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SUMMARY RECORD OF THE SIXTH MEETING

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<u>Members:</u>	Mr. TSAO	China
	Mr. AMANRICH	France
	Mr. AZKOUL	Lebanon
	Mr. RUDZINSKI	Poland
	Mr. CHERNYSHEV	Union of Soviet Socialist Republics
	Mr. LEDWARD	United Kingdom of Great Britain and Northern Ireland
	Mr. CATES	United States of America
<u>Secretariat:</u>	Mr. YATES	Secretary of the Economic and Social Council
	Mr. MESSING	Secretary of the Committee

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CLASSIFICATION OF RECOMMENDATIONS (E/AC.31/L.6, E/AC.31/L.7, E/AC.31/L.8,
E/1561/Add.1, E/AC.31/L.11)

1. The CHAIRMAN observed that a paper had been circulated concerning the classification of recommendations.
2. In meeting with the wishes of the United Kingdom delegation, no attempt had been made to specify too precisely the categories for grouping the resolutions, since that might result in prolonged discussions.
3. To meet with the suggestions of the Lebanese delegation, a clear distinction had been drawn between reporting and implementation.
4. A period of "every three years" had been suggested in the paper, but the time cycle for the submission of reports by the various Governments would have to be discussed.
5. It had been suggested that the word "vague" in paragraph (a) should be changed to read "general", and that the first sentence in paragraph (b) should be amended to read "Resolutions asking for information which the Secretary-General has since taken steps to obtain."
6. Mr. LELWARD (United Kingdom) considered the drafting excellent. It was concise and did not impose too complicated a procedure upon the Economic and Social Council.
7. Mr. AZKOUL (Lebanon), referring to paragraph (b) of the Chairman's paper, wondered whether annual reports in connexion with information required from the various Governments were to be submitted, since mention was made of "regular reports". He had no objection to that procedure. However, there was a difference between reports which contained information, and those that did not. The Secretary-General would have to decide whether or not they were to be forwarded. He supported the proposal, if the category included reports on resolutions which contained a request for information to be submitted, but asked whether that was a correct interpretation of the Chairman's paper.

8. The CHAIRMAN pointed out that the Secretary-General had asked for the information concerned in paragraph (b). If the information had already been requested, no request would be made again under the proposed three-year plan.

9. Mr. AZKOUL (Lebanon) thought that it would be advisable to modify paragraph (b) to include a reference to those resolutions regarding which requests for information had already been made. That would avoid any possible misinterpretation. The word "information" could be taken to mean mere statement of fact, unless the resolutions in question specifically requested a report on the implementation.

10. The CHAIRMAN thought that the phrase "which the Secretary-General has since taken steps to obtain" fully covered that point. He had used the word "information" in its broadest sense.

11. Mr. AZKOUL (Lebanon) said that in that case he had no objections.

12. Mr. CATES (United States of America) thought there was no basic difficulty resulting from the resolutions falling into two categories. The question was whether action had been taken on the resolutions. Paragraph (a) of the Chairman's paper was concerned with resolutions which were statements of principle or were so general that it was difficult to furnish specific answers. The Committee was trying to ascertain what steps the Secretary-General envisaged to obtain answers. Paragraph (b) was concerned with those resolutions on which the Secretary-General would receive information in various ways.

13. He agreed with the representative of Lebanon that paragraph (b) would include resolutions which did in fact contain a request for a report. Another type of resolution specified no time-limit and entailed no obligation on the part of the Governments to take action. Such resolutions were referred to as type (IV) of the categories previously discussed.

14. The United States delegation agreed to the two general categories, but paragraph (b) actually contained three types of resolutions. The distinguishing factor was the time element. It was not proposed to enquire every year what had been done. The second type of resolution required a report to be submitted

within a specified time-limit. If those resolutions which it was not necessary to send out annually could be described as suggested by the representative of Lebanon, the Committee could agree upon its category. It seemed that a report had to be made, but the Secretary-General need not include such resolutions in the list which he circulated to the various Governments.

15. Mr. AZKOUL (Lebanon), referring to paragraph (b) of the Chairman's paper, said that, in the case of resolutions which specifically, by their own terms, necessitated a report, upon adoption the Secretary-General would distribute them with a request for the report in question. He wondered whether the request would be made at the time when the resolution was actually adopted or at the end of the session. If the Secretary-General did not send such specific and immediate requests when the resolutions were adopted, there would be some resolutions concerning which no steps were taken to obtain information. In such cases, the items would have to be included in the questionnaire which it had been proposed to send out every three years. On the other hand, if the Secretary-General distributed such resolutions immediately after adoption, it would be assumed that steps had been taken to obtain the desired information, but if such immediate steps were not taken, the resolution in question could not be included in category (b).

16. Mr. YATES (Secretariat) said that, generally speaking, specific requests for information arising for a resolution containing its own machinery were sent out as soon as possible after adoption; sometimes, however, additional consideration was required before the requests were sent out, which might mean a delay of some weeks.

Mr. AZKOUL (Lebanon) thought that it was accordingly necessary to amend the draft. Perhaps the suggestion of the United States delegate could be adopted and the words "Resolutions containing requests for information and" substituted, without mentioning the question whether the Secretary-General had taken steps to obtain or had obtained the information.

Following a suggestion from Mr. YATES (Secretariat), he agreed that "resolutions asking for information" should be retained.

to have the remainder of the sentence deleted, since the Secretary-General might not have taken steps previously to obtain the information.

19. Mr. CATES (United States of America) supported the Lebanese representative. Perhaps it would clarify matters if the text were worded "Resolutions containing requests for reports or information from Members, either directly or through the Secretary-General".

20. The CHAIRMAN observed that there would then ^{be} three categories of resolutions, those concerning the ratification of treaties, conventions or protocols forming the third category.

21. Mr. CHERNYSHEV (Union of Soviet Socialist Republics) had not arrived at any final conclusion in the matter and therefore was unable to state the position of the USSR delegation. He would make a statement at a later date and reserved his right concerning specific questions.

22. The CHAIRMAN then referred to document E/AC.31/L.6 and asked for comments on the classification of recommendations. In its report, the Committee would include in an appendix a list of the resolutions marked with an asterisk, which were no longer in force or had been superseded, and those which appeared in section (i) of the classification of recommendations under the heading "Exhortations or statements of principle": the two items which had been dealt with at the previous meeting would also be included in that category.

23. Mr. LEIWARD (United Kingdom) assumed that the new additions to which the Chairman had just referred would be included in an appendix, while those marked with an asterisk would be contained in a separate list.

24. The CHAIRMAN agreed to the suggestion of the United Kingdom representative.

25. Mr. CATES (United States of America) said that if a reminder was sent out, it would only include those recommendations remaining in section (iv) of document E/AC.31/L.6.

/26. The CHAIRMAN

6. The CHAIRMAN concurred and said that the Committee would list as resolutions on which no reports would be required only those items set forth in section (i) and those which were obsolete.

7. Mr. AZKOU (Lebanon) observed that the Chairman's paper indicated that appendix I of the Committee's report would contain a list of certain recommendations not to be included in the Secretary-General's periodic list sent to Governments. That sentence should be applied to paragraphs (a) and (b).

8. He asked whether the appendix would cover all the resolutions which should not be included in the general list of the Secretary-General.

9. The CHAIRMAN explained that the appendix would not contain a complete list. The words "they are resolutions" could be modified to read "because they are..."

10. Mr. CATES (United States of America) observed that the Secretary-General could report on resolutions in the previously discussed categories (ii), (iii) and (iv) of E/AC.31/L.6. The other question was the list of resolutions which the Secretary-General would send out under separate cover with a special request for information regarding the steps taken to implement them. If a special letter were not sent, there would be no way of ascertaining whether the resolutions had been implemented. He wondered which were the resolutions contemplated.

11. The CHAIRMAN pointed out that the Committee would have to report on all resolutions, some of which were vague.

32. Mr. AZKOUL (Lebanon) stated that if resolutions relating to conventions etc. were classed as a separate group (c) in the Chairman's next paper, the Secretary-General had only sent out to Governments the list of resolutions not included in sections (a), (b) or (c). The report to the Council would include sections (b) and (c) but not section (a). Furthermore, resolutions covered by section (c) should only be reported on every five years.

33. The Secretary-General's report would include a statement concerning reactions to the requests for information concerning resolutions contained in section (b). In the general report it would be necessary to indicate the situation regarding section (b), but not (a) or (c).

34. The CHAIRMAN pointed out that the question of the Secretary-General's report to the Council would have to be considered at a later date.

35. With regard to the question of time-limits for reporting, the Secretary-General had recommended a two-year period on page 17 of document E/1561/Add.1. The United States delegation had also submitted its proposal in document E/AC.31/L.7.

36. Mr. CATES (United States of America) remarked that his proposal had been made on the principle that the Secretary-General would report to the Council and the Council, in turn, to the General Assembly each year. It should be ascertained how long a period of time should elapse before asking for reports on implementation and what period of time would be covered in each report.

37. Mr. LEDWARD (United Kingdom) said that he had prepared a paper which would be circulated. In general, he advocated reporting to the General Assembly once very three years. Annual information reports could, however, be submitted.

38. The CHAIRMAN raised the question of how often the Council should consider reports, and how often it should submit reports to the General Assembly. The form of the report to the General Assembly had also to be decided upon. It might be possible to reconcile the views of the United States and the United Kingdom Delegations on the matter of time-limits.

39. Mr. CATES (United States of America) said that the Secretary-General, in accordance with General Assembly resolution 119 (II), would make an annual report on implementation to the Council. According to his proposal the 1950 report, for example, would show what had been done in connexion with resolutions adopted in 1948. Two years would have to be allowed for a reminder on the type (iv) resolutions. The Secretary-General's annual report would, of course, cover resolutions of all types. The report to the General Assembly might be made every two years, although the Council should have an idea every year of the progress made.

40. Mr. YATES (Secretariat) thought that it was rather a question of setting a time-limit for the receipt of incoming information. There was a strong argument for informing Governments of the original requests with the minimum of delay, but that was not related to the question of the time to be allowed for sending in replies.

41. Mr. CATES (United States of America) referred to his proposal (E/AC.31/L.7) which indicated that resolutions of type (iv) adopted in 1948 would not be distributed until the following year. As the information in question was not expected until 1950, the various Governments would have two years to effect implementation and reply. In December 1950, the Secretary-^{them} would have had two months in which to collect the reports and present/in

document similar to E/1325, which would be distributed in December 1950. Therefore, when the Council met in February 1951, it would have a report from the Secretary-General indicating what the Member States had done concerning resolutions adopted in 1949. Document E/1325 also contained information concerning the steps taken by Governments in connexion with resolutions of category (ii).

42. Mr. TSILO (China) observed that, according to the United States proposal, the Secretary-General would send out a request for reports in April 1950. He wondered whether that would be a second approach to the Governments concerned. In other words, would an original request accompany the distribution of the text of adopted resolutions?

43. Mr. CATES (United States of America) explained that among the resolutions distributed by the Secretary-General would be some of type (ii). Replies to the requests in connexion with such resolutions would be coming in automatically. Resolutions of type (iv) which did not contain a specific request for information would nevertheless indicate to the Governments concerned that data was being solicited: the Secretary-General would not make a request for information in such cases until April 1950. When the necessary information had been collected, the Secretary-General would compile a report for the consideration of the Council in 1951. Therefore, two years would, in the case of certain types of resolutions, be allowed to pass before a report would be called for.

44. Mr. AZKOUK (Lebanon), referring to the statement of the Chinese representative, said that it was possible that the Secretary-General could request a report on those resolutions which did not specifically request information. That system, however, would be unnecessary if the Secretary-General distributed at the

end of the session a list of all the resolutions on which reports were required.

45. Mr. KATZ (Secretariat) thought that the United States proposal covered the point raised by the representative of Lebanon in connexion with time-limits. In fact, the Secretary-General had in October 1949 sent out requests following resolution 210 (VIII), concerning the 1948 resolutions of the General Assembly, but there was no need for the requests to be kept in abeyance for such a long time. The requests asked for replies in March 1950.

46. Mr. GATES (United States of America) said that it was not a question of reports on resolutions of category (ii). It should be borne in mind that Governments might not be able to submit satisfactory reports on resolutions which could not be properly implemented for some time to come.

47. He observed that when resolutions were distributed at the end of the Council sessions, the Secretary-General could specify that a report was called for and could indicate the time-limit for the reply.

48. The Secretary-General could indicate, in the written reminders which requests had not been fulfilled and set a time-limit for the reply. Reminders should, however, be properly timed and should allow at least a year for the desired information to be prepared by the Governments concerned.

49. Mr. CHERNYSHEV (Union of Soviet Socialist Republics) thought that there was a duplication of work. After each session, the Secretary-General sent out copies of all the resolutions adopted, whether or not those resolutions required a reply to be submitted, which was a normal procedure. If, due to the lack of reminder from the Secretary-General or for any other reason, no reply was submitted, the Secretary-General could always inform the Council that there had been no response to the request.

50. He did not agree on the principle of time-limits, and that could not be used as an argument if certain Governments failed to reply. Although the Secretary-General sent out resolutions and recommendations, the Governments had the right to react as they saw fit.

51. Mr. AZKOUK (Lebanon) said that if the Council adopted the conclusions of the Committee and approved the time-table in connexion with replies to resolutions of type (iv), all Governments should be so informed so that they would understand that even those resolutions which did not contain a specific request for information nevertheless needed a reply within a certain time limit.

52. With regard to resolutions of type (iv), the question was whether the Secretary-General in transmitting them to the Governments concerned, should request a report within a specified time-limit concerning the steps taken to implement them.

53. An alternative would be merely to send the resolutions without comment. The Governments would realize that some kind of a response was called for, and, if no reply was received within a reasonable period, the Secretary-General could send a reminder asking for a reply within six months.

54. Another idea would be to send an appropriate letter with the resolution, and to send in a reminder six months before expiration of the time-limit.

55. It appeared that it was not necessary to send a request at the time when the resolution was distributed, since Member States would realize that they were called upon to reply. In any case, six months before the report was to be drawn up, a suitable reminder could be sent out. Even if three months were allowed to elapse between sending the resolution and the reminder, it might be possible to obtain replies. Shortly before the report was prepared, Governments could be asked what steps had been taken to implement the resolutions.

/56. He opposed

56. He opposed the principle of merely sending a letter from the Secretary-General without a subsequent reminder.

57. Mr. YATES (Secretariat) pointed out that, under rule 45 of the rules of procedure of the Economic and Social Council, as soon as possible after the close of a session the texts of resolutions were circulated to Governments. Late a second letter was in practice sent, when their reports were required, specifying the request and the time-limits.

58. Mr. CATES (United States of America) observed that reports were the only means whereby the United Nations could know how resolutions were being implemented.

59. Mr. AZKOUL (Lebanon) wondered whether the United States would insist that a letter requesting a report should accompany each resolution or whether it would be satisfied with the procedure the Secretariat had outlined.

60. Mr. CATES (United States of America) said his only objection to the existing schedule for reporting on the implementation of resolutions was that Governments were not given sufficient time to prepare their comments. He wished to see the time-limits extended.

61. Mr. AZKOUL (Lebanon) thought that if the United States suggestions were adopted, the time-limit for reporting should be the same for all resolutions.

62. Mr. LEDWARD (United Kingdom) agreed that the representative of Lebanon had raised an important point. He wondered, moreover, whether the United States ~~formulation should not be amended to group the resolutions adopted at two sessions~~
~~with those adopted at the succeeding, instead of the preceding,~~
~~the General Assembly.~~

63. Mr. CATES (United States of America) thought that in practice little confusion would result from the United States proposal.

64. The CHAIRMAN did not feel it was reasonable to expect a report in 1950 on Economic and Social Council resolutions adopted at the eighth and ninth sessions. Governments would not have had sufficient time to implement many of them, especially if to do so it had been necessary to amend existing legislation.

65. Mr. AZKOUL (Lebanon) emphasized that States should be given two years in which to prepare their reports.

66. As the United Kingdom representative had suggested, a more logical grouping of resolutions would be to combine those adopted at two successive sessions of the Council with those adopted at the following rather than the preceding sessions of the General Assembly.

67. Mr. TSAO (China) pointed out that, if the Lebanese suggestion were adopted, paragraph 1 of the United States proposal (E/AC.31/L.7) would have to be amended to read "and the sixth and seventh sessions of ECCSOC".

68. Mr. LEDWARD (United Kingdom) said that his proposals (E/AC.31/L.8) were based on the premise that before 1952 the General Assembly would be unable to complete a proper survey of how its resolutions had been implemented. At that time it would be possible to prepare a report covering all resolutions adopted by the Council and the Assembly up to and including the General Assembly of 1950. The United States proposals, on the other hand, assumed that it would be possible to present such a survey and discuss it in the General Assembly at the 1951 session.

69. Mr. YATES (Secretariat) thought it would be wiser to concentrate in the first place, in forming a schedule, on the receipt and forwarding of reports from Governments on the implementation of resolutions rather than on the dates of those reports. If a rigid time-table for the latter procedure were established, some unnecessary delay in making the first requests to Governments might occur and Members would consequently have less time in which to prepare their replies. He wondered whether the Committee's primary objective as he saw it was covered by the United States proposal.

70. Mr. CATES (United States of America) agreed that it was of paramount importance for the Committee to devise a time-table for the transmission of reports.

71. The CHAIRMAN, speaking as the representative of Australia, stated that his Government held a different position from that of the United States and of the United Kingdom. In his view, a letter should be sent out once every three years requesting a report on the implementation of resolutions in effect for two years. If a resolution was of sufficient importance to require an annual report, that fact should be stated in the body of the resolution itself.

72. The Australian delegation thought that a two-year period would give States ample opportunity to carry out mandates of the United Nations. For example it would allow them sufficient time to overcome any serious legislative obstacles. On the other hand, if annual reports were forwarded, the Council would be required to devote what might prove to be a disproportionate amount of time each year to their consideration.

73. In reply to the representative of the United States, he explained that under the Australian plan, reports on the implementation of resolutions adopted in 1945, 1946 and 1947 would be considered at the 1950 session of the Council. He stressed, however, that if a resolution required immediate implementation, an early report would be requested in the body of the resolution. He did not feel that, if it was a question of general implementation, a long period between the adoption of the resolution and the report on how it had been put into effect was a disadvantage.

Mr. AZKOU (Lebanon) feared that by trying to save time both the Council and States might be forced to act with undue haste and that, as a result, their reports might be less effective. If the Council were faced with a mass of material covering six of its own sessions as well as three of the General Assembly, it might be unable to give due consideration to the report. Moreover if the work were spread out, the burden upon Governments would be lightened. It would be particularly difficult for the smaller nations of Lebanon to prepare reports covering matters which had transpired six years earlier.

75. The CHAIRMAN, again speaking as the representative of Australia, said that in the first two years the Council might consider segments, as the representative of Poland had suggested. That would help to reduce the volume of material to be considered at the end of the three-year period.

76. Mr. TSAO (China) pointed out that resolutions became obsolete with the years. If too long a time-limit were set, the Council might find that there was no need to take any further action on resolutions which had been adopted earlier and that no reports were necessary.

77. Mr. LEDWARD (United Kingdom) thought the representative of China had touched on what was the keynote of the United Kingdom text. The proposed time-table for the consideration of reports had been devised to weed out resolutions needing no report. The document was based on three assumptions: first, that it would be impossible to prepare a general survey for consideration by the General Assembly before 1952; secondly, that the three-year cycle was preferable. Like the representative of Australia, he felt that such a period would be necessary if the work was to be thorough. The third assumption was that, whenever possible, the Council might delegate its authority to an ad hoc committee which could work on the problem. The United Kingdom proposal also suggested the terms of reference for such a committee.

78. The proposed time-table was tentative. It assumed however that an ad hoc committee would be set up to prepare not only a general survey in 1952 but also an interim report in 1951.

79. The Secretary-General could ask for essential annual reports on the implementation of resolutions when no reporting machinery had been established by the resolutions themselves. In principle, Governments should thereupon be given twelve months in which to reply. Upon receipt of the replies the ad hoc committee could prepare the interim report which would be the basis for the comprehensive survey presented to the Council at its 1952 session.

80. The CHAIRMAN, speaking as the representative of Australia, did not think that a report on implementation should be presented to the General Assembly

as a specific item. Implementation should be part of the normal work of the Council and as such should be mentioned in its annual report to the Assembly. The Council should only ask the General Assembly to take action on a specific item which was not apparently being properly implemented. The aim of the Australian plan was not to discuss the abstract question of implementation but to specify concretely the items which were being implemented and the extent of the implementation.

81. Mr. CATES (United States of America) thought the only purpose in requesting reports on the implementation of resolutions was to ascertain whether those resolutions were actually being carried out. After reports had been received, the situation should be appraised and, if it developed that a resolution was not being implemented, an attempt should be made to find out why. A report similar to E/1325 could then be prepared showing what had been done.

82. The CHAIRMAN, speaking again as representative of Australia, said that if a three-year cycle were adopted, during the first two years an intensive study of segments could be made, to be followed by the comprehensive survey in the third year. In that way the Council could see what progress was being made and would be better able to decide the next segments to be studied intensively and the items to be re-considered by the General Assembly. The suggestion of a study of segments over two years with a general survey in the third year would be a chapter on implementation in the annual report of the Council to the General Assembly/in the view of the Australian Government be an adequate and useful means of dealing with the existing programmes. The United States proposals on the other hand would be an entirely different approach to the problem.

Mr. TSAO (China) favoured the Australian proposal. He thought that before proceeding with the discussion, the Committee might consider whether it was not exceeding its terms of reference, as laid down in Resolution 119 (II) of the General Assembly, which in reality only requested the Council to facilitate the existing process of implementation. Before

exceeding its powers; it might be wiser for the Committee to consult the Council or the General Assembly.

84. The CHAIRMAN thought that the Ad Hoc Committee on Implementation was competent to make recommendations to the General Assembly and the Council concerning necessary changes in the existing procedure.

85. Mr. CATES (United States of America) agreed with the representative of China that the Ad Hoc Committee had been asked to improve existing procedures, although paragraph (e) of resolution 255 (IX) of the Economic and Social Council empowered the Committee to suggest changes.

86. He wondered whether the Committee could come to an agreement on those sections of its report covering paragraphs (b) and (c) of resolution 255 (IX).

87. The CHAIRMAN thought, with regard to paragraph (b) of resolution 255 (IX), the Committee had already decided that those resolutions which were obsolete, indicated in document E/AC.31/L.5 by an asterisk, and those in group (i) should be included in its report.

88. Mr. LEDWARD (United Kingdom) thought that the Committee had agreed in principle to carry out paragraph (b) of its terms of reference in an annex along the lines suggested by the Chairman but that no final draft had been prepared.

89. The Committee had not yet begun work on paragraph (c) of its terms of reference although the Polish and Australian suggestions concerning segments came under that paragraph.

90. The United Kingdom suggestion, he pointed out, would not exclude the idea of working on segments. It could be part of the proposed ad hoc committee's job to select those segments or resolutions requiring special consideration.

91. Mr. AZKOUL (Lebanon) pointed out that, as the United Kingdom proposal stood, in March 1950 the Secretary-General would request reports from Member Governments on resolutions adopted up to and including the 1949 session of the General Assembly. Governments would therefore have had only one year to

/implement

implement resolutions adopted at the 1949 session. That was not sufficient time to deal with some of them. An adequate picture could be had of the implementation of earlier resolutions but under the procedure suggested by the United Kingdom the appraisal of resolutions adopted in 1949 would of necessity be deficient. That was inadvisable, particularly since no further reports on the implementation of those resolutions would be required. That fact, together with the disadvantages inherent in any plan requiring Governments to prepare material dating back such a long period of time, was in his opinion a grave drawback to the United Kingdom proposal. The Lebanese delegation however was not opposed in principle to the three-year period provided that sufficient time were allowed for the implementation of all resolutions and provided work was not allowed to accumulate to an unreasonable extent.

92. Mr. CATES (United States of America) thought that the Lebanese representative's comments only proved the value of annual reports.

93. Mr. LEDWARD (United Kingdom) agreed that the first objection raised by the representative of Lebanon was valid. His Government would accept any variation on the three-year cycle which would give a better picture of how resolutions were being implemented.

The meeting rose at 1.5 p.m.