).

Decision concerning the procedure of the meeting

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Special Political Committee.

AGENDA ITEMS 21, 22, 23 AND 12

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the number of non-permanent members of the Security Council and the number of votes required for decisions of the Council

Question of amending the United Nations Charter, in accordance with the procedure laid down in Article 108 of the Charter, to increase the membership of the Economic and Social Council

Question of amending the Statute of the International Court of Justice, in accordance with the procedure laid down in Article 108 of the Charter of the United Nations and Article 69 of the Statute of the Court, with respect to an increase in the number of judges of the International Court of Justice

Report of the Economic and Social Council (chapter 1, section VI)

REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/4022)

Mr. Sylvain (Haiti), Rapporteur of the Special Political Committee, presented the report of that Committee.

1. The PRESIDENT: As no member of the Assembly wishes to explain his vote now, we shall vote on the two draft resolutions submitted by the Special Political Committee in its report [A/4022].

Draft resolution I was adopted by 65 votes to none, with 9 abstentions.

2. The PRESIDENT: We shall now vote on draft resolution II. A roll-call vote has been requested.

A vote was taken by roll call.

Haiti, having been drawn by lot by the President, was called upon to vote first.

In favour: Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Jordan, Laos, Luxembourg, Mexico, Nepal, Netherlands, New Zealand, Norway, Pakistan, Panama, Paraguay, Philippines, Portugal, Spain, Sweden, Thailand, Tunisia, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Greece, Guatemala.

Against: Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia.

Abstaining: India, Indonesia, Iraq, Lebanon, Liberia, Libya, Morocco, Saudi Arabia, Sudan, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Burma, Cambodia, Ceylon, Ghana.

Draft resolution II was adopted by 52 votes to 9, with 17 abstentions.

3. Mr. SOBOLEV (Union of Soviet Socialist Republics) (translated from Russian): The Soviet delegation deems it necessary to explain its vote on the two draft resolutions which have just been voted upon.

4. The Soviet delegation abstained in the vote on draft resolution I which provided that consideration of the question of increasing the membership of the principal organs of the United Nations should be postponed until the fourteenth session of the General Assembly. The position we have taken does not mean, however, that we do not share the view of the majority of the States Members of the United Nations that consideration of these questions at the present session of the General Assembly is both untimely and inexpedient. We believe, on the contrary, that consideration, in the prevailing atmosphere, of questions implying a revision of the Charter cannot produce practical results because the conditions under which an agreement could be reached do not now exist.

5. The Soviet delegation abstained on this draft resolution because, in addition to the proposal to postpone consideration until the next session, the draft contains provisions which may easily be misconstrued as meaning that the General Assembly endorsed an increase in the membership of the principal United Nations organs regardless of whether conditions will obtain without which there can be no question of amending the Charter.

6. The Soviet delegation voted against draft resolution II on the question of increasing the membership of the Economic and Social Council. The draft is an undisguised attempt to prejudge the question of an increase in the membership of the Economic and Social Council at the fourteenth session of the General As-

sembly and thus paves the way to further damaging of the United Nations Charter.

7. In order to leave no doubt whatsoever concerning the reasons which prompted us to vote as we did, allow me briefly to explain the considerations upon which the Soviet delegation's position was based.

8. In considering a proposal to increase the membership of the principal organs of the United Nations, it must be borne in mind that the question involves a revision of the basic provisions of the Charter, governing the membership of the principal organs and, in the case of the Security Council, of Article 27 which governs the procedure to be followed by the Council in deciding matters within its competence.

9. The settlement of problems relating to increases in the membership of the principal United Nations organs therefore entails consequences of great political significance.

10. Accordingly, the Soviet delegation feels that before undertaking to revise the Charter we must determine whether the Charter as now worded continues to meet the purposes for which the United Nations was established. We are firmly convinced that the Charter in its present form fully meets the purposes of strengthening and maintaining international peace and security, and of developing fruitful political, economic and other forms of international co-operation.

11. We maintain our view that, if the activities of the United Nations are to achieve practical results, what is needed is not a revision of the Charter but a sincere effort on the part of every Member State to co-operate in reducing international tensions and strengthening mutual confidence. It is essential that every Member State should by its actions unswervingly promote the implementation of the purposes and principles of the United Nations. Only thus can the United Nations become a genuine instrument of peace and exert a favourable influence on international relations. Unless this obtains, that is to say, unless there is strict adherence to the Charter, no revision will ensure that sovereign rights are not infringed or that the interests of a Member State are not prejudiced.

12. Events of the past few years have proved that the United Nations is prevented from doing effective work and successfully performing its functions for reasons other than any inadequacy of the Charter. In point of fact, the provisions of the Charter are being grossly violated.

13. In this connexion, we must in the first place draw attention to the flagrant violation of the Charter with respect to one of the permanent members of the Security Council—the People's Republic of China. For the past eight years this great Power has not been represented in the United Nations, its seat having been occupied by individuals who represent no one but themselves.

14. The Soviet delegation considers it inadmissible that the question of amending the Charter should be considered without the participation of the People's Republic of China, the more so since any amendment to the Charter would come into force only upon ratification by all the permanent members of the Security Council, of which the People's Republic of China is one.

15. Hence, it would be pointless to consider the question of increasing the membership of principal United Nations organs without the participation of the People's Republic of China. This applies equally to the Security Council and to the Economic and Social Council because the latter, which considers important international economic and social questions, cannot function effectively without the participation of China, whose people constitute one-fourth of the world's population.

16. The Soviet delegation believes that before considering the question of amending the Charter this great injustice must be corrected and the legitimate rights of the People's Republic of China in the United Nations must be restored. That is why we are firmly opposed to any consideration, in the present circumstances, of questions relating to the amendment of the Charter.

17. The PRESIDENT: I call on the representative of China, who wishes to speak on a point of order.

18. Mr. HU (China): The Soviet representative has again utilized this opportunity to make some slanderous remarks about my delegation. In his statement he raised two points concerning us. First, he questioned the status of our delegations. On this point, I should like to remind the Assembly that my delegation's right to represent the people and Government of the Republic of China has been upheld by this General Assembly in previous sessions as in this one. It is a matter already settled. The resolution adopted by the General Assembly should be binding upon all the Members, including the Soviet bloc.

19. He also tried to link up the so-called question of China's representation with matters relating to amendments to the Charter. These are two different things. His remarks are entirely irrelevant. The Soviet Union is doing this simply in order to becloud the issue. My delegation deplures it.

20. The PRESIDENT: I call on the representative of the Netherlands, who wishes to speak in explanation of his vote.

21. Mr. SCHURMANN (Netherlands): The reasons which have prompted my delegation to vote in favour of draft resolution II are exactly the opposite of those mentioned by the representative of the Soviet Union for voting as he did. We hold, in the first place, that the Economic and Social Council was fully within its rights and perfectly entitled to make the recommendation that it made to the General Assembly. In the second place, we are of the opinion—and we think that the wording of the resolution makes it perfectly clear—that no amendment of the Charter is contemplated at the present moment. That being so, the question of the representation of China is completely irrelevant to this question at the present moment. That is why we voted in favour of the draft resolution.

AGENDA ITEM 61

Measures aimed at the implementation and promotion of peaceful and neighbourly relations among States

REPORT OF THE SPECIAL POLITICAL COMMITTEE
(A/4044)

Mr. Sylvain (Haiti), Rapporteur of the Special Political Committee, presented the report of that Committee.

22. Mr. KURKA (Czechoslovakia) (translated from Russian): The Czechoslovak delegation welcomes the resolution submitted by the Special Political Committee for the approval of the General Assembly under the item entitled "Measures aimed at the implementation and promotion of peaceful and neighbourly relations among States".

23. In requesting the inclusion of this item in the agenda, the Czechoslovak Government took the view that to ease international tension and to ensure peaceful co-existence among peoples was one of the most urgent tasks facing the United Nations. It is a fact that not only have the chief causes of international tension not been removed, but, on the contrary, there have recently been further acts of hostility and a serious threat to international peace and security.

24. The policy of "postition of strength" and "brinkmanship" is still being applied under our eyes. The distrust between States, which is one of the main obstacles in the way of international settlement, has still not been overcome. If we remove this distrust and improve the international atmosphere, we will thereby promote not only the development of political, economic and cultural ties, but also the adoption of mutual obligations on the basis of an agreement, which would strengthen peace and international security.

25. Putting into practice the principles of the peaceful co-existence of States with different social systems will help to bring peoples nearer together, to ease international tension little by little, and to develop peaceful co-operation among States.

26. The Czechoslovak delegation submitted a draft resolution on this item in which it recommended the adoption of effective measures for implementing the principles of peaceful co-existence. A new nine-Power draft resolution was prepared after talks with delegations from various geographical areas; this draft was later adopted unanimously by the Special Political Committee. Although the resolution adopted does not contain all the points which the Czechoslovak delegation would want the United Nations to deal with in connexion with the development of principles of peaceful co-existence, it is nevertheless a good basis for the preparation and implementation of a number of further measures aimed at strengthening peace and developing friendly co-operation between peoples.

27. By approving this draft resolution, the General Assembly will go a long way towards accomplishing its aims of ensuring peace and security and developing friendly co-operation among peoples.

28. In order to give effect to the principles of peaceful co-existence, States must, whatever the circumstances, settle their disputes exclusively by peaceful means, through negotiations and agreements. This is the substance of the draft resolution which was adopted by the Special Political Committee and which the General Assembly must endorse today. The draft provides for specific measures recommended to Member States by the General Assembly. The Assembly would call upon Member States to take effective steps towards the implementation of principles of peaceful and neighbourly relations. These steps may, of course, vary depending upon conditions in different parts of the world. In the view of the Czechoslovak delegation these steps may, for instance, include the conclusion of multilateral or bilateral non-aggression pacts, the

issuance of joint declarations by States reaffirming the principles and purposes of a policy of peace, the development of mutual relations, etc.

29. It should be noted that under the terms of this draft resolution States may, in implementing the principles of peaceful co-existence, explore every possibility of settling their disputes by peaceful means, adopt practical measures of every kind, and conclude agreements designed to strengthen co-operation and mutual understanding in the fields of economics, culture, science, technology and transportation.

30. The Czechoslovak delegation expresses the hope that the General Assembly will adopt the draft resolution unanimously and will thereby contribute to peace and to the development of peaceful co-operation among peoples. This was the reason why the Czechoslovak Government, in line with the peaceful principles of its foreign policy, requested that this item should be discussed at the thirteenth session of the General Assembly.

31. Mr. SON SANN (Cambodia) (translated from French): The Cambodian delegation would like to explain its vote on the draft resolution submitted to the Special Political Committee by the nine Powers concerning measures aimed at the implementation and promotion of peaceful and neighbourly relations among States.

32. My delegation voted in the Committee for this draft resolution because it considers that it is both necessary and urgent to find solutions to the problems and differences which divide the States and which interfere with friendly and neighbourly relations among them.

33. The Royal Government of Cambodia has, on several occasions, proclaimed its desire to maintain friendly and neighbourly relations with all States irrespective of their ideological or political systems. It has not only respected the purposes and principles of the United Nations Charter but it has already given effect to them.

34. During the past three years, as a result of goodwill visits undertaken by his Royal Highness Prince Norodom Sihanouk of Cambodia to the countries of Eastern Europe, Yugoslavia, India, Burma, Ceylon, the People's Republic of China and Japan, agreements have been signed between those countries and Cambodia, proclaiming and reaffirming our policy of strict neutrality and our common desire to maintain peaceful and neighbourly relations based on the principles of the United Nations.

35. With our Western friends, in particular the United States of America, France and the United Kingdom, our relations have always been satisfactory. Cambodia takes pleasure in expressing to the Governments and peoples of those countries its profound gratitude for their understanding and acceptance of its policy of strict neutrality.

36. However, despite this consistent policy of strict neutrality and peace, Cambodia has had some difficulties with certain neighbouring States. The Royal Government, as was stated by Prince Norodom Sihanouk in a letter of 8 October 1958 to all the States Members of the United Nations, did not wish to burden further, unless it became absolutely necessary, the agenda of the General Assembly by requesting the inclusion of

the question concerning our disputes with these neighbouring States.

37. Cambodia solemnly proclaims anew its constant desire to maintain the best and most friendly relations with its neighbours, provided that they respect its independence, its institutions, its traditions, its sovereignty, its neutrality and its territorial integrity.

38. In voting for the nine-Power draft resolution, the Cambodian delegation hopes that it will not remain a dead letter and that it will be honoured and acted on.

39. The PRESIDENT: The Assembly will now vote on the draft resolution submitted by the Special Political Committee in its report [A/4044].

The draft resolution was adopted by 77 votes to none, with one abstention.

AGENDA ITEM 62

Treatment of people of Indian origin in the Union of South Africa:

- (a) Report of the Government of India;
- (b) Report of the Government of Pakistan

REPORT OF THE SPECIAL POLITICAL COMMITTEE
(A/4051)

Mr. Sylvain (Haiti), Rapporteur of the Special Political Committee, presented the report of that Committee and then spoke as follows:

40. Mr. SYLVAIN (Haiti), Rapporteur of the Special Political Committee, (translated from French): This question, which has, with one exception, been brought before the General Assembly each year since 1946, was included in the agenda of the thirteenth session at the request of the Governments of India and Pakistan. The Union of South Africa has abstained from participating in the consideration of the question.

41. The Committee has decided to recommend to the General Assembly a draft resolution to be found at the end of its report. It may be worth mentioning that, this year as last year, there were no votes against the draft resolution in the Special Political Committee.

42. Mr. Krishna MENON (India): I request a vote by roll call.

43. Mr. HUSAIN (Pakistan): This question has been with us for nearly twelve years and I would therefore like to go to the core of the problem immediately.

44. In South Africa, if you are white, you are offered supremacy; if you are black or brown you are offered enforced servitude without reservation and a complete denial of the rudiments of common liberty. Mr. E. H. Louw, Minister of the Government of the Union of South Africa, has frankly declared:

"It is quite out of the question to give the franchise to the non-European on an equal basis. They are in a majority of almost five to one and would eventually rule the country. And that would be the end of European and Christian civilization in South Africa. We must retain the control of affairs."

45. The Union of South Africa considered this question as one of domestic jurisdiction and objected to its being considered in the United Nations. Their objection was repeatedly over-ruled and it has been held

That this problem has outgrown the term "domestic" and become a full-blooded international problem. Conditions imposed upon people of Indo-Pakistan origin and in fact upon all non-whites by the Government of the Union of South Africa repudiate and negate a number of articles in the Universal Declaration of Human Rights. The following are some of the more important instances:

46. First, it denies that men are born free, equal in dignity and rights, and that all should act in the spirit of brotherhood.

47. Secondly, it denies the principle that no one shall be subjected to cruel, inhuman or degrading treatment.

48. Thirdly, it denies that all are equal before law and entitled to its protection.

49. The Universal Declaration of Human Rights, which was approved overwhelmingly by the United Nations General Assembly, has been rightly hailed as an important milestone along the road that leads to worldwide recognition of the inherent dignity of man.

50. I would like to point out here that the question of apartheid is a separate one and should not be confused with the question of the treatment of the people of Indian origin in South Africa. The latter case, the question of the treatment of people of Indian origin, hinges mainly on an international agreement and involves certain contractual obligations between the Government of the Union of South Africa on the one hand and the Governments of India and Pakistan on the other. In addition, it also involves, of course, the violation of the basic principles of the United Nations Charter and of the Universal Declaration of Human Rights. When the indentured labour was sent to South Africa, the Government of that country had agreed that after the expiry of the indenture such of the Indians as would like to settle down in South Africa would be provided with certain rights and facilities and those who would like to return to their homeland would also be given necessary facilities for doing so. Our case is that these terms have been violated. Similarly, the Government of the Union of South Africa has not fulfilled the conditions embodied in the Cape Town Agreement of 1927 and its revision of 1932. These agreements are, of course, old, but a systematic course of persecution does not become hospitality by long usage; nor do pin-pricks turn into kisses; or sword thrusts into affectionate embraces; injustice into justice; wrong into right. This is, however, not to say that we have no sympathy for the victims of the policy of apartheid. We have already made our attitude clear on that question in our statement in the Special Political Committee on 20 October 1958 [92nd meeting]. There is perhaps no discrimination practised in exercising discrimination against all the so-called non-whites. There is an equitable distribution of misery amongst all. I had to intervene here because there was some confusion towards the end of the discussion in the Committee.

51. The South African Government will be far wiser and much more realistic if it faces the facts. The problem itself will stand a better chance of solution with more justice and no recriminations than would be the case if the South African Government continued to cling to the coat-tails of events.

52. I commend this draft resolution to the General Assembly.

53. Mr. SON SANN (Cambodia) (translated from French): The Cambodian delegation will vote for the draft resolution submitted to the Special Political Committee by the four Powers as it is drafted in moderate and conciliatory terms and does not prejudice either the substance of the problem or the outcome of future discussions between the Governments concerned, if, as we hope, the Government of the Union of South Africa agrees to enter into negotiations with those Governments.

54. The way in which people of Indian origin in the Union of South Africa are treated is not unique, nor is it peculiar to the Union of South Africa.

55. Last year, at the twelfth session of the General Assembly [723rd meeting], my delegation had the honour of informing Members of the Assembly of the treatment meted out to 500,000 Cambodians in the territory of a country which was formerly an integral part of Cambodia.

56. In defiance of the purposes and principles of the United Nations Charter and of the Universal Declaration of Human Rights, this minority of Cambodian stock is being subjected to a policy of forcible assimilation. These people have been forced to change not only their nationality but even the name of Cambodians which they inherited from their forebears and obliged to take both the nationality and the name of their conquerors. Recently, moreover, even the names of the Cambodian temples have had to be changed and there have been arbitrary arrests.

57. The way in which Cambodians in the country alluded to are now being treated is revolting and is one of the principal reasons for our differences with that country. Cambodia hopes that, in a spirit of understanding and conciliation, these measures will soon be rescinded.

58. The Cambodian delegation, in voting for the draft resolution, therefore expresses the hope that the aforementioned Cambodians too, will be treated in a way which accords with the principles of the United Nations Charter and of the Universal Declaration of Human Rights.

59. The PRESIDENT: I now put to the vote the draft resolution submitted by the Special Political Committee in its report [A/4051].

A vote was taken by roll-call.

Mexico, having been drawn by lot by the President, was called upon to vote first.

In favour: Mexico, Morocco, Nepal, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya.

Abstaining: Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland,

Australia, Belgium, China, Finland, France, Luxembourg.

The draft resolution was adopted by 69 votes to none, with 10 abstentions.

60. Mr. Krishna MENON (India): My delegation did not want to participate in the explanation of votes before the vote was taken in view of the virtually unanimous agreement on the draft resolution. My Government desires to state not so much our position as our feelings and reactions on this matter. They are of a very mixed character. First of all, my delegation and Government feel extremely grateful to the majority of the members of the Assembly for the support they have given in this problem over the years, those who today made up this aggregate of sixty-nine votes. But that feeling is very much tempered by the fact that there is one vote that is necessary in order for us to fulfil the purposes of the Charter or to work with it, and that is the vote of the Union of South Africa. No delegation regrets more than we do the absence of that delegation from these discussions. It is not because we think that if they had come to this meeting they would have voted for the draft resolution, but because I know that we will not get a solution to this problem in the hearts and minds of those who are responsible for the Government of the Union; and while that change would come largely from within, we believe that the effect of public opinion throughout the world, as expressed by the votes in this Assembly, will be a great contributing factor.

61. Next, it comes to our mind that, since this item comes up here year after year, like a hardy perennial, inevitably a kind of feeling of fatigue is likely to rise in us, and what is more, we may not give it the degree of attention that is required in view of the vast suffering which is imposed upon half a million people within the Union of South Africa who are affected by this resolution. I want to beg of my colleagues on this Committee that they regard this vote that they have cast as something of a moral message to the people who, without any outside assistance, without force of arms, without violence, but against laws that inhibit every aspect of liberty and that are contrary to the purposes of the Charter, are putting up—men and women—a heroic resistance in the tradition of the great founder of this resistance movement.

62. We also want to express not so much our regret as our sadness at the fact that there were ten abstentions on this resolution, this issue upon which no one can be neutral. Our country has been accused of neutrality on many issues, but we have never been found neutral when the issue of human rights or human liberty were involved. We fully recognize the reasons for the abstentions; usually there are nineteen abstentions, but this year it has come down to ten. We hope the time will come when it is realized that the alteration in the number of these abstentions—and in the positive vote—will have the effect that I spoke of in the beginning, the effect of bringing about a change in the hearts and minds of the South African Government of the Union of South Africa—I will not say the people, because against such iniquity, against such a state of affairs, the resistance comes as much from the white population of South Africa—in so far as it extends to certain sections—as from the majority who suffer under it.

63. We further regret that some of these abstentions come from countries which not only have diplomatic and friendly relations with us but which are very close to us; and therefore we cannot speak in anger—we never would—but only in sorrow. This resolution is not merely a vote; it is a message to the people of South Africa who cannot come here under Trusteeship Agreements as petitioners, who cannot come here as people from Non-Self-Governing Territories, who have no voice but the voice of this Assembly. If year after year we adopt only a weak resolution and thereby give the impression to the world that we have salved our consciences, it will do more harm than good. But I am sure that is not the case. Large numbers of delegations have spoken and voted on this. Now we come to the fact that the delegation of India has voted for this resolution. The text has only asked for negotiations, which are enjoined upon us together with the Government of Pakistan and the Government of the Union of South Africa. I have been asked by my Government to say that, irrespective of all the developments that have taken place, irrespective of treaty violations, irrespective of the violation of human rights and of affronts to our own nationality and our dignity, we would, in the spirit of this resolution and not introducing any extraneous matter, genuinely seek negotiations with South Africa. It has been said in one place that when some of these abstainers abstain, it is because they want to keep their hands free for further purposes of the Charter.

64. As we did last year, we pledge the word of our Government that we intend, as soon as a few weeks have passed, allowing the Union of South Africa sufficient time to receive this resolution, to approach the Government of the Union of South Africa again—although we have no diplomatic relations with it—in order to enter into negotiations, without making any commitments in regard to the juridical position and at the same time making it quite clear that we do not propose to throw the United Nations overboard in this matter. It is for these reasons that I have taken the time of the Committee, after the voting has taken place, to explain the position of my Government.

Decision concerning the procedure of the meeting

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Second Committee.

AGENDA ITEM 30

Question of assistance to Libya

REPORT OF THE SECOND COMMITTEE (A/4033)

Mr. Flere (Yugoslavia), Rapporteur of the Second Committee, presented the report of that Committee and then spoke as follows:

65. Mr. FLERE (Yugoslavia), Rapporteur of the Second Committee, (translated from French): I should say at once that the debate on this item in the Second Committee was based on the various decisions taken by the General Assembly on this subject. By these decisions, and in particular by those of 1953 and 1957, the General Assembly invited the Member States and the international organizations to provide financial assistance to the United Kingdom of Libya.

66. This year again, the draft resolution recommended by the Second Committee in its report [A/4033] invites Member States to finance Libya's fundamental and urgent programmes of economic and social development. The draft resolution further recommends that in establishing their programmes the United Nations and the specialized agencies should give due consideration to the specific development needs of Libya.

67. I should add that this draft resolution was adopted by the Second Committee following a debate which was marked by complete unanimity of views. Every delegation which took part in the debate expressed its appreciation of the efforts of the Government and people of Libya to speed up the country's economic and social development. Moreover, every speaker stressed the need to continue and intensify economic assistance for Libya.

68. The PRESIDENT: Since no one wishes to explain his vote, the Assembly will now vote on the draft resolution contained in the report of the Second Committee [A/4033].

The draft resolution was adopted unanimously.

69. Mr. JAZAIRI (Libya) (translated from French): I thank the President for allowing me this opportunity to express my delegation's thanks and deep gratitude to the United Nations General Assembly, which, knowing our difficulties and the efforts our people have made, has given us constant support and encouragement. I can assure you that in saying this I am voicing the unanimous feelings of the Libyan people as regards the United Nations and the members of the General Assembly here present who have voted in favour of the resolution on assistance to Libya. We believe that this support and the sacrifices of the Libyan people will enable us to overcome our present difficulties and achieve a level of living worthy of Libya and of the confidence placed in it by the United Nations.

AGENDA ITEM 27

United Nations Korean Reconstruction Agency;

- (a) Report of the Agent General of the Agency;
(b) Progress report of the Administrator for Residual Affairs of the Agency

REPORT OF THE SECOND COMMITTEE (A/4046)

Mr. Flere (Yugoslavia), Rapporteur of the Second Committee, presented the report of that Committee.

70. The PRESIDENT: I shall now put to the vote the draft resolution submitted by the Second Committee in its report [A/4046].

71. Mr. ARKADEV (Union of Soviet Socialist Republics) (translated from Russian): I should like to request two separate votes, one on the first paragraph, sub-paragraph (b) of the second paragraph and the third paragraph of the preamble, and the other on paragraphs 3, 4 and 5 of the operative part.

The first paragraph, sub-paragraph (b) of the second paragraph, and the third paragraph of the preamble were adopted by 52 votes to none, with 20 abstentions.

Paragraphs 3, 4 and 5 were adopted by 53 votes to none, with 24 abstentions.

The draft resolution as a whole was adopted by 55 votes to 8, with 16 abstentions.

AGENDA ITEM 29

Programmes of technical assistance:

- (b) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance

REPORT OF THE SECOND COMMITTEE (A/4041)

72. Mr. FLERE (Yugoslavia): In addition to the earlier decisions concerning the United Nations Expanded Programme of Technical Assistance, the General Assembly has today to adopt also the decision on the allocation of funds for the Expanded Programme operations in 1959. I am glad to say that the total amount envisaged for the operations of the Expanded Programme in 1959 is nearly 33 million dollars, an amount slightly higher than the amount of operations in 1958. I should add that the final estimates of the Expanded Programme in 1959 were prepared after long and careful planning, in which the receiving governments themselves prepared their respective countries programmes. For this reason, both the Technical Assistance Committee and the Second Committee were in a position to adopt unanimously the draft resolution which now appears in document A/4041.

73. The PRESIDENT: At the suggestion of the Chairman of the Second Committee, the Committee decided, without voting, to recommend the adoption of the draft resolution which is before you. Unless there are any comments or objections, I shall declare this draft resolution submitted by the Second Committee in its report [A/4041], unanimously adopted.

It was so decided.

Decision concerning the procedure of the meeting

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Sixth Committee.

AGENDA ITEM 58

Question of initiating a study of the juridical régime of historic waters, including historic bays

REPORT OF THE SIXTH COMMITTEE (A/4039)

Mr. Agolli (Albania), Rapporteur of the Sixth Committee, presented the report of that Committee.

74. The PRESIDENT: We will now vote on the draft resolution submitted by the Sixth Committee in its report [A/4039].

The draft resolution was adopted unanimously.

75. Mr. SRESHTHAPUTRA (Thailand): I wish to state that the delegation of Thailand has not taken part in the vote, and I would like to place this on record.

76. The PRESIDENT: This statement will be noted in the record.

AGENDA ITEM 59

Question of convening a second United Nations conference on the law of the sea

REPORTS OF THE SIXTH COMMITTEE (A/4034)
AND OF THE FIFTH COMMITTEE (A/4055)

77. The PRESIDENT: The General Assembly has before it a draft resolution submitted by the Sixth Committee in its report [A/4034]. Two amendments have

been submitted to the draft resolution, one by Afghanistan [A/L.254], and the other by seven Powers [A/L.253]. In connexion with this question of convening a second United Nations conference on the Law of the Sea, I should draw the attention of the Assembly to the report of the Fifth Committee [A/4055], submitted in accordance with the provisions of rule 154 of the rules of procedure, regarding the financial implications of the draft resolution submitted by the Sixth Committee. It is important that in the voting, the Assembly should take into account and keep in mind the report of the Fifth Committee on the financial implications of the draft resolution.

Mr. Agolli (Albania), Rapporteur of the Sixth Committee, presented the report of that Committee.

78. Mr. TABIBI (Afghanistan): My country's main objective, when we took part in the discussion on the law of the sea, both at previous sessions of the General Assembly and at the United Nations Conference on the Law of the Sea, held at Geneva, was based on the desire to contribute, as a land-locked country, to the development of the law of the sea and to offer our services in bringing together various parties concerned for the purpose of reaching a satisfactory solution on these vital questions of the breadth of the territorial sea and fishery rights. We still hold this view and will do our best to serve the interests of international law and friendship among nations.

79. In this spirit, I proposed an amendment [A/L.254], which requests the Secretary-General to establish a machinery of good offices with a view to facilitating an agreement on the questions referred to the Conference.

80. When I submitted this amendment for the consideration of the General Assembly, I heard, fortunately, that an agreement had been reached between various parties concerned, and that an amendment had been submitted by the representatives of Chile, Ecuador, El Salvador, India, Iraq, Mexico and Venezuela [A/L.255].

81. In order to facilitate our work and in order that the General Assembly may unanimously adopt the draft resolution to convene the second conference, I do not insist on having the amendment of Afghanistan voted upon. Although I am not insisting on a vote, I do hope that the spirit of our proposal will be kept alive, because we believe that besides the diplomatic contact which will be taking place between various countries, the role which will be played by the Secretary-General in this case toward bringing the various parties together is still an important one.

82. The PRESIDENT: I take it then that the representative of Afghanistan has withdrawn his amendment. Therefore, there is only one amendment before the Assembly.

83. Mr. THORS (Iceland): As we all know, the United Nations Conference on the Law of the Sea which was held at Geneva did not succeed in reaching an agreement regarding the extent of the territorial sea or the fishery limits. Much of the valuable progress made at Geneva will lack foundation until an agreement has been found on these most important questions.

84. The Icelandic delegation took the attitude, from the commencement of this session of the General Assembly in the middle of September, that the As-

sembly could and should find an international solution to these matters and that the Sixth Committee was fully capable and well qualified to handle the question with a view to finding a just solution. This our Foreign Minister firmly and clearly stated on 25 September 1958 during the general debate [759th meeting].

85. When it later became evident that a solution here and now was not feasible for most delegations and had little support, we considered that the most desirable and most promising procedure would be to refer the matter to the next session of the General Assembly. This procedure was proposed to the Sixth Committee by Chile, Ecuador, El Salvador, India, Iraq, Mexico and Venezuela. We therefore voted in favour of the proposal. When we decided to move along this line, we did so on the fundamental assumption that the General Assembly would examine this matter on a priority basis at its next session, that the substance of the question would be considered during that session by the Sixth Committee and that every effort would be made to reach an agreement there and then.

86. The Sixth Committee rejected this suggestion, but only by one vote. There were 37 votes in favour of the proposal and 38 against. The Sixth Committee subsequently adopted a draft resolution to hold a special conference for the purpose of considering further the questions of the breadth of the territorial sea and fishery limits. We, therefore, now seem to be faced with a second conference, as it stands at the moment, to be held in July or August at Geneva.

87. The position of the Icelandic delegation has been clear and consistent during the debate on this matter. We considered and still consider that the Sixth Committee of the General Assembly is more likely to lead us to a reasonable and just solution of this matter than a special conference, and that the Sixth Committee could, in particular, be expected to be more appropriately composed and more inclined to protect the rights of coastal States, and especially the vital interests of the smaller States.

88. Despite these apprehensions we did not want to oppose the convening of a conference, even despite the fact that the approach which we preferred was not found acceptable to a very small majority of the Sixth Committee. We therefore abstained on the vote for a new conference. We did not want to reject this attempt to seek a solution, as we believe in the fairness and good faith of most of the Powers that advocated this course.

89. We now note that a new amendment has just been placed before the Committee whereby the Conference would still be postponed until March or April 1960. The sponsors are Chile, Ecuador, El Salvador, India, Iraq, Mexico and Venezuela. We are fully confident that the amendment is presented in good faith, and we are told that it meets with the approval of most of the countries which believe a conference can best promote a universal agreement.

90. Having abstained in the Sixth Committee on the principal question of calling a conference, we shall leave it to the supporters of a conference to decide what time is most appropriate for its convening. Therefore, we must abstain in the vote on the amendment. We have no other recourse.

91. Allow me now to explain further and briefly Iceland's expectations from the second conference and

our view on the circumstances under which the conference is being planned. The prevailing situation in this sphere is from our standpoint most relevant and may even affect our decision to attend or not to attend the conference.

92. As has now become fairly widely known, Iceland's economy, more than that of any other nation in the world, is dependent on fisheries. We have practically no other resources than the fisheries. Ninety-seven per cent of our exports are derived from that source, and from the value of the exports of our fisheries products we have to pay other countries for most of the necessities of life, which we must import from abroad. The fishing grounds off Iceland are our most vital resources. From there we gain our daily bread, from there come the means to provide the necessities for the life of our people on a fair standard, and from there are the sources to provide for our national life as an independent, respectable and cultured nation. The fishery grounds are to us even more important than the coffee trees are for Brazil, El Salvador and Colombia, the sugar fields for Cuba, sheep and cattle for Uruguay and Argentina, automobile production for Detroit or oil for Texas. We must, therefore, diligently and sensibly protect and preserve these riches, as the future of our nation is at stake.

93. It had become evident that there was an imminent danger of the fish stocks being depleted and destroyed. Since the beginning of the twentieth century a whole pack of foreign trawlers, mostly British, had been very scrupulously scraping the bottom of our fishery grounds, so close to our coast that complete ruin was in sight. Therefore, we could not sit idly by. Since 1949, ten years ago, we have bent every effort in all appropriate international bodies, including the United Nations, to have constructive rules established for sensible limitations of the utilization of fishery grounds. But the United Nations has moved slowly in that respect. After the United Kingdom had challenged the Norwegian baselines and after the International Court of Justice had approved the Norwegian standpoint, in 1951, when the British lost their case, we followed suit with the Norwegians in 1952. This did not meet with the immediate approval of all nations, but only one, the United Kingdom—with whom we had enjoyed most friendly relations all through our history and with whom we stood sincerely during the war—felt it appropriate to take counter-measures to try to force its will on our people. The ruling circles of Hull and Grimsby then put a ban on the landing of Icelandic fish anywhere in the United Kingdom. The intention must have been, I am sorry to say, to endeavour to starve us into submission. Little did they know our independent and persevering people. But many things go otherwise than calculated in this world. The British ban turned out to be to our benefit, as we found and developed new markets in other countries which proved friendly to us, and the British had to give up their ban and their frustrated efforts after four years.

94. When the Geneva Conference did not succeed in deciding the breadth of the territorial sea and the fishery limit, we again felt compelled to extend our fishery zone. We had declared long ago that our intention was to extend the fishery zone up to twelve miles. We again made that known in Geneva, but we waited until 1 September to make this decision effective, in order to explain our urgent need to take such measures, and had prolonged talks with many other

nations to that effect. But no agreement seemed possible.

95. A few nations have protested against our action. We were told that the twelve-mile limit did not have support in international law. To that we replied that there is no existing international law regarding the breadth of the territorial sea or coastal jurisdiction.

96. It is now commonly recognized that the three-mile rule is a dead letter in the archives of international law. There are already, according to expert opinion, about thirty nations which have fixed their territorial limits from three to twelve miles. The International Law Commission stated, in its report [A/3159, par. 33], that "international law does not permit an extension of the territorial sea beyond twelve miles".

97. At the Geneva Conference there had become evident a steadily increasing trend towards establishing the twelve-mile fishery zone. I want to emphasize here that Iceland was only extending its fishery zone, not to territorial limits, which is another question and a more far-reaching one. In Geneva, thirty-six nations had voted for a proposal by Canada to the effect that each country should have exclusive fishing rights within a zone of twelve miles. And forty-five nations voted for a United States proposal for a six-mile territorial sea limit and a further six miles of exclusive fishing zone. Although there were unacceptable limitations of the exclusive rights of the coastal State in the United States proposal, nevertheless it was the principle of a twelve-mile fishery zone that was suggested by the United States. The forty-five delegations that voted for the twelve-mile principle represented an enormous majority of the human race. These facts should clearly show that the twelve-mile limit of the fishery zone was not an unreasonable idea invented in Iceland. On the grounds that I have outlined, we maintain that this delimitation is not contrary to international law, as it is widely supported and practiced by many nations.

98. Then we are told: "You cannot do this unilaterally". Why not? About thirty nations have up to the present moment done this unilaterally. How could we alone be supposed to wait for universal approval? As I said before, a few nations protested against our measures. All of them made their protests in a diplomatic and courteous manner befitting international intercourse between nations which respect each other's sovereignty. None of these nations deemed it necessary or appropriate to resort to other measures, with one exception—only one—the United Kingdom again, which succumbed to behaviour contrary to the Charter.

99. One of the fundamental principles of the Charter is stated in Article 2, paragraph 4, which states inter alia: "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State". The British warships of the Royal Navy are aiming their guns at our small patrol boats in our waters off the coast of Iceland in flagrant violation of the Charter of the United Nations and in complete contradiction of the principles and purposes of the Charter, which we hear so often solemnly cited in our debates.

100. If the British warships are around the coast of Iceland to maintain international law and order on the

high seas, as they say, why did they not send the Royal Navy into the twelve-mile limits of the coasts of the Soviet Union, or, for that matter, into the territorial waters of any other of the over thirty nations which uphold from three to twelve-mile limits? Is it because the present British Government has two standards of international conduct, one for the big Powers or any Power that the British lion fears, and another for the smallest nations, from which it expects no resistance?

101. It is true, we have no arms to protect ourselves. We cannot force Her Majesty's Navy away from our waters, inside which, yes, even inside the undisputed three-mile limit, their warships are aiming their guns at our Coast Guard who are exercising their legal authority to uphold police action against culprits caught in the act.

102. In connexion with this double standard, let me remind the Assembly of what the Secretary of State of the United States, Mr. Dulles, warned all concerned in his speech in the general debate on 18 September 1958:

"In consequence, there is no uniformity in the acceptance and application of our Charter and our processes. There are two different standards of conduct.

"The United States believes that this double standard is incompatible with the basic purposes of our Organization and that it poses a challenge which we shall have to meet." [749th meeting, paras. 78 and 79.]

103. It has been suggested that this dispute be referred to the International Court, but Mr. President, is it not a most extraordinary procedure of jurisprudence to aim your gun at a fellow and then invite him at gunpoint to take the matter to court?

104. This British adventure has become tragicomic. The British trawlers are under orders to fish inside our limits: first the order was for three days, now they get away with two days, fish or no fish, and mostly it is very little fish. Its comical aspect is enjoyed all over the world. But from our point of view, it is tragic. They are threatening our fishermen and Coast Guard. But, moreover, we feel sorry for the British. We are not pleased to see our former friends being led into erroneous action by shortsighted and selfish advisers and therefore being ridiculed by their opponents. Furthermore, this warfare, if one can use such a serious word for such an ill-advised action, is useless and senseless. Little do the British know the Icelanders if they think we will surrender to their guns. Never. We in Iceland hope that public opinion in the United Kingdom will show its disapproval of this ignominious sabre-rattling against a small nation which is labouring hard to gain its living. The British people most certainly would not like this adventure to go down in history under the epitaph: Never did so many attack so few. The Royal Navy has a record of many glorious and valiant actions; let it not besmirch its own renown by extending the duration of this inglorious and threatening penetration into the territorial waters of a defenceless and friendly nation.

105. We now hope that long before the second conference is convened, the warships will have been removed from our domestic waters. Then when calm has come to our region, we will place our hopes in the success of the second conference. In the Sixth Com-

mittee, well over forty delegations directly expressed their sympathy for my country and their understanding of our problems and our actions. For this we most sincerely thank them. We are deeply grateful to them,

106. It is evident that most of the nations of the world are desirous of reaching a just and reasonable solution of these matters and they are anxious to establish international rules on the few points remaining at issue after the Geneva Conference. We hope that it will not be long before the Conference is used by all Governments of goodwill to prepare the ground for such a solution. In our small and modest way we shall be happy to follow them in that direction.

107. Finally, as regards the menacing actions around our country, we Icelanders have no weapon to defend ourselves but our voice of protest. We accuse the British of threat of force and use of force, and accuse them before the conscience of the world.

108. We know that the public opinion of the world is on our side. We are also confident that right will prevail over might.

109. Mr. GARCIA ROBLES (Mexico) (translated from Spanish): I should like to begin my statement by expressing the thanks of my delegation to the Secretariat for the good news conveyed to me today by the Secretary of the Sixth Committee that, at an early date, an unfortunate omission in the series of official documents of the Geneva Conference would be rectified; that is to say, that a printed supplement would be issued containing the synoptic table prepared by the Secretariat at Geneva at the request of the Mexican delegation and in compliance with a decision of the First Committee of the Conference.

110. Likewise I should like to express my pleasure and that of the other Spanish-speaking delegations at a further item of news which has also reached us from the Secretariat to the effect that, either late this month or early next month, we shall be receiving the Spanish version of the volumes containing the official records of the Conference. The absence of these texts during the Sixth Committee's debates was a considerable handicap for us.

111. Thirdly and lastly, I wish to convey the gratitude of the seven sponsors of the amendment to the distinguished representative of Afghanistan for having facilitated the task of the Assembly by withdrawing the amendment which, with the best intentions, he had introduced before we came to an agreement.

112. I shall now say a few words on behalf of my delegation and of the other sponsors of the amendment, who have been so good as to ask me to speak for them. On 26 November 1958, when I spoke in the Sixth Committee [589th meeting], during the general debate on this item, I stressed the fact that, in our view, a draft resolution with good prospects of being unanimously adopted by the Assembly could alone provide a solid basis for future attempts to achieve a similar general agreement on the substance of the two vital questions left undecided at the Geneva Conference, that is to say, the breadth of the territorial sea and fishery limits.

113. When, last Friday, I explained my delegation's vote in the Sixth Committee [597th meeting], I reverted to that aspect of the question and, after referring to the discouraging results of the votes taken on the pre-

vicious day, I again emphasized the need for us all to try before the plenary meeting to arrive at a text, which would meet the different views expressed in the Committee.

114. What I have just said would in itself be enough to explain our satisfaction at the result of the informal talks which have been taking place during the last three days between the sponsors of the original draft resolution and those of the amendments to it. My delegation had the privilege of taking an active part in those negotiations as it had already done in the drafting of the amendments.

115. The results of these efforts to reach an agreement are embodied in the new amendment which is now before the Assembly. It is co-sponsored by the same seven States which sponsored the original amendment and it provides a compromise solution which, we venture to hope, will receive the unanimous approval of the Assembly. It is the outcome of negotiations and represents considerable mutual concessions, which were made by the different parties with a view to achieving general agreement, and which all those who took part in the debate in the Sixth Committee will be able to appreciate at their true value. As the amendment is a short one and its wording is clear enough, my comments on it will be brief.

116. We used the phrase "at the earliest convenient date in March 1960", instead of saying simply "in March or April 1960", because as yet no definite date has been set for the eleventh Inter-American Conference which will begin at Quito, Ecuador, in late January or in February 1960. It would create considerable difficulties for the representatives of the Latin American Republics if the Conference on the Law of the Sea were to be held at the same time as the Inter-American Conference, which meets only once every five years and is the supreme body of the Organization of American States, and it is for that reason that the phrase which I have mentioned has been used in the amendment. It merely means therefore that the Secretary-General should bear the Conference in mind when deciding, in consultation with all member states, upon the date for convening the Conference on the Law of the Sea in March or April 1960.

117. A few moments ago I said we hoped that the amendment would be unanimously adopted. If that hope is realized, it should of course merely stimulate us to persevere in conscientiously carrying out the preparatory work which—as is stated in the last paragraph of the preamble of the draft resolution which itself was taken from the amendments which we submitted in the Committee—is essential to ensure reasonable probabilities of success of the coming international conference of plenipotentiaries on the law of the sea. We feel that such preparatory work, which is indispensable and unavoidable, should consist chiefly of preliminary consultations and negotiations on a bilateral or regional basis. The ground would thus be prepared for the adoption in due course of a general formulation of the law which would be in harmony with the international practice of our times and which would satisfy the claims, aspirations and legitimate interests of coastal States.

118. Moreover, we are convinced that, for the preparatory work and the conference itself to achieve the positive results which we so much desire, it is necessary, first, that all the States participating in the Conference should prove by their actions that, like us,

they are motivated by a sincere desire to find an equitable and universally acceptable solution for the two difficult questions still outstanding; and secondly, that they should always bear in mind the fact that the United Nations, under whose auspices the Conference will be held, is based on what chapter I of the San Francisco Charter calls "the principle of the sovereign equality of all its Members".

119. Mr. PHLEGER (United States of America): Since the voting on the present matter which took place in the Sixth Committee, the United States has given earnest consideration to the question of how the prospects for a successful second conference on the law of the sea could be maximized. We have engaged in consultations with a number of delegations, including sponsors of the amendments which were defeated by a narrow margin in the Committee. The United States delegation was approached by the delegation of Mexico earlier this week. The sponsors of the Committee amendments have now proposed that the date of the second conference be changed, from July or August 1959 to the earliest convenient date in March or April 1960. This change is embodied in the amendment [A/L.253] which is now before the Assembly. The United States delegation is prepared to accept this change. We do so because we believe that the conference at a later date will command the support of a very large majority of the Members of this Assembly. We believe that such support will enhance the prospects of success at the conference.

120. It is our understanding from the consultations we have held that States throughout the world, including many which opposed the holding of a conference in 1959, will work for the successful outcome of a conference in 1960. With such an attitude on the part of the prospective participants, the conference should be able to reach agreement on the issues left unresolved by the first Geneva Conference. We look forward to fruitful co-operation at the second conference, and to an atmosphere of accommodation and conciliation during the period of the very necessary preparations which must precede the conference. It is implicit that during this period Governments will not take actions which would prejudice the success of the conference.

121. The amendment sets the timing of the second conference at the earliest convenient date in March or April 1960. We understand this wording is chosen to avoid any conflict with the eleventh Inter-American Conference which is to convene late in January 1960. On this basis, the second conference on the law of the sea could meet by early March. We believe it is appropriate to leave the precise date to be fixed by the Secretary-General on the basis of consultations with Governments.

122. The United States recognizes that setting a date for the conference subsequent to the summer of 1959 creates special problems for some countries in certain regions. In regard to the important problems of those communities which are primarily dependent upon fisheries near their coasts, it is the view of the United States that efforts to deal with them must not be delayed until the convening of the second conference on the law of the sea. Indeed, we think that efforts should be made without delay to secure a satisfactory solution of any such problems. This purpose will guide the policy and actions of the United States Government. The United States would welcome discussions between

the parties concerned to find acceptable solutions and is prepared to lend its active assistance to this end.

123. Mr. NIELSEN (Norway): The failure of the Geneva Conference last spring to work out a compromise solution in regard to the breadth of the territorial sea was a matter of deep regret to the Norwegian Government. The subsequent and consequential developments in the North Atlantic area, to which Norway belongs, has turned our regret into acute anxiety. It has therefore been one of our major concerns at this session of the General Assembly to do our utmost in order to secure the earliest possible convocation of a second United Nations conference on the law of the sea.

124. The Norwegian Government has been determined to await the convening of and the results from a second international conference in the hope that it would finally be possible to elaborate generally acceptable global rules. It is the view of my Government, however, that the postponement of the conference beyond 1959 would reduce considerably the chances of a compromise. As far as Norway is concerned, there is a steady deterioration of the situation along the fishing grounds off the Norwegian Coast, which creates increasing fear that it will become impossible for our coastal population to continue undisturbed and in peace the fisheries which constitute their main source of livelihood. We also have reason to believe that the Norwegian fishermen will be still more seriously hampered and disturbed in their traditional ways of fishing in the year to come.

125. In these circumstances, it is impossible for the Norwegian Government to commit itself to abstain beyond 1959 from taking the necessary measures for the protection of its coastal population in conformity with our conception of the existing rules of international law.

126. I have just heard a statement by the United States representative regarding the possibilities of efforts to try to solve, without any delay and without awaiting the conference if the General Assembly decides that that conference will only take place in 1960, the problems of certain areas such as the North Atlantic where the coastal population is particularly dependent on fisheries in their coastal waters. We have taken note of this statement, and I take it that my Government would be interested in any constructive proposals along the lines indicated by the United States representative.

127. The graveness of the situation as it now appears makes it necessary for us to vote against the amendment which was introduced today with a view to delaying the convocation of the conference from the summer of 1959 until 1960. If this amendment is adopted, we will not be able to vote for the amended draft resolution without giving a misleading impression of the Norwegian position in this matter.

128. Mr. MATSUDAIRA (Japan): I wish to make a short statement on the amendment. My delegation will vote for this amendment in the hope that its adoption will increase the chance of success of the conference. We will do so with the earnest expectation that before the planned conference no unilateral action will be taken by Member States which might aggravate the already existing chaotic situation concerning the breadth of the territorial seas.

129. We would like to explain the position which we maintain.

130. First, the three-mile limit is the only established rule in the body of international law. Any extension of the breadth of the territorial seas can be made only when it is generally, expressly and specifically recognized and accepted by all delegations.

131. Secondly, any extension of the breadth of the territorial seas could not become valid unless it was realized through a convention or an agreement. Neither a unilateral act nor a municipal law could have any legal effect under international law. Any such act is nothing but an attempt at unilateral acquisition of the common property of mankind. It is undoubtedly against the law.

132. Thirdly, my Government recognizes no exclusive fishery limits outside the territorial seas.

133. Sir Claude COREA (Ceylon): Mr. President, recognizing the lateness of the hour and the volume of work before you, I shall be very brief indeed.

134. When this question was before the Sixth Committee, I gave rather fully on behalf of my delegation [593rd meeting] the reasons which actuated us to support the proposal that a second conference should be held in July or August 1959. We were convinced, at the same time, that consideration of this question by a conference would be far more productive of success than a discussion of this important question before the Sixth Committee. I shall not repeat the reasons I advanced in support of the 1959 conference as against the discussion of this matter at the fourteenth session of the Assembly. I do want to say that in the course of that statement I made the suggestion that in order to achieve a degree of unanimity with regard to the holding of a conference the date of the conference might be changed from August 1959 to February 1960.

135. I am very happy that goodwill has prevailed since the decision in the Sixth Committee and that an agreement has been reached which is embodied in the amendment before us. I have no doubt that it will receive the support of a very large majority in the Assembly. I also have no doubt that once the amendment is disposed of, if there be any who cannot support it for special reasons, the amended draft resolution will command the unanimous acceptance of the Assembly.

136. One important reason which impelled my delegation to suggest a date in 1960, although we would have preferred to have this conference in August 1959, was the fact that unanimity in regard to the question of holding a conference was an important ingredient of its possible success. Now that we have agreed on the question of the conference, it is our hope that this will prove a good augury for the holding of the conference and that the ingenuity of all who take part in it and the goodwill, of which this amendment is an indication, will enable us to overcome the many difficulties which surround this subject and lead us to a unanimous and satisfactory solution of the question of the limit of the territorial sea and the limit of the fishing rights of all countries. This is a question which we believe—and in this I have a great deal of optimism in spite of the known difficulties—that the next conference will lead to a successful conclusion.

137. Mr. MOROZOV (Union of Soviet Socialist Republics) (translated from Russian): At this late hour

the Soviet delegation would like briefly to explain its vote on the amendment before the Assembly [A/L.253] and on the draft resolution recommended by the Sixth Committee in its report [A/4034].

138. The Soviet delegation will vote in favour of the amendment to the draft resolution recommended by the Sixth Committee. As the Mexican representative has already pointed out in a detailed and brilliant statement, the purpose of these amendments is to arrive at a decision acceptable to the majority of the Member States on a very important question—the convening of an international diplomatic conference.

139. As we all know, the Committee's decision to convene a conference in 1959 was adopted by an insignificant majority, a negligible balance of votes, and almost half the Member States spoke against it. Delegations of many Asian, African, Latin American and European countries said that they were not opposed in principle to a second conference on the law of the sea, but they quite rightly considered and they still consider that to convene the conference hastily and prematurely might result in its failure. Furthermore, attempts to impose the views of a small group of States regarding the width of the territorial sea and fishing limits on all other States and to substitute dictatorial methods for patient efforts to reach agreement cannot yield good results. Such tactics have nothing in common with true international co-operation.

140. In the debate in the Sixth Committee this year, as at the 1958 Geneva Conference, the majority of delegations decisively rejected the attempts of the United States, the United Kingdom and other major maritime Powers to represent the three-mile limit as some sort of international standard; that is a characteristic factor.

141. The myth that the three-mile limit is a tenet of international law has been exploded once and for all. It may be pertinent at this juncture to recall that another proposal energetically upheld by certain major maritime Powers at Geneva was not supported either at Geneva or in the Sixth Committee this year; I am referring to the proposal to establish a six-mile limit for territorial waters and then a six-mile fishing zone.

142. As the representative of Iceland stated so well in the Sixth Committee, this formula, known as the "six plus six" solution, is unacceptable and really means "six plus six minus six", in view of the special privileges insisted upon by the major maritime Powers which supported it. It was also pointed out that, if the proposed six-mile fishing zone was not an integral part of a State's territorial waters, it would not enjoy the same protection as territorial waters.

143. This proposal completely ignored the security interests of many countries. The course of the debate this year has unfortunately left no doubt that certain major maritime Powers, headed by the United States and the United Kingdom, have not abandoned their intention of imposing this point of view on all other States.

144. In pursuing this policy, they are acting solely in their own political and economic interests, disregarding the interests of a large number of other countries. An eloquent declaration of this is the Icelandic representative's explanation of vote today, expressing views which the Soviet delegation strongly supports as it

supported them in the Sixth Committee. We do not know what the United Kingdom representative intends to say or even whether he intends to speak on this item today, but his delegation's explanation in the Sixth Committee of its Government's activities in Icelandic waters was deemed entirely unsatisfactory by very many Latin American, African, Asian and European delegations. With a perseverance worthy of a better cause, the United Kingdom representative reiterated his contention that United Kingdom warships were acting on the high seas, on the assumption that everything off the coast of Iceland outside the three-mile limit was the high seas, although that position would not stand up to any criticism from the point of view of international law.

145. Accordingly we consider it essential once again to associate ourselves with the strong protests which the Icelandic delegation has voiced against the flagrant and continuing violations of the United Nations Charter represented by the invasion of Icelandic waters by United Kingdom warships. We assume that one prerequisite for a successful outcome to the forthcoming conference—which a number of delegations would prefer to see in 1960 rather than in 1959—is the complete renunciation of attempts to decide by force questions such as those which arose in the dispute between Iceland and the United Kingdom as a result of the unlawful invasion of Icelandic waters by United Kingdom warships.

146. I think that as long as there is pressure or the brutal use of force against the people of a small northern country which lives exclusively by its fishing industry, the ingredients for a patiently negotiated and generally acceptable solution will be lacking, and yet they are necessary to the success of the second conference. If these attempts do not cease, the atmosphere will not be such as to allow of serious preparations for this conference.

147. In their statements many representatives, both here and in the Sixth Committee, have convincingly demonstrated how important it is to a number of nations, from the point of view both of the preservation and exploitation of the living resources of the sea and of national security that an equitable solution, in keeping with international practice, should be found to the question of the breadth of the territorial sea.

148. With these considerations in mind the Soviet delegation supported in the Sixth Committee the constructive proposals introduced by India, Iraq, Mexico and other States, which were designed to ensure true international co-operation as regards the breadth of the territorial sea and fishing limits.

149. With all these considerations in mind we shall support the amendment introduced by these countries for consideration by the General Assembly. We consider that the amendment is further evidence of good faith and of a sincere desire to reach an agreement on this question and to ensure the adoption of an agreed decision concerning the procedure for further international consideration of the problems of territorial waters and fishing limits.

150. We regard today's statement by the United States representative as a first step by the United States towards finding a generally acceptable solution and abandoning attempts to impose the three-mile limit on the majority of States as a generally-recognized

rule of international law. We believe, indeed we are convinced, that this first step, which is consistent with the wishes of dozens of Latin American, African, Asian and European delegations, as expressed in the Sixth Committee, will be followed by other steps leading to a solution which can be unanimously or virtually unanimously adopted.

151. We urge all delegations to support the seven-Power amendment to the Sixth Committee's draft resolution, because we consider that the resolution, as amended, would mark an important step forward towards a generally acceptable agreement in keeping with the principles of the United Nations Charter.

152. Mr. EVANS (United Kingdom): The representative of Iceland referred to the dispute between Iceland and other countries, including the United Kingdom, concerning the exercise of fishing rights in the high seas off the coast of Iceland, and he mentioned the use of warships by the United Kingdom Government. This dispute between Iceland and the United Kingdom is, of course, not on the agenda of this Assembly and this is not the right forum in which to discuss it. But, since the representative of Iceland has made certain charges against my Government, I am bound to reply.

153. The action of the Icelandic Government in seeking to reserve certain fishing grounds outside the territorial waters of Iceland for the exclusive use of Icelandic vessels is, in the view of my Government and of other Governments, illegal. Other countries, including the United Kingdom, have fished in those waters for very many years and consider that their rights to continue to do so are fully supported by international law.

154. The presence of British naval vessels in the high seas fisheries off the coast of Iceland has, unfortunately, in our view, been made necessary to protect British trawlers going about their lawful business on the high seas from illegal interference and arrest.

155. This dispute with Iceland is a matter of regret to my Government. We understand the motives of the Icelandic Government and its interests in the fishing grounds in question. But the interests in these fishing grounds are not exclusively Icelandic. As I pointed out in the Sixth Committee, Iceland has a population of 165,000 to feed; the United Kingdom has a population of 50 million.

156. We have repeatedly offered, without prejudice to a general settlement at a second conference on the Law of the Sea, to negotiate a settlement with the Government of Iceland, which would have been most advantageous to the Icelandic fishing industry. We have also suggested that the legal issues should be referred to the International Court of Justice. Nevertheless, we have been accused, both here and in the Sixth Committee, of acting illegally and in grave violation of the Charter of the United Nations. I am bound to say that I have yet to hear a single one of our critics urge Iceland to accept our offer to go before the International Court.

157. We listen with great respect to the views of other nations expressed in this Assembly, but the charges of illegality levelled against us have a hollow ring when they are not backed by readiness to have them tested before the supreme legal and judicial authority established by the Charter.

158. It is our hope that disputes such as the unfortunate dispute between the United Kingdom and Iceland will be obviated as a result of a general settlement of the questions of the breadth of territorial waters and fishery limits at a second conference on the Law of the Sea. We remain ready, pending the outcome of such a conference, to negotiate an acceptable modus vivendi with Iceland or to go to the International Court.

159. It is our view that, with goodwill, a conference could have been successfully held in the summer of 1959. However, we are conscious that our view on the date of the conference was not acceptable to all delegations and that a number believed that the conference should be postponed to a later date. We did not share their reasons for wanting the conference postponed, and we cannot hide our disappointment and regret that it was not possible to find general agreement on the convening of a conference in the summer of 1959.

160. We have noted the statements already made concerning the understandings on the basis of which the amendment to change the date of the conference from 1959 to 1960 has been made and accepted: first, that States throughout the world, including many which had opposed the holding of a conference in 1959, would work for the successful outcome of a conference in 1960; and secondly, that it is implicit that, during the intervening period, Governments will not take action which would prejudice the success of the conference.

161. On the strength of these declarations, and in order to secure as wide a measure of agreement as possible, we feel able to vote in favour of the amendment and of the draft resolution as amended.

162. We pledge ourselves to work for the success of the conference, and it is our hope and expectation that, with goodwill, it will succeed in achieving the general settlement which all, we are sure, desire. Meanwhile, we hope that it will be possible for us to reach a modus vivendi with those countries with which, in the absence of a general settlement, we have difficulties.

163. Mr. MELCHIOR (Denmark): I should like to explain the position of my delegation.

164. The Danish delegation has always wished that the question of the breadth of territorial waters and fishery limits should be dealt with by a conference at the earliest possible date. Therefore, we favoured the holding of a conference at the beginning of 1959. As the majority of the Sixth Committee wished the conference to be held in July or August 1959, we agreed to that, although very reluctantly, because we believed that the matter was urgent and should be dealt with as soon as possible. However, we thought that a conference in July or August 1959 could have wide possibilities for success because all the legal aspects of the question had been thoroughly debated before. The question was, therefore, in many ways a simple one. Now it has been suggested that this conference which we voted for in the Sixth Committee, to take place in July or August 1959, should be convened in March or April 1960.

165. We very much regret the delay in dealing with this question, which we consider to be an urgent matter. Therefore, it will be to us a matter of regret if the proposed amendment is accepted. We shall not be

able to vote for it because, as I have said, we believe that a conference should be held at an earlier date. If the amendment is adopted, we shall be sorry to note that a majority of the States Members of the United Nations wish to have the conference held at such a late date. Therefore, we shall abstain in the vote on the amended draft resolution. However, I should like to stress that this does not mean—and I repeat "does not mean"—that we are not interested in international co-operation in this question.

166. Sir Kenneth BAILEY (Australia): At this late hour I do not wish to discuss the substance of international law—either what it is or what it should be—concerning the breadth of the territorial sea and fishery rights. However, I would not wish silence to imply an acceptance of all the propositions that have been put forward this afternoon in the course of this debate. The delegation of Australia will therefore confine itself strictly to an explanation of its vote on the amendment now before the General Assembly.

167. The time has gone by when the sponsors of the draft resolution which was adopted by the Sixth Committee could accept without a vote an amendment such as the one before the Assembly. The delegation of Australia, which was one of the sponsors of that draft, will now support and vote for the amendment. Like the United Kingdom representative, we regret the postponement of the conference, but we welcome the amendment in the sense and in the terms stated by the representative of Mexico—namely, a negotiated proposal representing substantial concessions by both sides of a Committee which was strongly divided on the very point now covered by the amendment.

168. On the assumption that the understandings mentioned by the United States representative reflect the spirit and intention of the seven sponsors of the present amendment, the delegation of Australia will vote in favour of that amendment.

169. Mr. CORZO (Guatemala) (translated from Spanish): The representative of Mexico, Mr. García Robles, introduced an amendment on behalf of the delegations of Chile, Ecuador, El Salvador, India, Iraq, Mexico and Venezuela to the Sixth Committee's draft resolution on the question of convening a conference of plenipotentiaries to deal with those aspects of the law of the sea which the Geneva Conference, held this year, could not settle owing to lack of agreement among the representatives which took part in it. The amendment shows that the sponsors approached the matter in a conciliatory spirit, and we welcome this attempt which reflects a desire to see a better-prepared conference open in an atmosphere of greater optimism.

170. On 3 December, when this question was under consideration in the Sixth Committee, I stated that my delegation favoured an international convention. That is still our position. I also said that we would abide by the will of the majority, because it takes a majority to arrive at an agreement.

171. The adoption of this amendment will ensure a large majority and will make it more likely that the conference will open with good prospects of achieving a complete codification of the law of the sea.

172. It is a conciliatory step, and my delegation wishes to congratulate the co-sponsors and to express the hope that, in March or April 1960, that spirit of harmony will still prevail which is so necessary if standard

rules are to be evolved for dealing with this matter, and so contribute to international welfare under the rule of law. For this reason, the delegation of Guatemala will vote in favour of the amendment and of the amended resolution with the same conviction as it voted for the draft resolution adopted by the Sixth Committee.

173. Mr. SLIM (Tunisia) (translated from French): At this late hour I do not propose to discuss the problem as a whole, but it is, I think, essential that I should explain my delegation's position.

174. We believe that a second conference on the law of the sea is absolutely necessary in order to reach an agreement, a compromise. Nevertheless we do not think it necessary to hold the second conference so soon after the first. We believe in fact that a conference held at too early a date would not make it possible to reconcile the various views or to achieve a compromise solution.

175. For that reason we were not in favour of convening a conference in July 1959. My delegation will therefore vote in favour of the amendment, which might lead to a compromise.

176. At the same time my delegation wishes to state that the Government of Tunisia reserves all its rights with regard to any steps it might take in connexion with the questions of substance which will be examined at the next United Nations Conference on the law of the sea.

177. Mr. THORVALDSON (Canada): I should like to explain the Canadian delegation's position on the amendment and the draft resolution which will soon be put to the vote.

178. My delegation proposes to vote against the amendment calling for the convening of a conference in March or April 1960, because my country has throughout urged that a new international conference should be held at the earliest possible date—and, indeed, we considered that that date should be as early as February or March 1959. It is my Government's view that if a rule of law in regard to the questions under discussion is not established soon, there is a grave possibility that disorder and further confusion may result, which could only be injurious to the interests of the international community of nations.

179. My delegation, however, will vote in favour of the amended draft resolution—I presume that the amendment will be adopted—calling for a conference in March or April 1960, because of our keen desire that a conference should be held and because this date appears to be the earliest one acceptable to the Members of the United Nations as a whole.

180. Canada, then, appeals to all States to do their utmost to make the forthcoming conference a success and to reach agreement on a rule of law on the questions of the breadth of the territorial sea and fishing zones acceptable to the international community of nations as a whole.

181. Mr. SRESHTHAPUTRA (Thailand): Although the delegation of Thailand still holds that the second conference on the law of the sea should be convened as early as practicable, namely, in July or August of 1959, and that there should be no long delay, in the spirit of compromise, the delegation of Thailand will vote for the amendment submitted by seven Powers.

182. Mr. THORS (Iceland): The representative of the United Kingdom replied briefly to my statement. The hour is late, and I promise you to be brief. The representative of the United Kingdom said I had referred to the dispute between Iceland and other countries. I referred only to the dispute with the United Kingdom and to the use of force to which Britain, alone and isolated, has seen fit to resort. The representative of the United Kingdom mentioned that the British had fished for many years around Iceland. That is completely right. It is so right that that is the very reason that we now have to defend ourselves and ask them to leave, because the British had almost depleted our fishing stocks. There was hardly anything left. Well, historic rights have little avail nowadays. We know that the British were once in India, in Burma, in Ceylon, and many other places all over the globe. They had to leave. Now we ask them to leave, with all due respect. Finally, what I want to maintain is that we have the same right as other countries to take decisions in this matter. As I said before, about thirty nations already have extended their territorial limits or fishing zones, some from three to twelve miles, some even more and some much further. The British have proved entirely unwilling to understand our vital interests, and therefore no negotiations have been possible. The British invited us to surrender, and we refused. I must say that now the British warships have fully sealed the twelve-mile limit. Now regarding the high court, let me only repeat that you do not aim at the person, and then ask him to take the matter to court at gunpoint. If the British want legality in international affairs, let them withdraw the warships from our waters. We trust they will do that, because the ordinary Briton is known for his love of fair play.

183. Mr. EVANS (United Kingdom): I will be very brief. The representative of Iceland stated that, as a result of fishing by United Kingdom vessels in the fisheries off the coast of Iceland, there had been a serious depletion in the fish stocks available. That I understand was the sense of what he said. I simply want to point out to the Assembly that, according to the figures which are available to me, the total fish catch by Icelandic fleets around Iceland increased from an average catch of 149,000 tons in the years 1936-1938 to 392,000 tons in the year 1956. These figures, I think, speak for themselves.

184. The PRESIDENT: The Assembly will now vote on the amendment submitted by Chile, Ecuador, El Salvador, India, Iraq, Mexico and Venezuela [A/L.253] to the draft resolution recommended by the Sixth Committee in its report [A/4034]. A roll-call vote has been requested.

A vote was taken by roll-call.

The United States of America, having been drawn by lot by the President, was called upon to vote first.

In favour: United States of America, Uruguay, Venezuela, Yugoslavia, Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, France, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Nepal, Netherlands, Nicaragua, Pakistan, Panama,

Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Spain, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland.

Against: Canada, Denmark, Finland, Ireland, Norway, Sweden.

Abstaining: Cambodia, Iceland, New Zealand.

The amendment was adopted by 68 votes to 6, with 3 abstentions.

185. The PRESIDENT: I now put to the vote the draft resolution, as amended. A roll-call vote has been requested by the representative of Norway.

A vote was taken by roll-call.

The Philippines, having been drawn by lot by the President, was called upon to vote first.

In favour: Philippines, Poland, Portugal, Romania, Saudi Arabia, Spain, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, France, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Pakistan, Panama, Paraguay, Peru.

Abstaining: Sweden, Cambodia, Denmark, Finland, Iceland, Norway.

The draft resolution, as amended, was adopted by 71 votes to none, with 6 abstentions.

186. Mr. T. HUSAIN (Pakistan): My delegation supported in the Sixth Committee the eleven-Power draft resolution proposing the holding of a second United Nations conference on the law of the sea in July or August of 1959. We supported the draft in the conviction that another conference is necessary to resolve the two outstanding questions. Some delegations, however, opposed this draft resolution and wanted to defer the question of convening an international conference. The draft resolution was, however, adopted by the Sixth Committee in spite of the opposition. The delegation which wanted a postponement of the question introduced an amendment in the General Assembly suggesting a second United Nations conference in March or April of 1960, instead of July or August of 1959. The amendment was a compromise between the opposing groups.

187. My delegation voted in favour of the amendment in the hope and belief that all Member States including the sponsors of the amendment would take a flexible position with regard to the two outstanding questions and make sincere efforts for the success of the next conference.

188. Mr. CACHO ZABALZA (Spain) (translated from Spanish): I should like it to be placed on record that

the Spanish delegation was happy to vote in favour of the seven-Power amendment.

AGENDA ITEM 47

Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions

REPORT OF THE FIFTH COMMITTEE (A/4042)

AGENDA ITEM 48

United Nations Joint Staff Pension Fund: annual report of the United Nations Joint Staff Pension Board

REPORT OF THE FIFTH COMMITTEE (A/4043)

AGENDA ITEM 53

Personnel questions (concluded)

(c) Pensionable remuneration of the staff

REPORT OF THE FIFTH COMMITTEE (A/4052)

AGENDA ITEM 12

Report of the Economic and Social Council (Chapter X)

REPORT OF THE FIFTH COMMITTEE (A/4053)

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Fifth Committee.

189. The PRESIDENT: I invite the Rapporteur of the Fifth Committee to present the reports on items 47, 48, 53 (c) and 12 in one intervention.

Mr. Quijano (Argentina), Rapporteur of the Fifth Committee, presented the reports of that Committee and then spoke as follows:

190. Mr. QUIJANO (Argentina), Rapporteur of the Fifth Committee, (translated from Spanish): The first report of the Fifth Committee [A/4042] that I have the honour to present deals with agenda item 47. The Fifth Committee considered in great detail the report of the Committee on Contributions proposing the scale of assessments for the apportionment of the expenses of the United Nations for the period 1959, 1960 and 1961.

191. During the discussion, general questions relating to the establishment of these scales and the methods followed by the Committee on Contributions were dealt with. Of the matters which came under review and which are mentioned in the report, the most important—in view of the fact that the Committee had to reach a decision on it—was how long the scale was to remain in force. It was decided to maintain the proposed scale for three years, in accordance with rule 161 of the rules of procedure of the General Assembly.

192. The report also mentions the reservations made by several delegations with regard to the assessments of their countries.

193. The Fifth Committee is submitting two draft resolutions to the Assembly. The first recommends the scale of assessments for Member States' contributions to the budget for the next three-year period and the rates applicable during the same period to States which are not Members of the United Nations but which participate in certain of its activities. The same draft resolution repeats the recommendation

adopted in recent years to the effect that the Secretary-General should be empowered to accept, as circumstances permit, a portion of the contributions of Member States in currencies other than United States dollars.

194. The second draft resolution contains a request to the Committee on Contributions to consider an arrangement which would enable representatives of Member States, on request, to acquaint themselves with the statistical and other information which is at the disposal of the Committee on Contributions when it prepares the scale of assessments. According to the delegations which supported this draft resolution, its purpose is to facilitate the consideration of the reports of the Committee on Contributions.

195. The second report of the Fifth Committee [A/4043] deals with agenda item 48. There was only a very brief debate on this subject and, without objection, the Fifth Committee decided to recommend three draft resolutions to the General Assembly.

196. The third report [A/4052] deals with item 53 (c) of the agenda. Here the Fifth Committee approved a draft resolution the main purpose of which is to provide for the undertaking of a comprehensive review of the system of benefits and their present and future adequacy, of the methods by which basic pensionable remuneration could be revised and of the financial and technical bases of the Joint Staff Pension Fund. To that end the Fifth Committee requests the Secretary-General, in consultation with the Joint Staff Pension Board and the Administrative Committee on Coordination, to appoint a committee of experts, the costs of which would be borne by all the member organizations of the Fund, to accomplish such a review. As provisional measures pending the preparation and approval of the experts' study, the Fifth Committee recommends that the pensionable remuneration of the professional category and higher salary levels should be increased by 5 per cent with effect from 1 January 1959. The Committee also authorizes the Joint Staff Pension Board to supplement by 5 per cent the pensions and life annuities now being paid and, lastly, it sets out the manner in which this expenditure is to be met.

197. The fourth and last report [A/4053] deals with agenda item 12 and contains a draft resolution on the report of the Economic and Social Council.

198. Mr. MATSUDAIRA (Japan): The Japanese delegation voted in the Fifth Committee against draft resolution A contained in document A/4042, dealing with the scale of assessments for the apportionment of the expenses of the United Nations, because it considers that the scale of assessments recommended by the Committee on Contributions contains an element of inequity, which is perhaps due to the lack of comparability of the statistics of the Member States.

199. The Japanese Government, after having given further careful consideration to this problem, has instructed my delegation to abstain from voting, with the understanding that the inequity will be remedied, in so far as possible, when the scale of assessments is readjusted in future years, especially in 1960 when a number of States are expected to be admitted to United Nations membership. Then their assessments will be incorporated into the whole scale of assessments.

200. The decision of my Government was made in the spirit of constructiveness and in order to eliminate a negative vote on such an important draft resolution as the present one.

201. The PRESIDENT: The General Assembly will now vote on the two draft resolutions which appear in the report of the Fifth Committee relating to agenda item 47 [A/4042].

Draft resolution A was adopted by 64 votes to none, with 5 abstentions.

Draft resolution B was adopted by 46 votes to 2, with 20 abstentions.

202. The PRESIDENT: I now invite the Assembly to take a decision on draft resolutions A, B and C submitted by the Fifth Committee in its report on agenda item 48 [A/4043]. All three of the draft resolutions were adopted by the Fifth Committee without objection.

In the absence of any objection, the draft resolutions were adopted.

203. The PRESIDENT: I now invite the Assembly to take a decision on the draft resolution submitted by the Fifth Committee in its report on agenda item 53 (c) [A/4052].

The draft resolution was adopted by 68 votes to none, with one abstention.

204. The PRESIDENT: I invite the Assembly to take a decision on the draft resolution submitted by the Fifth Committee in its report relating to agenda item 12 [A/4053].

In the absence of any objection, the draft resolution was adopted.

The meeting rose at 6.55 p.m.