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Chairman: Prince WAN WAITHAYAKON (Thailand).

Report of the Trusteeship Council (A/1306 and A/1306/Corr.1) (continued)

[Item 13]*

1. The CHAIRMAN invited the Committee to consider the report of Sub-Committee 8 (A/C.4/L.88) and asked the Chairman of that Sub-Committee to present it.

2. Mr. ANKER (Norway), speaking as Chairman of the Sub-Committee, outlined the Sub-Committee's tasks as indicated in its terms of reference and the nature and import of the report it had produced. The Sub-Committee had understood that it was not required to discuss at length the substance of the matters placed before it but that it should attempt to present the main ideas, explain anything that was not clear and, if necessary, improve the wording of the various texts, in order to present to the Fourth Committee a co-ordinated and integrated draft of the proposals and amendments. He thought that the Sub-Committee had, however, achieved some success in reconciling the opinions of the various delegations and hoped that the resulting text would provide the Fourth Committee with a useful working paper. The Sub-Committee had made no specific proposals as to the procedure for discussion of its text in the Fourth Committee, considering that to be a question for the latter to decide. No doubt the Committee would like to discuss and vote upon the four sections of the text separately. But the question was whether or not the Committee wanted to present the text to the General Assembly as one single resolution or in the form of four separate resolutions. He himself preferred the former course and he thought the majority of the Sub-Committee was inclined to agree with him.

3. The CHAIRMAN thanked the Sub-Committee for its efficient work and the Chairman of the Sub-Committee for his very clear presentation of its report. He suggested that the text submitted by the Sub-Committee should be accepted as a basis for discussion, and recommended a practical approach so that the Committee

could come to a general agreement as soon as possible. After the general discussion, which could include the presentation of amendments to and verbal suggestions for the Sub-Committee's text, the Committee could proceed to a point by point examination of it. The procedure adopted must also allow for consideration of the draft resolution submitted jointly by India, Indonesia, Pakistan and the Philippines (A/C.4/L.76, A/C.4/L.76/Add.1 and A/C.4/L.76/Corr.1). He suggested the adoption of the Sub-Committee's proposal that that draft resolution should be considered separately.

4. Mr. S. RAO (India) agreed to the Chairman's suggestion.

5. The CHAIRMAN suggested that the question of the working languages should also be postponed for the time being.

6. Mr. DUARTE (Brazil) said that his delegation was in favour of beginning by discussing, separately, sections A, B, C and D of the draft proposed in the Sub-Committee's report (A/C.4/L.88); it would not, however, oppose the alternative suggestion that the preamble should be discussed first, if the Committee so desired. In his view the preamble was too long and contained too many quotations from the Charter. He reserved his delegation's position on substantive points.

7. Mr. S. RAO (India) suggested that the Fourth Committee should proceed immediately to a detailed discussion of the four sections of the draft proposed by the Sub-Committee, considering them in the form of General Assembly resolutions, and should examine the preamble afterwards. Nothing would be gained by beginning with another general discussion on the text as a whole. In the Sub-Committee the Indian delegation had emphasized that that body's task was only a preliminary one; it had not been asked to deal with matters of substance and did not accept responsibility for the substance of the proposals contained in its draft. He objected to what were, in his view, certain obscurities in paragraph 10 of the Sub-Committee's report.

8. Mr. INGLES (Philippines) wished to know the status of the Philippine amendment (A/C.4/L.87) to

* Indicates the item number on the General Assembly agenda.

the Cuban proposal (A/C.4/L.72), as it was not mentioned in the Sub-Committee's report. He requested that it should be considered as a separate document.

9. Mr. ANKER (Norway), speaking as Chairman of the Sub-Committee, explained that unfortunately the amendment had been received too late to be dealt with in the Sub-Committee's report.

10. The CHAIRMAN ruled that the Philippine delegation was entitled to submit its amendment as a separate document.

11. Mr. PEREZ CISNEROS (Cuba) supported the Chairman's ruling as the only fair procedure for dealing with the Philippine amendment.

12. With regard to the procedure for consideration of the Sub-Committee's text, he stressed that the Fourth Committee must guard against omitting useful and essential ideas that figured only in the preamble. His delegation was particularly anxious that the idea of the special relationship between the General Assembly and the Trusteeship Council should be retained, in view of recurrent difficulties in that connexion in the past. Some reference should be made to the scope and meaning of the General Assembly's authority over the Council, as a general principle applying to all documents. Delegations must also be given the opportunity to present amendments. Provided those points were taken into consideration, his delegation was ready to agree to either of the two proposed procedures for discussion of the draft.

13. Mr. FLETCHER-COOKE (United Kingdom) supported the Chairman's view concerning the Philippine amendment, and suggested that that text should be presented after the Indian resolution.

14. Speaking of the Sub-Committee's draft, he thought it should be voted upon as a whole since all its sections related to various aspects of the Trusteeship Council's procedure and the Council itself would have to consider it as a whole. If, however, the Committee's wish was to divide it into separate resolutions, his delegation would not oppose that procedure. He supported the Indian suggestion that the draft should be considered in four parts first before a decision was taken on whether to present it to the Assembly as a whole or as separate resolutions, and that the preamble should be considered in detail subsequently.

15. Mr. S. RAO (India) pointed out that some delegations might not be able to accept all four sections of the Sub-Committee's proposal. A decision in favour of an omnibus proposal might therefore result in a large number of abstentions when the proposal was put to the vote.

16. Mr. RYCKMANS (Belgium) shared the concern of the Indian representative as regards the possibility of abstentions, but felt that that problem could be solved more easily after a general discussion had been held. He therefore suggested that the Committee should first proceed to a general debate, which would give all the members an opportunity to make observations on the document as a whole. Following that debate, amendments to the various sections of the draft could be presented, and agreement could undoubtedly be reached without delay.

17. Mr. LANNUNG (Denmark) supported the position taken by the Indian representative.

18. Mr. PEREZ CISNEROS (Cuba) reiterated that it was immaterial to his delegation whether the Committee eventually adopted one or several resolutions. His only concern was to ensure that all the valuable ideas expressed in the Sub-Committee's draft should be included in the text eventually adopted, and that all amendments or proposals of all delegations should be fully considered. In his opinion, if the procedure suggested by the Indian representative was adopted, the preamble to the Sub-Committee's draft would necessarily be lost, and with it all the valuable ideas it contained. He felt that much unnecessary debate in the Council could be avoided if the text of the preamble, with its references to Articles 7, 75, 85, 87 and 90 of the Charter, were retained. He did not share the view of the Indian representative that a large number of abstentions in the final vote was to be expected if a single resolution was adopted.

19. He asked whether, if the Indian proposal were accepted and if four separate draft resolutions were approved and the preamble rejected, the Chairman would permit the members of the Committee to extract certain ideas from the preamble and propose them as amendments to the draft resolutions already approved.

20. The CHAIRMAN pointed out that if several separate draft resolutions were approved, a preamble must be prepared for each of them. Any member of the Committee would therefore have the right to propose any text he wished, as a preamble to any of the draft resolutions, but amendments to the sections already approved could not be accepted.

21. Mr. S. RAO (India) felt that the point raised by the representative of Cuba was an important one, and pointed out that each of the eight introductory paragraphs of the preamble could easily be attached, as a preamble, to the text of one or other of the four sections. There was nothing to prevent any member of the Committee from proposing such an incorporation.

22. Mr. QUESADA ZAPIOLA (Argentina) understood the difficulties facing the Cuban delegation. He supported the suggestion that the operative clauses in the four sections should be voted on separately first, and that an appropriate preamble should be drafted in advance for each resulting resolution.

23. Mrs. FIGUEROA (Chile) supported the procedure proposed by the representative of India. The question had arisen in the Sub-Committee of the exact scope of that body's terms of reference. While her delegation had held the view that nothing in the terms of reference obliged the Sub-Committee to submit a single draft resolution for the approval of the Fourth Committee, it had taken no firm position on the question as it had merely wished to ensure the freedom of all members of the Fourth Committee to decide whether a single text or several separate texts were to be adopted. The Chilean delegation had at first agreed with the delegation of Cuba that it was immaterial whether the Committee adopted one or several resolutions, provided that the essential elements of the preamble were included, in one form or another, in the text or texts adopted; but in view of the discussion

during the present meeting, her delegation would endorse the views expressed and the procedure advocated by the Indian delegation.

24. Mr. TAJIBAEV (Union of Soviet Socialist Republics) was interested only in the content of the draft resolutions to be adopted, not in the form in which they were adopted. It was important to conserve the Committee's time; if the Belgian proposal for a new general discussion were accepted, or if the report was sent back to the Sub-Committee in order that the various texts submitted might be further co-ordinated and amalgamated, valuable time would be lost. While his delegation would have accepted the original Cuban draft resolution on petitions (A/C.4/L.73), it could not endorse section D of the Sub-Committee's draft resolution, which dealt with the same subject. In the circumstances, therefore, he thought that the procedure suggested by the Indian delegation was the most practicable one, and that each section of the Sub-Committee's draft should be considered separately, together with the appropriate parts of the preamble and any

amendments which might be proposed by the members of the Committee.

25. Mr. PEREZ CISNEROS (Cuba) said his delegation would agree to the procedure proposed by the delegation of India, provided that sufficient time was allowed for a full and fair consideration of all texts and amendments submitted. The task of preparing amendments to the four sections, based on the relevant parts of the preamble, would be a difficult and delicate one, requiring exhaustive study. He asked whether such amendments could be submitted in the course of the following day and circulated promptly in the three working languages.

26. The CHAIRMAN affirmed that amendments would be accepted during the course of the following day, and ruled that the detailed discussion of the various sections of the Sub-Committee's draft would commence at the following meeting.

The meeting rose at 1 p.m.