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Chairman : Mrs. Ana FIGUEROA (Chile).

**Draft international covenant on human rights and measures of implementation (A/1883, A/1884 (chapter V, section I), E/1992, E/2057 and Add.1 to 5, E/2059 and Add.1 to 8, E/2085 and Add.1, A/C.3/559, A/C.3/L.88, A/C.3/L.180, A/C.3/L.182, A/C.3/L.186 and Add.1) (continued)**

[Item 29]\*

JOINT DRAFT RESOLUTION SUBMITTED BY CHILE, EGYPT, PAKISTAN AND YUGOSLAVIA (A/C.3/L.182) (continued)

1. Mr. PAVLOV (Union of Soviet Socialist Republics) noted that the Third Committee had before it two diametrically opposite texts, the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182) on the one hand, and the so-called amendment submitted by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1) on the other, in regard to which the Committee was clearly divided in its views. It was unnecessary to recall his delegation's position, which had been defined (370th meeting) during the general debate, but he emphasized that it was based upon his country's experience in that field. The Soviet Constitution proclaimed all human rights, whether civil, political, economic, social or cultural, and all those rights were guaranteed by law. Not only were they defined in theory, but their enjoyment was assured in practice by the country's socialist structure. His delegation was in favour of a single covenant, as it considered that civil and political rights could not be separated from economic, social and cultural rights.

2. All the arguments advanced by the advocates of two separate covenants merely strengthened his delegation's conviction as to the soundness of General Assembly resolution 421 (V) on the need for a single covenant and the interdependence of rights. The

existence of two separate covenants would be fatal to the cause of human rights, and those representatives who recommended that rights should be divided into two groups were violating all the principles of the United Nations Charter and of the Universal Declaration of Human Rights.

3. Freedom of the Press, for example, had little meaning for persons who had neither printing presses, nor paper, nor the necessary funds to publish a newspaper. The right to life was a mockery without the right to work. To divide human rights into civil and political rights on the one hand, and economic, social and cultural rights on the other, was to destroy them all. That, incidentally, was what those who favoured a division of rights sought to achieve. Civil and political rights would be made illusory once they were separated from economic, social and cultural rights; and economic, social and cultural rights would be made equally illusory if civil and political rights were not firmly guaranteed. The Lebanese representative had juggled with a lot of statistics which proved nothing and had said that the fewer articles there were in each covenant the more States would accede to them (370th, 389th and 394th meetings). The result of that would be a multiplicity of covenants which would make any system of implementation impossible. To draw up several covenants would be to destroy the last hopes which could still be placed in the United Nations, where so many other hopes had foundered.

4. His delegation was in favour of drawing up a single covenant; that was the only way to ensure the implementation of the Universal Declaration of Human Rights, since signature of a single covenant would in effect commit States to embodying all its provisions in their national legislations and to ensuring compliance with them. All the amendments to the draft resolution submitted jointly by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182) were equally unacceptable, because they all envisaged the division of human rights into two separate groups, and because the governments

\* Indicates the item number on the General Assembly agenda.

which supported them, compelled as they were by public opinion at home to recognize social, economic and cultural rights, sought to sow confusion, the better to achieve their ends.

5. He was sure that all delegations which remained loyal to the principle of the indivisibility of human rights would rally round those who favoured a single covenant.

6. Mr. CASSIN (France) replied to a number of objections to the amendment proposed by France (A/C.2/L.192/Rev.2) and the ideas on which it was based. The covenant was not the Universal Declaration of Human Rights, and it was a mistake to regard it as analogous to the various national constitutions. It was the Universal Declaration which corresponded to the constitutions; what corresponded to the covenant were the laws necessary to implement each individual right. By way of example, he referred to the fact that the International Labour Organisation, which recognized the unity of the workers' rights, had nevertheless prepared more than a hundred conventions, because the implementation of each of those rights affected all aspects of national life. In his view, even if an international covenant on human rights were prepared and adopted, the United Nations would not have finished its work, for implementation would never be complete and would require constant effort. To the representative of the Ukrainian SSR he replied that he had never said that the Economic and Social Council should confine its instructions to the Commission of Human Rights to a single category of rights.

7. The problem of human rights was a single problem from the point of view of principle, but a multiple problem from the point of view of the forms it assumed. He added that the representative of Israel had expressed an opinion (368th and 393rd meetings) very close to his own: he had spoken in favour of unity, but had admitted that the most important problem was not the unity or duality of the covenant, but the implementation of the rights. The French amendment did not propose a rigid system of implementation and imposed no imperative requirements, for it was only when the covenant or covenants were prepared that it would be possible for the measures of implementation to be precisely defined and for all countries to express their opinions. He appealed therefore to a spirit of discipline and stated that, whatever solution the Committee adopted, the French delegation would continue its sincere efforts to ensure the triumph of human rights.

8. Mr. YU TSUNE-CHI (China) recalled that he had stated his delegation's position during the general debate in his speech at the 369th meeting. After examining the documents submitted to the Committee, he could only reaffirm that position with increased conviction. It was based on three fundamental ideas.

9. First, it was essential to proclaim the equal importance of civil and political rights on the one hand and economic, social and cultural rights on the other hand. There were, however, other essential rights, just as inseparable from those under discussion as were the latter from each other. The existence of two covenants

in no way prejudiced one or another category of rights. On the contrary, it opened the way to the preparation of other covenants relating to rights that had not yet been mentioned. He was thinking of moral concepts, such as honesty and reciprocity, which were an integral part of civilization and which were just as essential in relations between nations as in relations between individuals.

10. Secondly, the preparation and signature of a covenant was one thing, and its application was quite another. It was unnecessary to recall all the conventions and treaties that had been violated. It was preferable therefore to ask States to sign only instruments the provisions of which they sincerely accepted, and not to exert pressure on them for the purpose of obtaining unwilling support. That was another reason why the Chinese delegation was in favour of two covenants.

11. Lastly, the definition of economic, social and cultural rights was defective in the draft covenant, and in the form in which they had been expressed they were not in keeping with the civil and political rights. Their inclusion in a second covenant would make it possible to improve the form in which they had been expressed and to devise a wording as precise and complete as that of the first eighteen articles of the draft covenant.

12. The Chinese delegation would vote on the amendments to the joint draft resolution and the amendments to the amendments in accordance with all those considerations.

13. Mr. Altaf HUSAIN (Pakistan) expressed surprise that the representative of Lebanon should have appeared to think (394th meeting) that the supporters of a single covenant had forgotten the consequences of accession to an international instrument and the fact that, by signing it, every State assumed the obligation to execute its provisions. The States which advocated the preparation and adoption of a single covenant had no intention of evading that obligation and, if it were maintained that some countries were not in a position to implement immediately all the rights they thus undertook to guarantee, it should be pointed out that the contemplated single covenant provided for the progressive implementation of those of its provisions which could not be carried into effect immediately. It was surprising to see a number of delegations display so much reluctance to allow the Commission on Human Rights even to attempt to prepare a single covenant. Nevertheless, it was obviously dangerous to divide human rights into two separate groups, for such a division would seriously compromise the rapid implementation, and even the definition, of the economic, social and cultural rights. No one could be unaware of the fact that if they had to choose between civil and political rights on the one hand and economic, social and cultural rights on the other hand, the great majority of the people of the world would choose the latter without hesitation, for without them the former could not exist.

14. It must therefore be deplored that most of the countries which had founded and perfected the demo-

cratic system should declare themselves in favour of two covenants. The United Nations would be able to give the Universal Declaration on Human Rights its true meaning only if it translated the Declaration into a reality. The arbitrary distribution of human rights between two covenants would mean that the Organization and democracy had failed, and the masses, thus deprived of all economic, social and cultural rights, would inevitably turn to totalitarian régimes, which they would consider were the only ones capable of ensuring to them the enjoyment of those rights.

15. It was for those reasons that, together with the majority of the Committee, the delegation of Pakistan would vote against the so-called amendment (A/C.3/L.185/Rev.1), because it contradicted the principle of the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182), which proclaimed the principle of the unity and interdependence of human rights.

16. Mr. PAZHWAQ (Afghanistan) said he had intended to reply to the Lebanese representative but he no longer needed to do so, because the representative of Pakistan had just given a very apposite answer.

17. He would therefore speak about the French amendment (A/C.3/L.192/Rev.2). He had not done so at the previous meeting because he had hoped the French representative would submit a new and more acceptable revision. He had not done so. Mr. Cassin had drawn a distinction between the Universal Declaration of Human Rights and the covenant and had adduced in support of the idea of two covenants the case of ILO and the very numerous conventions it had prepared to protect the workers' rights. If a separate instrument was required for every right that had to be ensured, he failed to see how two covenants would be better than one. An infinite number would be needed. For his part, he could not agree that two covenants were better; but since the ILO conventions had been referred to, he thought it was correct to say that they already constituted a stage in the implementation of the economic and social rights, and that there was therefore no justification for regarding such implementation as being impeded by insurmountable obstacles.

18. Since he considered that the principle of the unity of human rights must be safeguarded by the preparation of a single covenant only, he would vote against the French amendment.

19. Mr. PLEIC (Yugoslavia) noted that, at the 394th meeting, the feasibility of drafting two covenants had been mentioned. His delegation felt it right to draw the Committee's attention to the situation which the existence of two covenants would create for countries which had pronounced in favour of a single covenant. Those countries would have no choice: they would have to accede simultaneously to both covenants, with the reservation that their accession would only take effect when all the States signatories of the first had acceded to the second. Since, however, it was obvious that the supporters of the two covenants advocated that solution precisely because they did not intend to accede to the second, the result would be that neither one nor

the other would ever come into force. That was one reason why countries which recognized all human rights and intended to implement them would be in favour of the single covenant.

#### PROPOSAL TO HOLD A SPECIAL SESSION OF THE ECONOMIC AND SOCIAL COUNCIL

20. The CHAIRMAN drew the Committee's attention to the Chilean draft resolution (A/C.3/L.218/Rev.1) concerning a special session of the Economic and Social Council. The joint amendment (A/C.3/L.185/Rev.1) to the joint draft resolution (A/C.3/L.182) and some other draft resolutions requested the Economic and Social Council to refer the matters they dealt with to the Commission on Human Rights. The fourteenth session of the Economic and Social Council was, however, to be held from 31 May to 2 August and the eighth of the Commission on Human Rights from 21 April to 6 June. In those circumstances, if the joint amendment (A/C.3/L.185/Rev.1) was adopted, the Economic and Social Council could not request the Commission on Human Rights to prepare the two covenants within the time necessary to submit them to the General Assembly at its seventh session. It therefore appeared desirable to examine at once the Chilean draft resolution according to which the General Assembly would request the Economic and Social Council to revise the calendar of its meetings for 1952.

21. Mrs. ROOSEVELT (United States of America) thought a vote should be taken on the draft resolution and the amendments just examined by the Committee. The Chilean draft resolution spoke of the resolutions adopted: it would therefore be more logical to begin by adopting the resolutions in question.

22. Mr. GARCIA BAUER (Guatemala) thought there was no need to interrupt the Committee's work. Besides, even if some documents were approved by the Third Committee, the General Assembly could always alter them.

23. Mr. VALENZUELA (Chile) said his delegation's draft resolution was not a dilatory manoeuvre; but if the draft resolution was not approved by the Committee, the joint amendment (A/C.3/L.185/Rev.1) would no longer have any meaning, since there would be no session of the Economic and Social Council before the eighth session of the Commission on Human Rights.

24. Mr. ALFONSO RAVARD (Venezuela) thought the joint draft resolution (A/C.3/L.182) and the amendments to it should be disposed of first. It was the adoption of the draft resolutions mentioned in the Chilean draft resolution which would determine the necessity for a special session of the Economic and Social Council, or such other measures as the Committee might think it appropriate to adopt.

25. Mr. DAVIN (New Zealand) thought it undesirable for the Third Committee to embark on a long procedural debate until the question of the number of covenants to be drafted had been settled.

26. Mr. AZKOUL (Lebanon) pointed out that if the Chilean draft resolution was approved, it would have to be ratified by the General Assembly, and the latter would be unable to do so before the end of the following week. It was therefore not urgent for the Committee to decide on it. That being the case, he moved the closure of the debate on the Chilean draft resolution (A/C.3/L.218/Rev.1).

27. The CHAIRMAN put to the vote the Lebanese motion for the closure of the debate.

*The motion was adopted by 42 votes to 6, with 6 abstentions.*

JOINT DRAFT RESOLUTION SUBMITTED BY CHILE, EGYPT, PAKISTAN AND YUGOSLAVIA (A/C.3/L.182) (continued)

28. Mr. BAROODY (Saudi Arabia) requested that he should be permitted, before the voting, to make use of his right of reply to the references made to his country by the Danish representative (393rd meeting) and to the statements she had made. In his previous intervention (393rd meeting), he had adopted a universal viewpoint in his analysis of a problem which arose for the whole world. Taking the case of Denmark, he stressed that that country, which exported large quantities of foodstuffs, might be considered to be in a favoured position. Nevertheless, the Danish population did not consume enough of those necessary products because it was obliged to export them in order to import very highly-priced raw materials. If those were the conditions in a country the situation of which was far from unfavourable, what was to be said of countries which were in an unfavourable position because they could not dispose freely of the raw materials they possessed and could not give work to their citizens? It must be recognized that three-quarters of the world's population was undernourished.

29. He maintained that the right to work, if it was recognized, must be interpreted as the right to occupy a post. Human rights must not be dissociated in the way in which man had disintegrated the atom, for that might cause a terrible explosion. It was because he entertained that fear, and because he followed the course of events very closely, that he had painted a gloomy picture of the future. He felt it was no longer possible to remain in an ivory tower and if governments, before granting peoples economic, social and cultural rights, waited until they were compelled to do so by riots, it would perhaps be too late and would signify the end of human progress. Whatever the number of the instruments which proclaimed them, it was an indisputable fact that human rights formed an indivisible whole.

30. Mrs. BEGRUP (Denmark) remarked that the Danish people had won human rights by exercising severe self-discipline.

31. The CHAIRMAN invited the Committee to decide upon the order in which it would vote upon the various draft resolutions before it.

32. She recalled that the New Zealand representative had asked (394th meeting) that the amendment submitted by France (A/C.3/L.192/Rev.2) should be put to the vote in parts. The Syrian representative had the previous day (393rd meeting) proposed an order for the various ballots, but his suggestion was contrary to the provisions of rule 129 of the rules of procedure. For her part, she thought that under rule 129 the Committee should first decide on the Syrian amendment (A/C.3/L.219) to the joint amendment (A/C.3/L.185/Rev.1), then on the French amendment (A/C.3/L.192/Rev.2) to the same joint amendment, then on the joint amendment itself, and then on the United Kingdom amendment (A/C.3/L.188) to the original draft resolution (A/C.3/L.182), which would be put to the vote last.

33. There were, however, two possibilities of compromise before the Third Committee: the first would be for the authors of the joint amendment (A/C.3/L.185/Rev.1) to accept the French amendment, which thus would not be put to the vote separately; the second would be for Syria to submit its amendment as an amendment to the original draft resolution (A/C.3/L.182), in which case the Committee would itself have to agree to a departure from the time limit of 5 January which it had established (372nd meeting) for the submission of amendments.

34. Mr. PAVLOV (Union of Soviet Socialist Republics) thought it would be more regular for the Committee to consider the joint draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182) as a procedural proposal; it was justified in doing so since that draft merely restated the terms of the resolution adopted by the General Assembly at its fifth session (resolution 421 (V), section E). In that case, the joint draft resolution would have priority and, if it was adopted, there would no longer be any reason for the Committee to vote on the various amendments, one of which, the joint amendment (A/C.3/L.185/Rev.1), was diametrically opposed to the original draft, since it entailed the drawing up of two covenants and should have formed an independent proposal.

35. The CHAIRMAN pointed out that at a previous meeting (389th meeting) she had already ruled that the joint amendment was a real amendment and no one had appealed against her ruling. In making the ruling, she had based herself on the last sentence in rule 129, which defined the conditions in which a motion was considered an amendment. She pointed out that all United Nations precedents justified her attitude and she quoted some which had occurred during the current session in the First and Second Committees. However, in her opinion, an appeal could still be made against her ruling. If there was no appeal, the amendments should be put to the vote first, and consequently the joint draft resolution (A/C.3/L.182) could not have priority.

36. Mr. Altaf HUSAIN (Pakistan) supported the USSR representative's remarks.

37. Mr. DAVIN (New Zealand) indicated that his delegation had already accepted the Chairman's ruling

with regard to the application of rule 129. He saw no objection to putting the various proposals to the vote in the order suggested by the Chairman.

38. Mr. AZKOUL (Lebanon) pointed out that in accordance with rule 112, a ruling of the Chair, if not appealed against, became a decision of the Committee, which could only reconsider it by a two-thirds majority.

39. The CHAIRMAN indicated that her interpretation of rule 112 was more liberal than that of the Lebanese representative: she thought the Chair's ruling remained valid until it had been appealed against. Members of the Committee continued to have the right to appeal against it and the two-thirds majority was not necessary. In the case before them, to reconsider her ruling in the absence of an appeal would establish a precedent, and she refused to do so.

40. Mr. PAZHWAQ (Afghanistan) considered that the question before the Committee was highly important. The observation of the USSR representative seemed to him justified. It was not true that a dangerous precedent would be created by voting first on the joint draft resolution (A/C.3/L.182) because that draft merely reaffirmed a previous decision of the General Assembly and was therefore of a superior category to all the existing drafts and amendments. The precedent could therefore only be invoked in an analogous case: in other words, in relation to a decision of the General Assembly.

41. Mr. GARIBALDI (Uruguay) agreed with the representative of Lebanon. As no representative had appealed against the Chairman's decision, the Committee had accepted it *ipso facto*, on the principle that silence signified consent.

42. Mr. VALENZUELA (Chile) considered the situation a delicate one. The rules of procedure certainly favoured the decision taken by the Chairman; but they also permitted certain practices contrary to logic and common sense such as the presentation of the proposal contained in document A/C.3/L.185/Rev.1 as an amendment. If the Committee approved that amendment it would be incorporated in the joint draft resolution. The paradoxical situation would then arise that the resolution recommending the preparation of the two covenants would bear the names of Chile, Egypt, Pakistan and Yugoslavia, which favoured a single covenant.

43. The Chairman having taken a decision, the Committee could not proceed to a vote which might perhaps be interpreted as a motion of censure. Furthermore, Belgium, India, Lebanon and the United States of America had submitted an amendment (A/C.3/L.185/Rev.1) which nullified the draft resolution (A/C.3/L.182) to which it referred, and which placed the four authors of the draft resolution in the absurd position of having to vote against their own text.

44. Mr. CASSIN (France) supported the view, held by the representatives of Lebanon and Uruguay, that the decision of the Chair had become that of the Committee, inasmuch as a two-thirds majority would be required to set it aside.

45. He also pointed out that the joint amendment, while departing considerably from the original text, retained one of its salient points in providing that in the preparation of the draft covenant all rights should be studied simultaneously. Legally, therefore, it was certainly an amendment. He considered that to reopen the question would create a serious precedent with regard to the Chairman's decision, the Committee's decision, and the interpretation of rule 129.

46. Mr. Altaf HUSAIN (Pakistan) acknowledged that from the procedural point of view the Chairman was right. The Committee should, however, take into account the Chilean representative's remarks. It was paradoxical that, if the joint amendment were adopted, the four authors of the draft resolution would be obliged to support a proposal which they opposed. It was to be regretted that there was no rule of procedure enabling that state of affairs to be remedied.

47. He acknowledged that the Chairman was in a delicate situation, as she had to ensure that the rules of procedure were respected. The rule in question did not, however, contain the word "challenge" but mentioned only an "appeal". On the understanding that he was not "challenging" the Chairman's decision, he would appeal to her to allow the Committee to decide in the final instance.

48. Mr. SANSON TERAN (Nicaragua) pointed out that, in spite of the numerous opportunities that the Chairman had afforded the members of the Committee to appeal against her decision, none of them had chosen to do so. There was therefore no alternative but to proceed to the vote.

49. Mr. ROY (Haiti) agreed with the representatives of Lebanon and France. He appreciated the Chairman's generous readiness to allow members of the Committee to appeal against her decision, but rule 112 was conclusive. The Committee could revise its decision only under rule 122, which called for a two-thirds majority.

50. Mr. AZKOUL (Lebanon), replying to the representatives of Chile and Pakistan, emphasized that in the Committee's work the authors of draft resolutions were often obliged to vote against their own text because of amendments made to it. He cited a recent instance in the *Ad Hoc* Political Committee. He added that the resolution would not bear the names of its authors, and that as soon as it was approved it would be considered as a decision of the Committee.

51. Mr. MUFTI (Syria) considered that precedents could not override the strict application of the rules of procedure. If the Committee adopted that course, any draft could be defeated by amendments putting its admissibility in issue, thus evading rule 119. The delegation of Syria did not wish to challenge the decision of the Chair, but it felt bound to emphasize that the authors of the joint amendment (A/C.3/L.185/Rev.1) had in that instance been so obsessed with the idea of the principle of adopting two distinct covenants that they did not appear to have fully realized the implication of the initial proposal. The joint draft resolution (A/C.3/L.182) provided that the General

Assembly should reaffirm the decision recorded in its resolution 421 (V), section E, that the Commission on Human Rights should prepare a single covenant; on the contrary, the joint amendment provided for the preparation of two distinct covenants, and thus purported to set aside the directives issued by the General Assembly.

52. Mr. GARCIA BAUER (Guatemala) moved the closure of the debate on the procedural question under rule 116 of the rules of procedure.

*The motion was adopted by 40 votes to none, with 13 abstentions.*

53. Mr. MUFTI (Syria) stated that he would withdraw the amendment (A/C.3/L.219) which his delegation had submitted to the joint amendment.

54. The CHAIRMAN stated that in that case the Committee would have to vote first on the French amendment (A/C.3/L.192/Rev.2) to the joint amendment submitted by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1) to the draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182).

55. Mr. VALENZUELA (Chile) requested that the vote on the French amendment (A/C.3/L.192/Rev.2) be taken by roll-call.

56. The CHAIRMAN put to the vote the first part of the French amendment (A/C.3/L.192/Rev.2), from the words "the two covenants" to the words "similar provisions as possible,".

*A vote was taken by roll-call.*

*Sweden, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour*: Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Australia, Belgium, Bolivia, Brazil, Colombia, Costa Rica, Denmark, France, Greece, Honduras, Iceland, India, Israel, Lebanon, Liberia, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru.

*Against*: Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Argentina, Burma, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Haiti, Indonesia, Iran, Iraq, Mexico, Pakistan, Poland, Saudi Arabia.

*Abstaining*: Canada, China, Dominican Republic, Ethiopia, Guatemala, New Zealand, Philippines.

*The first part was adopted by 28 votes to 22, with 7 abstentions.*

57. The CHAIRMAN put to the vote the second part of the French amendment (A/C.3/L.192/Rev.2), from the words "particularly in so far" to the words "are concerned";.

*A vote was taken by roll-call.*

*Belgium, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour*: Belgium, Bolivia, Brazil, Colombia, Costa Rica, Denmark, France, Greece, Honduras, Iceland,

India, Israel, Lebanon, Liberia, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, Turkey, United States of America, Uruguay, Venezuela.

*Against*: Burma, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Haiti, Indonesia, Iran, Iraq, Mexico, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia, Afghanistan, Argentina, Australia.

*Abstaining*: Canada, China, Dominican Republic, Ethiopia, Guatemala, New Zealand, Philippines, Thailand.

*The second part was adopted by 26 votes to 24, with 8 abstentions.*

58. The CHAIRMAN put to the vote the French amendment (A/C.3/L.192/Rev.2), as a whole.

*A vote was taken by roll-call.*

*Lebanon, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour*: Lebanon, Liberia, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, Turkey, United States of America, Uruguay, Venezuela, Belgium, Bolivia, Brazil, Colombia, Costa Rica, Denmark, France, Greece, Honduras, Iceland, India, Israel.

*Against*: Mexico, New Zealand, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia, Afghanistan, Argentina, Burma, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Haiti, Indonesia, Iran, Iraq.

*Abstaining*: Philippines, Thailand, Australia, Canada, China, Dominican Republic, Ethiopia, Guatemala.

*The amendment, as a whole, was adopted by 26 votes to 24, with 8 abstentions.*

59. The CHAIRMAN called for the vote on the amendment submitted by Belgium, India, Lebanon and the United States of America (A/C.3/L.185/Rev.1).

60. Mr. VALENZUELA (Chile) asked that the vote be taken by roll-call on point 2 of the amendment.

61. The CHAIRMAN put point 1 of the amendment to the vote.

*Point 1 was adopted by 29 votes to 22, with 4 abstentions.*

62. Mr. PAVLOV (Union of Soviet Socialist Republics) stated that the second part of point 2 of the joint amendment reproduced the contents of the French amendment just adopted, and that consequently there was no purpose in voting on it.

63. The CHAIRMAN replied that, pursuant to rule 128 of the rules of procedure, if a motion for division were carried, those parts of the proposal or of the amendment which were subsequently approved should be put to the vote as a whole. Point 2 of the joint

amendment (A/C.3/L.185/Rev.1) had therefore to be voted upon.

64. She put to the vote point 2 of the joint amendment (A/C.3/L.185/Rev.1), ending with the words "at the same time for signature".

*A vote was taken by roll-call.*

*Honduras, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Honduras, Iceland, India, Lebanon, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Australia, Belgium, Bolivia, Brazil, Canada, China, Colombia, Costa Rica, Denmark, France, Greece.

*Against:* Indonesia, Iran, Iraq, Israel, Mexico, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Argentina, Burma, Byelorussian Soviet Socialist Republic, Chile, Cuba, Czechoslovakia, Ecuador, Egypt, Ethiopia, Haiti.

*Abstaining:* Philippines, Thailand, Dominican Republic, Guatemala.

*That part was adopted by 30 votes to 24, with 4 abstentions.*

65. The CHAIRMAN put to the vote point 2 of the text of the joint amendment (A/C.3/L.185/Rev.1) plus the text contained in the French amendment (A/C.3/L.192/Rev.2), as a whole.

*That text, as a whole, was adopted by 28 votes to 23, with 7 abstentions.*

66. The CHAIRMAN proposed that the vote should be taken on the joint amendments and the French amendment as a whole.

67. Mr. GARCIA BAUER (Guatemala) stated that in his opinion that was not necessary and that the text of the United Kingdom amendment (A/C.3/L.188) should be voted upon, since, pursuant to rule 129 of the rules of procedure, if one or more amendments were adopted the amended proposal should then be voted upon.

68. Mr. ROY (Haiti) held that rule 128 and not 129 should be followed. If the motion for division were carried, those parts of the proposal or of the amendment which were approved should be put to the vote as a whole. The Committee had already adopted the various parts of the amendment submitted to it, and should proceed to vote on them as a whole.

69. Mr. PAVLOV (Union of Soviet Socialist Republics) pointed out that, according to rule 128 of the rules of procedure, if all operative parts of a proposal or of an amendment had been rejected, the proposal or amendment should be considered to have been rejected as a whole. Accordingly the operative part of the joint draft resolution of Chile, Egypt, Pakistan

and Yugoslavia (A/C.3/L.182) had been rejected by the very fact that the joint amendment (A/C.3/L.185/Rev.1) and the French amendment (A/C.3/L.192/Rev.2) had been adopted. As the amendment of the United Kingdom (A/C.3/L.188) to the joint draft resolution no longer referred to any proposal, it could not be put to the vote.

70. The CHAIRMAN regretted that she could not accept the view of the representative of the USSR. As a result of the votes that had just been taken the Committee had before it the first three paragraphs of the preamble of the original draft, a fourth paragraph of the preamble corresponding to the first paragraph of the joint amendment, and two paragraphs corresponding to paragraph 2 of the joint amendment and to the French amendment. Therefore the text of the United Kingdom amendment (A/C.3/L.188) to the draft resolution of Chile, Egypt, Pakistan and Yugoslavia (A/C.3/L.182), which had not yet been considered by the Committee, should be put to the vote.

71. Mr. PAZHAWAK (Afghanistan) believed that the Committee was unanimous in deeming it undesirable to follow a procedure whereby it would be possible to adopt a text with repercussions on a proposal such as those which the United Kingdom amendment would have on the joint draft resolution; it would therefore be only fair to put to the vote first of all, paragraph by paragraph, the joint draft resolution (A/C.3/L.182).

72. Mr. CASSIN (France) thought that, from a logical point of view, it would be preferable not to vote on the amendments as a whole before voting on the United Kingdom amendment and before studying those parts of the joint draft resolution which remained intact. The Committee could then vote on the draft resolution and on the amendments as a whole rather than on fragmentary amendments.

73. Mr. AZKOUL (Lebanon) said that, if the Committee adopted an amendment submitted by a delegation, it did so because it preferred it to the original text. Furthermore, in view of the fact that the Committee had considered independent amendments, it was therefore not necessary to vote on those amendments as a whole after having voted on them separately.

74. The Committee should therefore vote on the original draft resolution (A/C.3/L.182) as amended after having voted on the United Kingdom amendment.

75. The CHAIRMAN said that she would put to the vote the United Kingdom amendment (A/C.3/L.188) and then the three paragraphs of the preamble of the original draft resolution (A/C.3/L.182).

76. Mr. VALENZUELA (Chile) asked the representative of Afghanistan not to press his request that the vote on the joint draft resolution (A/C.3/L.182) should be taken paragraph by paragraph. Indeed, the amendments which had already been adopted had robbed the draft resolution submitted by Chile, Egypt, Pakistan and Yugoslavia of all its significance and consequently he would, as co-sponsor, be obliged to ask all members to vote against it.

77. Mr. PAZHWAQ (Afghanistan), in reply to the Chilean representative's request, withdrew his proposal for a vote paragraph by paragraph.

78. AZMI Bey (Egypt), speaking as co-sponsor of the joint draft resolution, associated himself with the remarks made by the Chilean representative. He agreed with the French representative that the Committee should first of all vote on the United Kingdom amendment and then on the first three paragraphs of the preamble of the joint draft resolution (A/C.3/L.182). His delegation would vote for those paragraphs of the preamble but would vote against the joint draft resolution as a whole.

79. Mr. PLEIC (Yugoslavia) requested clarification as to the status of the amendments adopted if the Committee were to reject the preamble to the joint draft resolution.

80. The CHAIRMAN said that, if they were adopted, the amendments would be incorporated in the proposal to which they related; if the first three paragraphs of the preamble were rejected, paragraph 1 of the joint amendment (A/C.3/L.185/Rev.1) would become the preamble to the draft resolution to be submitted to the General Assembly.

81. Mr. PAVLOV (Union of Soviet Socialist Republics) said that, by refusing to consider the joint amendment as in fact constituting a counter-proposal, the Committee had entered into an impasse. It would indeed be absurd to consider that document A/C.3/L.185/Rev.1 constituted the operative part of the draft resolution and to add to that operative part a preamble which would be in complete opposition to it. As the USSR representative had already stated, the joint draft resolution (A/C.3/L.182) no longer existed, since the amendments previously adopted were contrary to the purpose of that draft resolution and, consequently, the Committee could not vote on amendments to a draft resolution which was no longer before it.

82. The CHAIRMAN said that she could not accept the interpretation given by the USSR representative: none of the operative part of the joint draft resolution had been rejected since the draft resolution had not been voted upon. Consequently, it was not a question of rejection, but of substitution of certain paragraphs for others.

83. She said that she would be obliged to adjourn the meeting if other delegations raised new points of order.

The meeting rose at 6.55 p.m.