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Chairman: Mr. Charles T. O. KING (Liberia).

AGENDA ITEM 62

Question of the consistent application of the principle of equitable geographical representation in the election of the President of the General Assembly (A/4182, A/SPC/L.39) (continued)

1. Mr. MACOVESCU (Romania) said that his delegation had repeatedly expressed its attachment to the principles set forth in the United Nations Charter, which it tried to apply constructively. One of those principles which his delegation held in high esteem was that of the equality of rights of all the Members of the United Nations, a principle which was set forth in Article 2, paragraph 1, of the Charter. The Charter contained several provisions designed to ensure the application of that principle, among them Article 8, which provided that the United Nations should place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs. A glance at the list of all the past Presidents of the General Assembly showed that that provision of the Charter had not been respected in the election of the President. Of the fourteen Presidents, five had been representatives of Western European and other States, five of Asian or African States and four of Latin American States. No representative of an Eastern European State had yet held the office of President of the Assembly.

2. It could be argued that the question of geographical representation was not a factor in the election of the President of the General Assembly and that only the personal qualifications of the candidates were relevant. But it could surely not be argued that those personal qualifications were confined to certain meridians. In reality, the failure so far to elect any representative of the Eastern European countries as President of the General Assembly was due primarily to the attitude of certain quarters towards the historical process which had taken place in those countries. Some delegations might think that the question primarily concerned the socialist States and that their own countries' rights had so far not been affected. That was a short-sighted attitude, for any act of discrimination against Member States because of their social and political system ran counter to the basic

principles of the United Nations and created a precedent dangerous for all Member States. Moreover, any attempt to deny the representatives of the socialist States access to certain high offices in the United Nations amounted to trying to convert the United Nations into an instrument of the foreign policy of certain groups of States. It was that attitude that had prevented the United Nations from becoming an effective agency for fruitful co-operation among all nations, irrespective of their political or social régimes and from becoming a centre for harmonizing the actions of nations in the attainment of the common ends of the United Nations as mentioned in Article 1, paragraph 4, of the Charter.

3. In order to solve the problem, the sponsors of the draft resolution (A/SPC/L.39) proposed that the principle of equitable geographical representation should be applied in the election of the President of the General Assembly through an appropriate system of rotation among representatives of different regions of the world.

4. Aside from its political aspect, the problem also had a juridical side which should be examined. The Charter referred to the principle of equitable geographical distribution in Article 23 and, in another form, in Article 101. Article 23 dealt with the composition of the Security Council; it provided that, in the election of the non-permanent members of the Council, the General Assembly should pay due regard, among other things, to equitable geographical distribution. There could be no doubt that the authors of the Charter had had in mind the equitable representation of the main geographical regions of the world. Article 101 provided that the recruitment of the staff of the United Nations Secretariat should be carried out on as wide a geographical basis as possible, and that principle was embodied in the Staff Regulations of the United Nations adopted by the General Assembly in 1952.

5. The principle of equitable geographical representation was also the underlying element in the gentlemen's agreement reached in London in 1946 between the permanent members of the Security Council for the election of the Council's six non-permanent members. That agreement was still valid since it had not been formally denounced by any of the parties. Unfortunately, certain States bound by that agreement refused to observe it.

6. The principle of equitable geographical distribution had occupied an important place in the decisions of some of the principle organs of the United Nations, and particularly in General Assembly resolution 1192 (XII), which governed the composition of the General Committee and which, for the first time, consecrated the inalienable right of all geographical groups, among them the Eastern European States, to be represented in all the organs of the United Nations. Logically, that practice, which had proved to be ex-

tremely useful for the smooth functioning of the Organization, should be followed in the election of the President of the General Assembly, and should be substituted for the practices previously followed, which were harmful to the cause of peace and to the prestige of the United Nations.

7. He hoped that the members of the Committee would find his arguments convincing and that they would support the draft resolution submitted by Czechoslovakia and his country.

8. Mr. DE FREITAS-VALLE (Brazil), replying to the representative of Romania, said that there was no justification for the assertion that the United Nations was being used as an instrument of foreign policy by certain groups of States.

9. As the draft resolution (A/SPC/L.39) had been submitted by the delegations of Czechoslovakia and Romania, it should be recalled that Mr. Benes had been elected President of the League of Nations Assembly three times in succession and Mr. Titulesco twice in succession. Mr. Benes had not been elected for a fourth term because he had already been elected President of the Czechoslovak Republic, and Mr. Titulesco had not been elected for a third term because he had ceased to represent Romania. That proved that the personal qualities of a man, and not the region from which he came, should be the determining factor in the choice of a President.

10. His country was deeply attached to the principles on which the procedures of the United Nations were based. All its past actions were proof of that. He was well aware that the United Nations was a political body which must rely, for the attainment of its aims, on solutions arrived at in good faith and in a spirit of conciliation. His delegation had therefore given a great deal of thought to all the aspects of the problem under discussion.

11. The principle of equitable geographical representation invoked by the sponsors of the draft resolution was one of the basic tenets of the United Nations, and its application had, in certain instances, been explicitly prescribed by the General Assembly. It was now proposed that that principle should be formally extended to the election of the President of the General Assembly. At first glance, that request would seem to be justified, and under resolution 1192 (XII) the application of that principle had already been made mandatory for the election of the Vice-Presidents of the General Assembly. However, the functions of President were incomparably more important than any others in the General Assembly. The Charter laid down that the President should be elected as an individual and not as the representative of a State; it thus left the Members of the Assembly entirely free to choose the person who would preside over the highest organ of the United Nations. It was certainly desirable, in electing the President of the General Assembly, to have a certain regard for geographical distribution, but the Organization should not deliberately tie its hands by specifying a rigid course of action. It should, on the contrary, preserve a measure of flexibility which, in a constantly changing world, would enable it to make a judicious choice at all times.

12. Brazil continued to believe firmly in the principle of geographical distribution and in the usefulness

of written or unwritten agreements. It was ready to welcome candidates from all areas, whether from Eastern Europe or elsewhere, but it felt that where the office of President was concerned, procedural considerations should not be allowed to take precedence over those of substance. That was undoubtedly the view which was most consonant with the interests of the Organization.

13. Mr. UDOVICHENKO (Ukrainian Soviet Socialist Republic) stressed the political significance of the application of the principle of equitable geographical representation, on which the normal functioning of the Organization largely depended. The Brazilian representative had rightly insisted on the importance of the position of President of the Assembly. The powers which rule 35 of the rules of procedure of the General Assembly conferred on the President certainly made his post the highest in the Organization. It was therefore natural that each Member State, as well as the Organization as a whole, should desire the election of the President of the Assembly to be made in a proper and equitable manner. To achieve that end it was necessary to respect the principle of equitable geographical distribution, one of the basic principles on which the structure and activity of the United Nations rested. The importance of that principle was also evident from Article 23, paragraph 1, of the Charter and rule 144 of the rules of procedure of the General Assembly which concerned the Security Council. That was the context in which the gentleman's agreement on the distribution of non-permanent seats in the Security Council had been concluded in London in 1946, and that agreement had been faithfully respected until now for all the geographical regions except Eastern Europe. The fact that the great Powers of the Western bloc were now trying to disregard it in connexion with the election of a non-permanent member of the Security Council to a seat which should normally go to a representative from Eastern Europe did not mean that that agreement should continue to be broken. The principle of equitable geographical distribution was now observed in all the organs and services of the United Nations, and in particular in the Economic and Social Council and its numerous organs. That principle was also applied in a large number of specialized agencies such as UNESCO, the Universal Postal Union, the International Telecommunication Union, and the International Atomic Energy Agency. It had become an unwritten law at all international conferences organized under the auspices of the United Nations, for example the United Nations Conference on the Law of the Sea held in the spring of 1958 at Geneva.

14. The Ukrainian Soviet Socialist Republic, like all Eastern European countries, respected the principle of equitable geographical representation in the election of the President of the Assembly; in the past it had voted for the candidates proposed by a group of countries belonging to a particular geographical region, whether it approved of them or not. In those conditions, it was inadmissible that the Assembly should never have had as President a representative of a socialist country. Such a situation was abnormal and contrary to the principles of the United Nations. An attempt was being made to disregard the sovereign equality of Member States laid down in the Charter, a principle which gave all Members the right to be elected to all organs and posts in the Organization. No special privileges were admissible in that con-

nexion. But when it came to the election of the President of the Assembly, a biased attitude had been adopted towards the countries of Eastern Europe simply because those countries had a different economic and social structure. It could not be denied that such an attitude, inspired by a desire to continue the "cold war", was incompatible with the spirit of co-operation which was now apparent in international relations. Such an attitude also damaged the universal character of the United Nations, which derived from the nature of its purposes and principles. For the United Nations to have a genuinely universal character, it was not enough that it should be open to all peace-loving States which were ready to apply the Charter; it was also necessary that all Member States, who had equal obligations, should be able to take part on an equal footing in all the activities of the Organization. The violation of the universal character of the United Nations could not be excused by arguing that the candidate's personal qualifications should be taken into account at the same time as the principle of equitable geographical representation. Such arguments, whose object was to undermine the principle of the equality of rights of Member States, recalled the well-known abstract formula of international law, "equality under the law", which did not prevent certain States from having a preponderant position in international relations. He could not agree with the view of some international jurists that access to public office depended on individual aptitudes and possibilities. That theory, it seemed, had found supporters in the United Nations who, by raising the question of

personal qualifications in connexion with the election of the President of the Assembly, flouted the fundamental rights inherent in the quality of a Member State, respect for which was one of the prerequisites of international co-operation. Their arguments also showed that they claimed a monopoly of wisdom which was no respecter of geographical frontiers.

15. Lastly, the President of the Assembly was Chairman of the General Committee, and it was therefore necessary, when the President of the Assembly was elected, to apply fully, in the words of General Assembly resolution 1192 (XII), "the practice established with regard to the distribution of the chairmanships of the Main Committees". The same was implied by paragraph 1 of the annex to that resolution. However, although that resolution set forth clearly the principles which should govern the election of the President of the Assembly, no change had since been introduced in the unfortunate practice followed for that election.

16. The Ukrainian Soviet Socialist Republic considered that the time had come to discard an obsolete practice so that at the fifteenth session the office of President of the General Assembly might be filled by a representative of Eastern Europe. It supported unreservedly the draft resolution submitted by Czechoslovakia and Romania, and would vote in favour of it.

17. The CHAIRMAN declared the list of speakers closed in the general debate on agenda item 62.

The meeting rose at 4.30 p.m.