



## ECONOMIC AND SOCIAL COUNCIL

Sixteenth Session

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PALAIS DES NATIONS, GENEVA

## CONTENTS

	Page
Relief and rehabilitation of Korea (General Assembly resolution 410 (V), section A, paragraphs 5 (d) and 13) (A/2222 and Add.1 and 2 and E/2334 and Add.1 to 3) . . . . .	311
Accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons (Additional item proposed by the Secretary-General for inclusion in the agenda of the sixteenth session of the Council) (E/2495) . . . . .	311
Arrangements regarding the report of the Council to the General Assembly (General Assembly resolution 628 (VII)) (E/L.567) . . . . .	316
Confirmation of members of functional commissions of the Council (E/2506) . . . . .	316
Accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons (Additional item proposed by the Secretary-General for inclusion in the agenda of the sixteenth session of the Council) (E/2495 and E/L.569) ( <i>resumed</i> ) . . . . .	316

*President*: Mr. Raymond SCHEYVEN (Belgium).

The representatives of the following countries: Argentina, Australia, Belgium, China, Cuba, Egypt, France, India, Philippines, Poland, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

Observers from the following Member countries: Brazil, Denmark, Indonesia, Netherlands, Syria.

The representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization.

**Relief and rehabilitation of Korea (General Assembly resolution 410 (V), section A, paragraphs 5 (d) and 13) (A/2222 and Add.1 and 2 and E/2334 and Add.1 to 3)**

[Agenda item 31]

1. The PRESIDENT invited the Council to consider the reports of the United Nations Agent General for Korean Reconstruction (A/2222<sup>1</sup> and addenda 1 and 2<sup>2</sup> thereto, E/2334 and addenda 1, 2 and 3 thereto).

2. Mr. SHAW (Australia) thought that, important as was the issue under consideration, the best course, in all the circumstances, would be for the Council to take no action for the time being. Should it appear desirable, the Council could take up the matter at a future session.

<sup>1</sup> See: *Official Records of the General Assembly, Seventh Session, Supplement No. 19.*

<sup>2</sup> *Ibid.*, Supplement No. 19A.

3. Mr. B. SEN (India) agreed with the Australian representative, but expressed the hope that relief, which had hitherto been accorded to only one side in Korea, would thenceforward be made available to both sides. From the point of view of the Indian Government, suffering knew no boundaries.

4. Mr. ABDEL-RAZEK (Egypt) said that no useful study could be made of the situation in Korea without taking into account its military, political and economic aspects, and it was for that reason that at its seventh session the General Assembly had had before it three reports. The first (A/2228) related to the conduct of the war and the armistice negotiations, the second (A/2187), had been prepared by the United Nations Commission for the Unification and Rehabilitation of Korea, and the third by the United Nations Agent General for Korean Reconstruction. Recently, the good news had been announced of the signing of the armistice in Korea and it was to be hoped that the political negotiations about to be opened would result in the unification of the country under the administration of an independent and democratic government; it was also to be hoped that the whole of Korea would benefit from the financial and technical assistance of the United Nations.

5. Under resolution 701 (VII), the General Assembly had requested governments and the specialized agencies to assist in the relief and rehabilitation of Korea. According to the report received by the Council (E/2334/Add.3), the Agent General had established a long-term programme; the funds necessary for carrying out the programme amounted to 70 million dollars for the first financial year and to 130 million dollars for the second year. It could be assumed that the General Assembly resolution referred to would be adequate to deal with present needs. He would therefore support the Australian representative's proposal.

6. Mr. MALET (Uruguay) also considered that no action was necessary for the time being.

7. The PRESIDENT accordingly invited the Council to approve the suggestion whereby consideration of the relief and rehabilitation of Korea would be deferred to a future session of the Council.

*It was so agreed.*

**Accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons (Additional item proposed by the Secretary-General for inclusion in the agenda of the sixteenth session of the Council) (E/2495)**

8. The PRESIDENT said that the additional item proposed by the Secretary-General for inclusion in the

Council's agenda (E/2495) raised two issues. In the first place, the Council, which alone was competent in the matter, was called upon to decide whether the item should be placed on its agenda; secondly, in the event of its so deciding, it would have to discuss and vote on the substance of that item. He invited comments on the first issue.

9. Mr. MUÑOZ (Argentina) thought that the issue was straightforward, and a purely procedural one. He accordingly found no difficulty in supporting the proposal that the item in question be added to the Council's agenda.

10. Mr. NUÑEZ PORTUONDO (Cuba) agreed with the Argentine representative, and added that in his opinion the proposed additional item had no political implications.

11. Mr. ARUTYUNYAN (Union of Soviet Socialist Republics) said that a procedural issue might well conceal a political problem. While a communication addressed to the Council by a government whose authority was unquestioned might be a straightforward affair, the Government of the Federal Republic of Germany, whose request it was proposed to place on the Council's agenda, did not and could not represent the German nation, and could not be considered as having the status of a properly constituted government. He would accordingly oppose the proposal to place the item on the agenda.

12. Mr. KATZ-SUCHY (Poland) also opposed the placing of the additional item on the agenda. He was unable to agree with the Cuban representative that the issue was merely one of procedure and free from political implications. On the contrary, it raised grave questions of political principle.

13. As was well known, it was laid down in certain agreements concluded during and after the Second World War, and in particular in the Potsdam Agreement, that Germany's foreign relations, including those with international organizations, were to be regulated by the Council of Foreign Ministers. The United Nations had fully recognized those arrangements in Article 107 of the Charter which stated that: "Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action". In other words, a clear distinction had been drawn between the maintenance of peace, which was the responsibility of the United Nations, and the liquidation of the effects of the Second World War, which devolved on the principal Allied Powers. It was clear, therefore, that the United Nations was debarred from considering problems such as that involved in the item under discussion, and, more specifically, that that item was outside the competence of the Economic and Social Council.

14. In any event, the Government of the Federal Republic of Germany could not possibly be regarded as a sovereign government, or as entitled to speak on behalf of the German nation as a whole. The relevant international agreements had stipulated that Germany

should be treated as a unity, and only as a unity by those nations which had defeated it in the war. The Government of the Federal Republic of Germany was a mere assortment of individuals, many of whom had been guilty of helping in the preparations for the Second World War and who had no claim whatsoever to speak on behalf of the German nation, either in whole or in part. For those reasons, the Polish delegation attached the utmost importance to the rejection of the proposal that the item in question be added to the Council's agenda.

15. Apart from those reasons of policy, considerations of expediency reinforced his contention. It was inappropriate at such a late hour in the present session to propose an additional item which raised serious political issues. The pertinent rule of procedure—rule 17—provided that "only urgent and important items shall be added to the agenda of the Council during the session". The proposed additional item was, he admitted, of importance, though not for the reasons adduced earlier in the discussion, but it could not be regarded as urgent. The accession of the Government of the Federal Republic of Germany would not alter the provisions of the Convention on the Declaration of Death of Missing Persons any more than it would add to the stature of that Government. The matter should be thoroughly debated before any action was taken, and not dealt with summarily a few hours before the close of the session.

16. Mr. KOTSCHNIG (United States of America) supported the addition of the item to the agenda. In his view, agreement on such a purely procedural issue could speedily be reached, given a modicum of good will. He pointed out that it was not the Government of the Federal Republic of Germany which was now asking for the matter to be placed on the Council's agenda, but the representative of Argentina, a sovereign State and Member of the United Nations. He was convinced, therefore, that rule 17 of the rules of procedure was fully applicable in the present instance.

17. The political issue raised by the representatives of the Soviet Union and Poland had been settled at earlier meetings of the Council, when clear-cut decisions had been reached. To take one example, three years previously the Council had authorized the United Nations Educational, Scientific and Cultural Organization (UNESCO) to admit the Federal Republic of Germany to its membership. It would seem strange if, for political reasons, the Council were now to refuse to deal with a matter relating to the same Federal Republic of Germany. The case of other conventions, to which the Federal Republic had been admitted, buttressed his contention.

18. Perhaps more important than all those considerations, however, was the humanitarian aspect. The accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons would materially assist hundreds of thousands of people, by providing for the declaration of death of many people who were not legally dead, thus facilitating numerous re-marriages and property settlements.

19. He was glad that the Federal Republic of Germany was willing to accede to the Convention, particularly as

many of the persons in respect of whom presumption of death was necessary had been nationals of countries other than Germany, done to death there during the Second World War.

20. He therefore hoped that the Council would squarely face up to its responsibilities and place the item on its agenda.

21. Mr. MALET (Uruguay) was also in favour of the item being added to the agenda. As he saw it, no real problem was involved. The Government of Uruguay was in normal diplomatic and commercial relations with the Federal Republic of Germany, which, in his opinion, possessed all the attributes of a sovereign State.

22. Mr. MATES (Yugoslavia) considered that the procedural case had been made out; he would therefore support the addition of the item in question to the agenda.

23. As to the substantive issue, he thought that the proposed accession by the Government of the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons should be authorized. Such a step would be of the greatest importance for many European countries. He deeply regretted that certain delegations should have attempted to make political capital out of the matter. He could not see any connexion between Article 107 of the Charter, invoked by the Polish representative, and the proposal under discussion.

24. The question might, perhaps, be less familiar to members of the Council than it was to those who had heard similar arguments repeated on many occasions in the political committees of the United Nations. He felt, however, that these considerations need not cause delegations concern or make them hesitant. If Germany had not yet been unified, the Germans were the first to regret the fact and to deny to the Federal Republic of Germany the right of accession to the Convention would hardly be to promote a solution of the problem. His own country had established diplomatic relations with the Government of the Federal Republic of Germany, and was on satisfactory terms with it generally.

25. Mr. RIVAS (Venezuela) said that his country also maintained diplomatic relations with the Federal Republic of Germany, and had concluded treaties with it. He thought that it was important to allow that country to accede to the Convention. The matter seemed to him, in the light of the considerations set forth in the annex to the Secretary-General's memorandum (E/2495), to be of some urgency, and hence to come within the scope of rule 17 of the rules of procedure. He accordingly supported the addition of the item to the agenda.

26. Mr. SHAW (Australia) considered that the issue should not primarily be discussed either in terms of political relations or in terms of procedure. The humanitarian aspect was much more important. When attending the inaugural meeting of the World Jewish Congress the previous day, he had been impressed by the importance that many delegates to the Congress attached to the German Federal Republic's accession to the Convention in the interests of large numbers of

people. On those grounds alone, he would wish to see the proposed additional item placed on the agenda.

27. Mr. FENAUX (Belgium) recollected that the Council had already taken decisions on accession by the Federal Republic of Germany to a number of international conventions, and on its admission to membership of some of the specialized agencies. Arguments advanced in the past should not be repeated, and he would therefore content himself with stating that his delegation would support both the Argentine proposal and the accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons. His delegation took that stand on humanitarian grounds.

28. Mr. ABDEL-RAZEK (Egypt) said that his delegation's traditional policy was not to oppose the addition of any item to the agenda of the Council or the General Assembly. By reason of its universal character, the United Nations was under an obligation to examine all questions brought before it. Under rule 17 of the rules of procedure, only urgent and important items could be added to its agenda during the session. The question of the accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons was, obviously, most important. That accession would enable the Government of the Federal Republic to settle a number of legal or social problems such as, for instance, those relating to inheritances in abeyance, or the re-marriage of persons whose spouses had disappeared. Hence the Egyptian delegation would vote for the addition of the item to the agenda.

29. Mr. OZGUREL (Turkey) considered that the question of the addition to the agenda of the item under consideration should not be decided on grounds of principle or procedure, or from a political angle. It was a purely humanitarian question, and, for that reason, the Turkish delegation would vote for the Argentine proposal that the item be added to the agenda.

30. Mr. INGLES (Philippines) did not doubt that the Council was competent to pass judgment on the issue before it. He would, however, be unable to support the proposed inclusion of the additional item in the agenda or to vote for the accession of the Federal Republic of Germany to the Convention, for reasons which had been made clear at previous sessions, and which he did not wish to repeat on the present occasion.

31. A further reason for his inability to vote for the Federal German Republic's accession to the Convention was the Philippines Government's adherence to the principle of universality. He accordingly felt bound to object to the inclusion in the agenda of an item that limited accession to the Convention to a particular State. Nevertheless, in view of the humanitarian considerations invoked, he would not oppose but merely abstain from voting on the proposal.

32. Mr. KATZ-SUCHY (Poland) thought that the Council would be creating a dangerous precedent if it treated what was an essentially political problem as a minor procedural matter. The issue of principle at stake was that of the interpretation of the expression "non-member States" referred to in paragraph 1 of article 13 of the Convention on the Declaration of Death

of Missing Persons, and quoted in paragraph 1 of the Secretary-General's memorandum (E/2495). He was unable to agree with the Yugoslav representative that Article 107 of the Charter was inapplicable to the present case. On the contrary, the case under discussion was typical of the problems which the authors of the Charter had had in mind when delimiting the competence of the United Nations as regards settlement of the effects of the Second World War.

33. Moreover, he could not accept the view that the Government of the Federal Republic of Germany represented Germany, or that the Federal Republic constituted a State. The existence of diplomatic relations between Member States of the United Nations and that Republic did not confer on it the slightest right to speak on behalf of Germany as a whole, or even to be treated as a State; its claim had no more merit than that of such pre-war puppet States as Manchukuo.

34. Mr. ABDEL-RAZEK (Egypt) repeated that the main reason why he supported the Argentine proposal was that it was the Egyptian delegation's tradition never to oppose the addition of an item to the agenda of the Council or the General Assembly. His delegation's attitude would have been the same had the request been made by the Government of the German Democratic Republic.

35. The PRESIDENT *declared closed* the discussion on the procedural issue, and put it to the vote.

*It was decided by 15 votes to 2, with 1 abstention, to place on the agenda as item 43 the additional item proposed by the Secretary-General.*

36. The PRESIDENT then invited the Council to consider the substantive question of the proposed accession by the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons (E/2495).

37. Mr. MUÑOZ (Argentina) supported the acceptance of the Federal Republic's request. It was, he thought, clearly a matter of urgency not only to place the matter on the Council's agenda, but also to ensure that the accession was approved on, among others, humanitarian grounds. He then read out a draft resolution<sup>3</sup> to that effect.

38. The Argentine Government, for its part, recognized the Federal Republic of Germany and entertained friendly relations with it, in line with its traditional policy. He could not see that there could be any doubt about the sovereignty of the Federal Republic. It was not the first political problem of that kind to be raised in the United Nations, and it could be solved as similar problems had been solved in the past.

39. Mr. NUÑEZ PORTUONDO (Cuba) explained that he had earlier defined the issue as a procedural one only in respect of the proposed inclusion of the item in the Council's agenda.

40. As regards the substantive issue, he supported the Argentine draft resolution and asked, on instructions from the Cuban Government, to be allowed to sponsor it jointly with the Argentine delegation.

41. His Government maintained friendly diplomatic relations with the Federal Republic of Germany, and had concluded a trade agreement with it. The Federal Government controlled a large part of Germany, and enjoyed the appropriate legislative powers and all the attributes of a sovereign State. The accession of the Federal Republic of Germany to the Convention would be beneficial not only to Germans, but also to nationals of other States. The Council, in his view, should endorse the accession of the Federal Republic to the Convention, especially as it had earlier sanctioned its admission to membership of UNESCO.

42. Mr. MUÑOZ (Argentina) said he would gladly accede to the Cuban representative's request to be allowed to join him in sponsoring the draft resolution, and would be equally glad to accede to a similar request from any other delegation.

43. Mr. KATZ-SUCHY (Poland) said that, although during the discussion on the procedural issue he had touched on questions of principle, he considered it necessary to re-state once again the Polish Government's position on the substance of the issue before the Council, and to explain why he would oppose the joint draft resolution submitted by the representatives of Argentina and Cuba, and why, in so doing, he believed that he was serving the cause of the peace and unity of Germany.

44. It seemed to him somewhat farcical that the Ministry of Foreign Affairs of the so-called Federal Republic of Germany, composed as it was, in its overwhelming majority, of ex-members of the Nazi Foreign Office, should suddenly display such a keen interest in the deaths of people for whose demise they were in no small measure responsible. It was a mockery of the fate of those victims that a government composed largely of people responsible for the slaughter caused by the Nazi Government in the Second World War should ask to be allowed to accede to the relevant Convention. The Council would be doing no service to the friends and relatives of such persons, or to their honour, by acceding to the Federal Republic's request, particularly at the present moment, when the chances of reaching a settlement of all outstanding political issues were improving. In particular, the Conference of Allied Powers concerning Germany was preparing to meet. It would consequently be wrong for the Council to deal at the present time with one small aspect of the vast problem of the future of Germany.

45. Behind the allegedly humanitarian approach on the part of the Federal Republic of Germany lay an attempt to enable that Government to claim to represent Germany as a whole in foreign affairs, a role from which it had been debarred by settlements concluded during and subsequent to the Second World War. His delegation considered that the problem had been explicitly dealt with and settled both in the United Nations Charter and in binding international agreements, in particular the Potsdam Agreement, which laid down certain pre-conditions for Germany's rehabilitation in the eyes of the international community—demilitarization, denazification and democratization. It could not seriously be claimed that the heirs of Hitlerism who, thanks to

<sup>3</sup> Subsequently circulated as document E/L.569.

certain of the Occupying Powers, had come to power in Western Germany, were fulfilling the cause for which the Allies had fought in the Second World War. The Federal Republic of Germany existed only by the grace of the United States military police, and could not be regarded as representing the German people or as having a right to sign conventions, especially within the framework of the United Nations, one of whose main aims was the maintenance of peace.

46. All issues arising out of the Second World War, he maintained, were within the exclusive competence of the Council of Foreign Ministers. The Conference of San Francisco, at which the United Nations Charter had been drafted, had taken full cognizance of that fact by including Article 107 in the Charter.

47. It was pointless to cite earlier decisions, since one wrong decision did not validate subsequent similar errors. It had been unwise of the Council to sanction the Federal Republic's admission to UNESCO and such decisions certainly had not helped the cause of peace or brought a settlement of the German problem nearer. It was, in consequence, wrong to cite them as precedents. On the contrary, they should be cited as examples of misguided actions in which the United Nations could take no justifiable pride. He was concerned lest the Council follow such examples and accept the advice of delegations which regarded the present issue as a purely humanitarian one. He understood, and did not wish to criticize, the diplomatic relations maintained between Argentina and the Federal Republic of Germany. What was at stake, however, was not the existence of particular international relations, but the general issue of principle which, moreover, affected the Charter. He considered that, in view of the brightening international situation, the Council should be particularly careful not to follow such misguided advice and support the draft joint resolution before it. While upholding the cause of a democratic and unified Germany, he was strongly opposed to any procedure which would be contrary to the needs of European peace and to the creation of a unified Germany capable of playing its part in the maintenance of peace in Europe. He would accordingly oppose the joint draft resolution.

48. Mr. SHAW (Australia) pointed out that the people most closely concerned with the present proposal were the friends and next-of-kin of those who had lost their lives in Germany. As the accession of the Federal Republic of Germany to the Convention on the Declaration of Death of Missing Persons would help those people, he would support the joint draft resolution.

49. Mr. KOTSCHNIG (United States of America) thought that certain of the Polish representative's assertions were out of place in the present discussions, and he could not accept their implications. To take only one example, the assertion that the Government of the Federal Republic of Germany existed only thanks to the support of the United States military police was blatantly false. The Western Powers working as they were in cordial co-operation with the Government of the Federal Republic, had no need of tanks to ensure the stability of that régime or to buttress their presence in Western Germany.

50. As to the substantive issue, he thought that, if there was a sincere desire to reach a political settlement of the German problem, the worst way of going about it would be to reject a sincere offer of co-operation on the part of the Federal Republic on an issue which was not even of primary interest to that Government. If such an offer were rejected, it would bode ill for the prospects of a general settlement. His delegation warmly supported the joint draft resolution.

51. Mr. ARUTYUNYAN (Union of Soviet Socialist Republics) said that, in listening to the United States representative's remarks, the Council might have gained the impression that the United States forces in Western Germany had no tanks at their disposal, but rode around on donkeys carrying doves on their shoulders. In actual fact, he had no doubt that, if subversive elements endeavoured to make trouble in Western Germany, the tanks would not be slow to put in an appearance. Were it not for the presence of United States forces in Western Germany, the Adenauer Government would cut a very sorry figure; indeed, he doubted whether it could even retain power.

52. On the point at issue, he emphasized that, according to the normal rules of international law, only a government representing a unified democratic Germany would have the right to accede to an international convention. The question of the unification of Germany was one to be settled by a four-Power conference, and it would be naïve to assume that, just because a majority in the Council wished to authorize the Bonn Government to accede to a convention, the Soviet Union would recognize that Government as representing the whole of Germany. Such decisions in the Council would not facilitate the unification of Germany, but would only serve to prolong the existing partition. The United States representative's argument that if the Council failed to invite the Bonn Government to accede to the Convention it could not expect it to co-operate in any other fields was sheer demagoguery.

53. The underlying purpose of the United States manoeuvre was obviously to bolster up the rather shaky Adenauer Government before the forthcoming elections in Western Germany. It was equally clearly designed to place obstacles in the way of a four-Power conference on the problem of Germany and other matters, just at a time when negotiations for such a conference were in progress. In raising questions of secondary importance simply in order to create obstacles to a four-Power conference, the United States was following a very shortsighted policy, since co-operation among the four Powers was an absolute prerequisite for any settlement of the German problem.

54. His delegation naturally could not agree to the Bonn Government's acceding to an international convention on behalf of the whole of Germany, and he would therefore oppose the joint draft resolution. He also asked whether the joint draft resolution would be circulated in writing before it was put to the vote.

55. The PRESIDENT said that he had intended to put the draft resolution to the vote after reading it out to the Council. However, if any delegation wished to

have the text in writing first, he could defer the vote until later in the meeting.

56. Mr. S. SEN (India) said that the question had been brought up rather abruptly, and important controversial issues had been raised. He would therefore be grateful if the vote could be deferred until the draft resolution had been circulated in writing.

*It was so agreed.*

**Arrangements regarding the report of the Council to the General Assembly (General Assembly resolution 628 (VII)) (E/L.567)**

[Agenda item 39]

57. The PRESIDENT drew attention to document E/L.567, and asked whether the Council wished to follow the usual practice of authorizing its President to prepare its report in consultation with the two Vice-Presidents and the Secretariat.

58. Mr. ABDEL-RAZEK (Egypt) approved the President's suggestion that the preparation of the report be entrusted to the officers of the Council and to the Secretariat. He pointed out, however, that the French translation of the Council's report was always circulated very late and that other delegations did not receive it until after the General Assembly had opened. For that reason, the Second Committee of the General Assembly had repeatedly had to postpone its work. Further, it happened very frequently that the translation was only provisional and contained a number of inaccuracies. If that state of affairs persisted, French, Spanish and Russian would lose their value as working or official languages of the United Nations.

59. He drew attention to the third sentence in subparagraph (d) of the text quoted on page 2 of document E/L.567, to the effect that the records of meetings contained representatives' statements *in extenso*. That did not appear to be correct.

60. Mr. MUÑOZ (Argentina), speaking as first Vice-President of the Council, said that he was quite prepared for the Council to follow the usual procedure with regard to the preparation of the report. Unfortunately, he had to leave Geneva immediately in order to attend the extraordinary session of the General Assembly in New York, and would therefore be unable to participate in that work. He noted that the second Vice-President was also absent, and stated that he would be very glad to entrust the preparation of the report to the President in consultation with the Secretariat.

61. Mr. KATZ-SUCHY (Poland) recalled that the second Vice-President (Mr. Birecky) was a member of the Polish delegation and, while in the enforced absence of Mr. Birecky, he (Mr. Katz-Suchy) would not insist on participating in the drafting of the report, he would be glad if the text of the report could be despatched to him in New York before it was published.

62. Mr. MUÑOZ (Argentina) said that, if it was possible to meet the Polish representative's request, he too would like to receive a copy of the report in advance of its publication.

63. The PRESIDENT said that the actual work on the report had to be completed very quickly in Geneva in the few days immediately following the end of the session. He would be able to remain in Geneva for that purpose, but the two Vice-Presidents would be unable to take part in the work. However, the two Vice-Presidents still retained their full duties and responsibilities, and the text of the report in its final form would be communicated to them as soon as it was ready.

*It was decided to follow the procedure outlined by the President.*

**Confirmation of members of functional commissions of the Council (E/2506)**

[Agenda item 37]

*The members of the functional commissions as listed in document E/2506 were confirmed.*

*The meeting was suspended at 12.05 p.m. and was resumed at 12.50 p.m.*

**Accession by the Federal Republic of Germany to the Convention of the Declaration of Death of Missing Persons (Additional item proposed by the Secretary-General for inclusion in the agenda of the sixteenth session of the Council) (E/2495 and E/L.569) (resumed)**

[Agenda item 43]

64. The PRESIDENT recalled that the general debate on the item had been closed, and drew attention to the joint draft resolution submitted by the delegations of Argentina and Cuba, which had just been circulated as document E/L.569.

65. Mr. S. SEN (India) noted that the application came from the Federal Republic of Germany, with which India had been one of the first countries to establish diplomatic relations. He had listened sympathetically to the misgiving expressed by certain delegations, and emphasized that he would support the joint draft resolution only on the understanding that the accession of the Federal Republic of Germany to the Convention in question was authorized on purely humanitarian grounds, and would not establish on behalf of that Government any claim to have jurisdiction over the whole of Germany. He also emphasized that adoption of the draft resolution would have no relevance to the future four-Power negotiations on the problem of Germany.

*The joint draft resolution was adopted by 15 votes to 2, with 1 abstention.*

The meeting rose at 1 p.m.