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Chairman: Mr. Abdul Rahman PAZHWAQ
(Afghanistan).

Consideration of the agenda of the twenty-first session and allocation of items: memorandum by the Secretary-General (A/BUR/166 and Add.1) (*continued*)

ALLOCATION OF ITEMS

1. The CHAIRMAN invited the Committee to consider the suggestions for the allocation of items in paragraphs 6 to 12 of the Secretary-General's memorandum (A/BUR/166 and Add.1).
2. Mr. FEDORENKO (Union of Soviet Socialist Republics) proposed that item 90 referred to in paragraph 6 of the Secretary-General's memorandum should be allocated to the First Committee.
3. Mr. FINGER (United States of America) supported that proposal. Moreover, since items 30, 90 and 92 dealt essentially with the peaceful uses of outer space, they should be considered together in the First Committee.
4. Mr. CSATORDAY (Hungary) observed that the question of how to deal with the various items should be decided by each of the Main Committees.

The Committee decided to recommend to the General Assembly that the item entitled "Conclusion of an international treaty on the principles governing the activities of States in the exploration and use of outer

space, the moon and the celestial bodies" should be allocated to the First Committee.

The Committee decided to recommend to the General Assembly that the item entitled "Treaty governing the exploration and use of outer space, including the moon and other celestial bodies" should be allocated to the First Committee.

5. Mr. PECHOTA (Czechoslovakia), emphasizing the paramount importance of item 93, proposed that the General Assembly should discuss it in plenary session as a matter of urgency.

6. Mr. FINGER (United States of America) supported the allocation of item 93 to plenary meetings on the understanding that it was essentially political in content and called for a rededication of Member States to the Charter principles of the non-use of force in international relations and respect for the right of peoples to self-determination. It should not be confused with the item on the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations which the Sixth Committee should continue to discuss from the point of view of their legal content.

7. Mr. FEDORENKO (Union of Soviet Socialist Republics) supported the allocation of the item to plenary meetings.

The Committee decided to recommend to the General Assembly that the item entitled "Strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination" should be allocated in plenary meetings.

8. Mr. FEDORENKO (Union of Soviet Socialist Republics) proposed that item 94 should be allocated to the First Committee.

9. Mr. LIATIS (Greece) agreed that the item should be allocated to the First Committee, but drew attention to the advisability of combining it with item 31 relating to the report of the United Nations Commission for the Unification and Rehabilitation of Korea, under the general heading: "The Korean question". Furthermore, he objected to the wording of item 94: it was offensive to the sixteen countries which had gone to the aid of South Korea in response to the appeal of the United Nations and it might prejudice the decision of the General Assembly. The item should be reworded to read: "Letter dated 20 September 1966 from the representatives of Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic and Union of Soviet Socialist Republics".

10. The CHAIRMAN pointed out that the question of grouping the two items on Korea, as suggested by the representative of Greece, and the three items on the peaceful use of outer space, as suggested by the United States representative, should be dealt with at a later stage in the Committee's work.

The Committee decided to recommend to the General Assembly that the item entitled "Withdrawal of all United States and other foreign forces occupying South Korea under the flag of the United Nations and dissolution of the United Nations Commission for the Unification and Rehabilitation of Korea" should be allocated to the First Committee.

The Committee decided to recommend to the General Assembly that the chapters of the report of the Economic and Social Council should be allocated to the Main Committees in the manner indicated in paragraph 7 of the Secretary-General's memorandum (A/BUR/166).

11. The CHAIRMAN drew attention to the suggestion in paragraph 8 of the Secretary-General's memorandum that all the chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to specific territories should be referred to the Fourth Committee, thus enabling the General Assembly to deal with the general question of the implementation of the Declaration in plenary meetings.

The Committee decided to recommend to the General Assembly that the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" should be allocated to plenary meetings, on the understanding that the chapters of the report of the Special Committee relating to specific territories would be allocated to the Fourth Committee.

12. Mr. FEDORENKO (Union of Soviet Socialist Republics) said that his delegation had welcomed the reallocation of item 36 to the Special Political Committee by the General Assembly at its twentieth session and proposed that, in view of paragraph 9 of the Secretary-General's memorandum, the Special Political Committee should continue to discuss it.

The Committee decided to recommend to the General Assembly that the item entitled "Peaceful settlement of disputes" should be allocated to the Special Political Committee.

13. Mr. FAKHREDDINE (Sudan) strongly supported the suggestion in paragraph 10 of the memorandum that item 66 on the question of South West Africa should be given priority consideration in plenary meetings and that petitioners should be heard in the Fourth Committee, which would report on those hearings to the plenary Assembly before the latter concluded its consideration of the question.

The Committee decided to recommend to the General Assembly that the item "Question of South West Africa" should be allocated to plenary meetings, on the understanding that petitioners would be heard in the Fourth Committee.

14. Mr. SEYDOUX (France), supported by Mr. FEDORENKO (Union of Soviet Socialist Republics), expressed doubts concerning the advisability of recommending that the second report of the Ad Hoc Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies (A/6343) should be referred to the Second and Third Committees for prior consideration, as suggested in paragraph 11 of the memorandum. Since it was clearly desirable that the conclusions of the Ad Hoc Committee should be endorsed by the Fifth Committee as rapidly as possible, the Fifth Committee could be expected to give priority to the item, and not to proceed to the discussion of the budget until it had dealt with the preliminary considerations put forward by the Ad Hoc Committee. On the other hand, the Second and Third Committees could not be expected to have the same sense of urgency regarding those considerations and might defer discussion until the session was well advanced. In order to avoid cumulative delays, the report of the Ad Hoc Committee should simply be allocated to the Fifth Committee.

15. Mr. KHAIAF (Iraq) shared that view. The Fifth Committee should retain full competence to deal with the item, including discretion to refer certain aspects to other Committees if it deemed fit.

16. Mr. CSATORDAY (Hungary) agreed that, since the Fifth Committee actually dealt with all the activities of the United Nations and the specialized agencies, it was the organ competent to discuss the item in the first place. Those activities would be jeopardized and the Fifth Committee paralysed if it was compelled to defer discussion of the item until it had received the comments of the Second and Third Committees.

17. Mr. ASIROGLU (Turkey) said that as Chairman of the Fifth Committee he would ensure that item 81 was discussed fully and expeditiously.

The Committee decided to recommend to the General Assembly that the item entitled "Report of the Ad Hoc Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies" should be allocated to the Fifth Committee.

ITEMS PROPOSED FOR ALLOCATION TO PLENARY MEETINGS

18. The CHAIRMAN recalled that the Committee had decided to add items 66 on the question of South West Africa and 93 on the strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination to the list of questions recommended for discussion in plenary meetings.

The Committee decided to recommend to the General Assembly the allocation to plenary meetings of the items proposed for consideration in plenary meetings in the Secretary-General's memorandum (A/BUR/166).

ITEMS PROPOSED FOR ALLOCATION TO THE FIRST COMMITTEE

19. The CHAIRMAN recalled that the Committee had decided to recommend that items 90 and 92, relating to the peaceful use of outer space, and item

94 relating to the withdrawal of all United States and other foreign forces occupying South Korea should be added to the list of questions recommended to be discussed in the First Committee.

The Committee decided to recommend to the General Assembly the allocation to the First Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR ALLOCATION TO THE SPECIAL POLITICAL COMMITTEE

20. The CHAIRMAN recalled that the Committee had decided to add item 36 relating to the peaceful settlement of disputes to the list of questions to be recommended for discussion in the Special Political Committee.

The Committee decided to recommend to the General Assembly the allocation to the Special Political Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR ALLOCATION TO THE SECOND COMMITTEE

21. The CHAIRMAN reminded the Committee of its recommendation to delete item 42 relating to regional development from the agenda. As a result, the item should also be deleted from the agenda of the Second Committee. He suggested that the item entitled "Development of natural resources", referred to in paragraph 3 (a) of the memorandum, should be allocated to the Second Committee.

It was so decided.

The Committee decided to recommend to the General Assembly the allocation to the Second Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR ALLOCATION TO THE THIRD COMMITTEE

22. The CHAIRMAN suggested that the item entitled "Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories" referred to in paragraph 3 (b) of the Secretary-General's memorandum should be allocated to the Third Committee.

It was so decided.

The Committee decided to recommend to the General Assembly the allocation to the Third Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR THE ALLOCATION TO THE FOURTH COMMITTEE

23. The CHAIRMAN pointed out that, in accordance with a previous decision of the Committee (see para. 13 above), the title of the item on South West Africa proposed for inclusion in the Fourth Committee's agenda

should be changed to "Question of South West Africa (hearing of petitioners)"; he also recalled that in accordance with another decision of the Committee (see para. 11 above) an item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (chapters relating to specific territories)" should be added to the list of questions to be discussed in the Fourth Committee.

It was so decided.

The Committee decided to recommend to the General Assembly the allocation to the Fourth Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR ALLOCATION TO THE FIFTH COMMITTEE

24. The CHAIRMAN recalled the Committee's previous decision (see 162nd meeting, para. 30) to add a sub-item (e) entitled: "United Nations Staff Pension Committee" under item 77 and to delete sub-item (b) under item 80.

The Committee decided to recommend to the General Assembly the allocation to the Fifth Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

ITEMS PROPOSED FOR ALLOCATION TO THE SIXTH COMMITTEE

25. Mr. TELL (Jordan) proposed that item 87 (Technical assistance to promote the teaching, study, dissemination and wider appreciation of international law: report of the Secretary-General) should be re-allocated to the Second Committee, which was responsible for all other questions of technical assistance.

26. The CHAIRMAN pointed out that the item had been dealt with by the Sixth Committee at the twentieth session and that General Assembly resolution 2099 (XX), which requested the Secretary-General to report to the twenty-first session, had been adopted on the report of the Sixth Committee.

27. Mr. TELL (Jordan) said that at the previous session the Sixth Committee had referred the question to the Second Committee. It had been the general feeling in the Second Committee that it was the competent organ.

28. Mr. MUDENGE (Rwanda) agreed with the representative of Jordan. The general competence of the Second Committee in technical assistance matters made it a more appropriate forum.

29. Mr. FAKHREDDINE (Sudan) said that the subject-matter of the item was not so much the study of principles of international law as the provision of facilities by which it could be promoted. He therefore agreed with the representative of Jordan.

30. Mr. NABRIT (United States of America) said that the programme for technical assistance in international law differed from other technical assistance

activities in that it was not now being financed under the regular technical assistance programmes. The reason was not that it could not be, but that no requests with the necessary priority had been made by Member States. The programme was still in the formative stage and the work still to be done on it would be of a substantive nature. It therefore seemed appropriate that the Sixth Committee, as a committee of lawyers, should continue to deal with it. The Sixth Committee was assisted by an Advisory Committee on Technical Assistance to Promote the Teaching, Study, Dissemination and Wider Appreciation of International Law meeting at the present time and had shown itself capable of dealing responsibly with the financial aspect. It thus seemed preferable not to complicate the future of the programme, and possibly delay its implementation, by transferring the item to another committee. There was no reason, of course, why the Sixth Committee should not seek the advice of any other committee on the subject, as it had in the past.

31. Mr. PECHOTA (Czechoslovakia), speaking as Chairman of the Sixth Committee, said that, although the item had a technical assistance aspect, it was not a purely technical assistance matter. The programme set forth in General Assembly resolution 2099 (XX) needed further preparation from the legal and political standpoints. It would have to be reviewed by the Sixth Committee in the light of the conclusions of the Advisory Committee. Since it involved expenditure under the budget as well as from voluntary contributions and other sources, the Sixth Committee would be glad to have the advice of the Second Committee.

32. Mr. KHALAF (Iraq) said that the Second Committee could not pass judgement on the purely legal aspect of the programme. Its advice on the technical assistance aspect, however, would be valuable. The appropriate course would therefore be to allocate the item to the Sixth Committee, which should then refer it to the Second Committee. The two Committees might then meet jointly to consider the matter.

33. Mr. TELL (Jordan) said that the fact that the Sixth Committee had dealt with the item before did not mean that it must do so in future. It was in the Second Committee that countries decided what kind of technical assistance they wanted and no other organ could take that decision for them.

34. Sir Roger JACKLING (United Kingdom) said that, while he understood the point made by the representative of Jordan, it seemed that there was still work to be done on the item by the Sixth Committee. It might be noted, moreover, that the agenda of the Second Committee was already very long.

35. Mr. ROSSIDES (Cyprus) said that he was in favour of allocating the item in the first instance to the Sixth Committee, which might then decide to refer it to the Second Committee.

36. Mr. BENITES (Ecuador) said that, since it was the Sixth Committee that had originally suggested that the Secretary-General should report on the item, it would be logical for his report to be allocated to that Committee. The fact that the title of the item

included the words "technical assistance" was unimportant; its substance was legal. As the representative of Iraq had suggested, the Sixth Committee might consult the Second Committee or any other body on the subject. UNESCO, for instance, had received requests for assistance in the same field.

37. Mr. CSATORDAY (Hungary) said that, as a member of the Ad Hoc Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies, he had often found a great lack of co-ordination among different technical assistance programmes, resulting in the establishment of superfluous administrative machinery and in excessive overhead costs. For that reason, he thought that the main consideration of the item under discussion should take place in the Second Committee, which was in a position to relate the programme in international law to other technical assistance activities. The Second Committee, however, would need to seek guidance on the purely legal aspects from the Sixth.

38. The CHAIRMAN said that the consensus seemed to be that the item should be allocated to the Sixth Committee, on the understanding that it would need to collaborate with other United Nations bodies on certain aspects in an agreed manner.

It was so decided.

The Committee decided to recommend to the General Assembly the allocation to the Fifth Committee of the items proposed for consideration by that Committee in the Secretary-General's memorandum.

PROPOSAL FOR THE GROUPING OF ITEMS 31 AND 94

39. Mr. LIATIS (Greece) proposed that items 31 and 94, both of which related to the question of Korea, should be combined. At the same time, the second of those two items might be redrafted in less objectionable terms. The combined item would read as follows:

"The Korean question:

"(a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea;

"(b) Letter dated 20 September 1966 from the representatives of Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic and Union of Soviet Socialist Republics."

40. Mr. KHALAF (Iraq) said that the General Committee was not competent to make such a recommendation. It was for the First Committee, to which the items in question had been allocated, to decide how its work might best be organized.

41. Mr. LIATIS (Greece) recalled that a similar situation had arisen at the twentieth session, with respect to the question of Cyprus; in order to forestall possible difficulties, his delegation had submitted in plenary session a compromise proposal combining the two items on the question.^{1/} It was on the basis of that precedent that he had put forward the present proposal.

^{1/} See Official Records of the General Assembly, Twentieth Session, 1336th plenary meeting, paras. 85-87.

42. Mr. FEDORENKO (Union of Soviet Socialist Republics) said that the Greek representative's precedent was not pertinent. In the present instance, the General Committee had already decided to recommend the inclusion of the items in question. Moreover, items 31 and 94 had been recommended for inclusion exactly as they stood and there could be no question of changing the wording of the latter. In any case, the General Committee was not competent to discuss how the First Committee was to deal with the agenda items allocated to it; that was a matter for the First Committee itself to decide.

43. The CHAIRMAN agreed that, since the General Committee had decided to recommend the inclusion of the items as they stood, and to recommend their allocation to the First Committee, the only decision now open to the General Committee was whether or not to recommend that the two items should be combined as they stood.

44. Mr. BENITES (Ecuador), speaking as the Chairman of the First Committee, said that from a purely procedural standpoint it was doubtful whether the General Committee was competent, under rules 40 and 41 of the General Assembly's rules of procedure, to take any decision concerning the combination of agenda items.

45. Mr. FINGER (United States of America) said that the Greek proposal had the merits of both logic and economy. The General Committee had followed precisely the same procedure in 1962, in an almost identical situation. Doubts had been expressed about the propriety of grouping or rewording agenda items, but there were ample precedents, in the case both of the question of Korea at the seventeenth session^{2/} and of the question of Cyprus at the twentieth session.

The General Committee's purpose should be to do everything possible to facilitate the work of the Committees; it should not, therefore, hesitate to redraft an item in the best manner possible. In that spirit, his delegation supported the Greek proposal.

46. Mr. MUDENGE (Rwanda) said that the General Committee was not competent to discuss the organization of work in the Main Committees. He accordingly endorsed the observations of the Iraqi and Ecuadorian representatives.

47. Mr. CSATORDAY (Hungary) pointed out that the General Committee had decided to recommend the inclusion of items 31 and 94 as independent items; it could not go back on that decision. References to the seventeenth session were misleading, for on that occasion the original wording of the items had remained unchanged. The Greek representative objected to the wording of item 94. His own delegation might well question the wording of item 31, but that would not further the objectives of the General Committee. The two items should therefore be referred to the First Committee independently, and in the form in which they had been recommended for inclusion in the agenda.

48. Sir Roger JACKLING (United Kingdom) said that it was the General Committee's responsibility to do whatever it could to organize the Assembly's work in the most expeditious manner possible. There were many precedents for recommendations by the Committee on the grouping of agenda items and experience showed that such recommendations had been helpful to the Main Committees. They had been made sometimes in connexion with the inclusion of items in the agenda, and sometimes in connexion with their allocation. The General Committee had the right to make such recommendations if it so wished. His delegation accordingly supported the Greek proposal to combine items 31 and 94.

49. Mr. FINGER (United States of America) suggested that any representative who doubted the propriety of the Greek proposal should consult General Assembly resolution 1898 (XVIII) on the improvement of the methods of work of the General Assembly, subparagraph (f) of which stipulated that the General Committee should "make appropriate recommendations for furthering the progress of the Assembly and its Committees". The Greek proposal would have exactly that effect.

50. As a possible compromise, he suggested, as a modification of the Greek proposal, that the same wording should be used for sub-item (b) as had been used at the seventeenth session: "The withdrawal of foreign troops from South Korea". In that way, reference to "occupying" troops, to which the Greek delegation objected, could be avoided.

51. Mr. FEDORENKO (Union of Soviet Socialist Republics) reiterated that there were no grounds whatever for reconsidering decisions already taken by the General Committee. The Committee must adhere to the rules of procedure, which, as the representative of Ecuador had clearly stated, did not empower the Committee to decide how the Main Committees were to deal with the agenda items allocated to them.

52. Mr. BENITES (Ecuador) pointed out that, since the General Committee could in any case do no more than make recommendations, it was doubtful whether the present discussion could really expedite the Assembly's work. Whatever decision the Committee arrived at, the whole matter would inevitably be discussed again, both in plenary meetings and in the First Committee.

53. Mr. PECHOTA (Czechoslovakia) said that the Greek proposal was out of order. The rules of procedure were perfectly clear.

54. Mr. CSATORDAY (Hungary) said that there was no justification for using the wording which had been adopted at the seventeenth session. The item should be retained in the form in which the request for inclusion in the agenda had been made and allocated to the First Committee.

55. Mr. TINE (France) pointed out that even if the Committee proceeded to a vote, the discussion on the item would inevitably be reopened in the plenary meetings and again in the First Committee. Since the two parts of the item were listed separately in the latter's agenda, a decision would have to be taken

^{2/} Ibid., Seventeenth Session, General Committee, 149th meeting, paras. 5-27.

in the Committee in connexion with the order of its agenda items. Consequently, a vote in the General Committee would not be in the interest of orderly procedure, which should be its sole purpose since the Committee had no competence to discuss the substance of the item even on procedural grounds. In the circumstances, it might be wiser for those representatives who had proposals to make concerning the item to consult together, provided there was some prospect for agreement among them.

56. Mr. KHALAF (Iraq) shared the view that the question would inevitably be reopened in the plenary meetings and the First Committee. It was no longer a simple matter of grouping agenda items; the representative of Greece was requesting a change in the wording of an item. Under rules 40 and 41 of the rules of procedure of the General Assembly, the General Committee was not competent to make that change.

57. Mr. LIATIS (Greece) said that, as a gesture of goodwill, he would modify his proposal along the lines suggested by the United States representative. The Korean question was, however, one and indivisible, and the General Committee could not leave the matter as it stood. He asked that his proposal be put to the vote.

58. Mr. TELL (Jordan) said that the adoption of the Greek proposal would mean going back on decisions already taken by the Committee. In any case, to change the wording of an item would involve the Committee in a discussion on the substance, which would be contrary to the rules of procedure.

59. Mr. FEDORENKO (Union of Soviet Socialist Republics) expressed astonishment that the Greek representative should persist in his proposal. There

could be no conceivable grounds for going back on decisions already taken. The Committee must abide by its rules of procedure.

60. Mr. FINGER (United States of America) pointed out that the Greek representative had been courteous enough to accede to the Chairman's request that he should defer his proposal until the present stage; he could therefore hardly be reproached for raising it now. He could see no procedural impropriety either in the proposal itself or in the manner of its submission. He reminded the Committee that at the seventeenth session the combination of agenda items on the Korean question had in fact saved a lot of time; surely there was no reason why the same procedure should not be followed now.

61. The CHAIRMAN, summing up the situation, noted that no question had been raised concerning the wording of items 31 and 94 at the 162nd meeting; the General Committee had accordingly decided to recommend their inclusion in the agenda, and their allocation to the First Committee, as they stood. If the items were to be combined, they could be combined only in the wording already adopted by the General Committee. The only other possibility was reconsideration of the Committee's recommendation under rule 124 of the rules of procedure of the General Assembly. He wondered whether, in the circumstances, the Greek representative wished to press his proposal.

62. Mr. LIATIS (Greece) said that he continued to doubt that the wording of agenda items was sacrosanct when it was a question of combining them. The purpose of his proposal had been strictly practical. He would not, however, press the point.

The meeting rose at 6.15 p.m.