

## FIFTH SESSION

## COMMITTEE ON PROCEDURAL QUESTIONS

## SUMMARY RECORD OF THE ELEVENTH MEETING

Held at Lake Success, New York, on Thursday, 14 August 1947, at 11:15 a.m.

## Present:

Chairmen:	Mr. Davidson	(Canada)
	Mr. Larrain	(Chile)
	Dr. P.C. Chang	(China)
	Mr. Steinbach	(Czechoslovakia)
	Mr. Mendes-France	(France)
	Mr. Sen	(India)
	Mr. Hakim	(Lebanon)
	Miss de Witteveen	(Netherlands)
	Mr. Haarr	(Norway)
	Mr. Kamenev	(Union of Soviet Socialist Republics)
	Mr. Morgan	(United Kingdom)
	Mr. Hyde	(United States of America)
Secretariat:	Mr. Yates	(Joint Division of Co-ordination and Liaison)
	Mr. Herman	(Conference Division)
	Mr. Dumontet	(Joint Division of Co-ordination and Liaison)

Continuation of the Discussion of the French Proposal to Hold only two Sessions of the Economic and Social Council during 1948 (document E/536)

Dr. CHANG (China) presented a proposal which he hoped would represent a compromise acceptable to a majority of the Committee: that two regular sessions be held, one in the second half of January and one in the first or second half of June; and that one extraordinary session, a very brief one, be held during the General Assembly to deal with the very important question of the Bill of Rights, and perhaps one or two other urgent matters that had similarly, unavoidably been left over.

This would allow more time between sessions and would be an economy since it would reduce the amount of travel involved for representatives.

It would also avoid the necessity again to suspend rule 1 of the rules of procedure. The repeated suspension of that rule, which had never been tried out, indicated, in his opinion, a need for its amendment. However, he believed it was desirable to avoid opening for the time being what might

be a long discussion of that rule.

Mr. MORGAN (United Kingdom) inquired whether the short session envisaged in the Chinese proposal would be a regular or a special session.

He thought that in practice it was difficult to limit the duration of special sessions and that holding a session during the General Assembly might involve grave administrative difficulties.

He also pointed out that since special sessions were called only to meet sudden emergencies, the appropriateness of planning a special session far in advance might be questioned.

One of the chief advantages of the Chinese proposal was that it would obviate the necessity of suspending rule 1. However, if the short session contemplated was to be a regular session, the existing rules of procedure would have to be applied to it; otherwise dangerous precedents would be created.

Mr. HAKIM (Lebanon) referred to the amendment to the French proposal which his delegation had suggested the previous day, to the effect that two sessions long enough to complete the Council's business be held. He reiterated in that connection the point of view of his delegation that the most important consideration should not be how many sessions to hold, but how the work of the Council could most efficiently be carried out.

However, he thought the Council should avoid, if possible, suspending rules of procedure that had not been tried out. His delegation would support the Chinese proposal for that reason, provided it would not mean that the substantive work of the Council would suffer. His delegation especially favoured the Chinese proposal in view of the importance of the subject which would be dealt with at the third brief session.

In the event that the Chinese proposal failed to receive majority approval, he would support the French proposal with the Lebanese amendment.

Mr. SEN (India) felt that whatever decision was made in the matter difficulties were likely to arise, and suggested that the question be left open until the end of the second session, when the Council could decide whether or not it was necessary to hold an additional special or regular session.

Mr. MENDES-FRANCE (France) said he would support the Indian suggestion with the reservation that the second session would be scheduled for June or July.

Mr. HERMAN (Secretariat) called attention to the fact that it would be impossible for the Secretariat to service a Council session during the General Assembly if the work of the Council were to be additional to the normal schedule of the Assembly. If, however, the work of the Council could have equal priority with the work of the Main Committees of the Assembly, it might be possible to fit the meetings of the Council into the general pattern.

With reference to the Indian proposal, he pointed out that it would be preferable, from the budgetary point of view, to submit to the General Assembly a definite programme for 1948.

Mr. HAARR (Norway) inquired whether it would be feasible to hold the third brief session shortly before the opening of the General Assembly Session which would facilitate the attendance of representatives and would avoid overlapping between the Council and the General Assembly Sessions.

In reply, Mr. YATES (Secretariat) recalled that during the previous year, the third session of the Council had been scheduled to meet shortly before the General Assembly. Although that Council session had eventually been cancelled, the experience at that time should serve as an indication for the future, inasmuch as the scheduled Council session conflicted with the considerable preparatory work for the General Assembly.

Mr. HYDE (United States of America) preferred the French proposal with the Lebanese amendment. However, he suggested as a compromise proposal that the second paragraph of the French proposal be replaced by the following:

"Request the Secretary-General to arrange in 1948 a session of the Council to commence not later than \_\_\_\_\_, a session not later than \_\_\_\_\_, and, provided that at the latter session it be found indispensable, a short session during the regular session of the General Assembly, with particular reference to taking measures for the formulation of the International Bill of Human Rights for action during the third session of the General Assembly."

Such a provision would avoid the suspension of the rules of procedure concerned and would lend an exceptional character to the session.

Mr. HAARR (Norway) observed that those in favour of two sessions did not exclude the possibility of holding a third session while those in favour of three sessions did not exclude the possibility of holding two sessions only, if a third session proved unnecessary. In view of this indication that a compromise agreement could be reached, he would support the Indian proposal as it had been endorsed and formulated by the United States representative.

The CHAIRMAN pointed out that the Indian proposal did not present a solution to the problem faced by the Committee and by the Secretariat in scheduling meetings for the year which would have to be done either on the assumption of two council sessions or three.

Mr. MENDES-FRANCE (France) moved that the debate be closed.

The representatives of India and China, favoured continuation of the debate inasmuch as they felt that a compromise agreement was on the verge of being reached.

DECISION: The motion for closure of the debate was put to a vote and rejected.

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With respect to the administrative problem raised by his proposal, Mr. SEN (India) felt that the solution was that a budget be prepared for three sessions. If only two sessions proved necessary the position from the budgetary point of view would be so much the better.

As far as staff facilities were concerned he pointed out that a large number of extra staff was recruited in connection with the General Assembly and that some of this staff could be utilized if it proved necessary to hold a third brief session at that time.

As regards the scheduling of other subsidiary meetings, he explained that the position would be exactly the same as it would be if the French proposal prevailed.

Mr. KAMENEV (Union of Soviet Socialist Republics) was of the opinion that the Chinese proposal did not constitute an acceptable compromise. It not only involved holding three sessions but also holding one of them at a very inconvenient time. Nor did he consider that the Indian proposal provided a satisfactory solution. If an extraordinary session proved necessary the Council could always decide to convene it in accordance with its rules of procedure. Meanwhile the Committee could recommend holding either two sessions or three sessions but not two and one-half sessions.

He would vote against both the Chinese and Indian proposals and favoured closing the debate.

The CHAIRMAN stated that there were no less than six proposals before the Committee.

After some discussion on the procedure to be followed in voting, in which comparison was made of the various proposals in an effort to determine which were the most far reaching, the Committee decided to vote first on the Norwegian proposal that three sessions be held, two of which would be full length and one of which would be a brief session held immediately before the convening of the General Assembly, it being understood that the third session would not be held if the Council, at the end of its second session, found it unnecessary.

DECISION: The Norwegian proposal was rejected.

The Chinese proposal that two regular sessions and one short session be held was then put to the vote.

DECISION: The proposal was rejected.

Mr. MENDEZ-FRANCE (France) proposed an amendment to the Indian proposal to the effect that in the event that at the end of the second session it was decided to hold the third session, the agenda of the third session would include any urgent questions which had not been dealt with at the second session and the postponement of whose consideration until 1949 would have serious consequences.

/The CHAIRMAN

The CHAIRMAN observed that such an amendment implied that instructions would be given to the agenda committee regarding the urgent items to be considered at the third session. In this connection it would be desirable to recommend to the Council that the agenda committee meet immediately upon the conclusion of the second session in order to plan the agenda well in advance.

The French amendment having been accepted by Mr. SEN (India) as part of his proposal, the proposal was put to a vote in two parts, the Indian proposal itself constituting the first part, and the French amendment the second.

DECISION: The Indian proposal and the French amendment thereto were adopted.

The Committee noted that in the event that it was decided to hold a third session, although the Agenda Committee would be convened shortly after the second session, it was the Council itself which would have to take a decision, at the second session, as to the items which would be placed on the agenda of the third session, and accordingly, as to whether or not it was necessary to suspend the rules of procedure concerned.

The CHAIRMAN announced that the Committee recommendations would be reported as soon as possible to the Acting President of the Council in order that the Committee might receive the Council's confirmation or rejection of them and would be enabled to proceed accordingly with the consideration of the calendar. Meanwhile, the Committee would proceed with a tentative discussion of the question of dates of Council sessions.

Mr. MENDES-FRANCE (France) whose delegation had suggested that the first session be held before 28 February and the second session before 30 June, stated that he believed it was desirable to avoid holding the second session in August. Holding the session during that month precluded the possibility of vacations for those concerned with the work of the Council and interfered with the preparatory work for the General Assembly. Delegations also experienced great difficulty in reaching members of their governments, many of whom were on vacation in August.

Mr. MORGAN (United Kingdom) was in favour of scheduling meetings on the basis proposed by the French representative that is on the assumption that two sessions would be held, which would make it possible to fix the first for a late date and the second for an early date.

However, he pointed out that the Council had two important items to send to the ILO Session which was to open on 17 June and therefore suggested that a date like 10 June might be preferable.

Mr. HYDE (United States of America) suggested the following formulation regarding dates: For the first session "not later than 12 February," for the second session, "10 July, not later than the 15 July."

After further discussion the dates that emerged for the first session were the 20th of January, supported by the representatives of the United States of America and China, and the 9th of February proposed by the representative of France and supported by the representative of India.

The date of 20 January was put to a vote and rejected.

Dr. CHANG (China) then proposed the date of 2 February.

The date of 2 February as against 9 February was put to a vote.

DECISION: The date of 2 February was adopted.

#### The Date of the Second Session

For the second session, the following dates were suggested: By the representative of France, before 30 June; by the representative of the United States of America, before 15 July; and by the representative of China, during the first week of July.

Mr. HERMAN (Secretariat) pointed out that it would be desirable to avoid overlapping between the session of the Economic and Social Council and that of the Trusteeship Council which would be meeting during the first half of June.

The CHAIRMAN summarized the three dates proposed, on the basis that the session should open on a Monday, as follows: 28 June (French proposal), 5 July (Chinese proposal), and 12 July (United States proposal).

The discussion was adjourned.

The meeting rose at 1:15 p.m.

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