
APPLICATION OF ARTICLE 27 OF THE CHARTER AND CALLING OF A
GENERAL CONFERENCE OF MEMBERS OF THE UNITED NATIONS
UNDER ARTICLE 109 OF THE CHARTER

Report of the First Committee

Rapporteur: Dr. Homero VITERI IATRONTE (ECUADOR)

1. The General Assembly, at its forty-sixth plenary meeting held on 31 October 1946, referred to the First Committee for consideration and report, a certain number of items, among which the First Committee decided to consider together. These items are as follows:

(a) Application of Article 27 of the Charter dealing with the method of voting in the Security Council (proposed by Australia - document A/128).

(b) Calling of a General Conference of Members of the United Nations under Article 109 of the Charter in order to eliminate the so-called veto privilege (proposed by Cuba - document A/75).

(c) Calling of a General Conference of Members of the United Nations under Article 109 of the Charter for the purpose of reviewing the present Charter (proposed by Cuba - document A/102).

2. On 8 November, the Australian delegation submitted a draft resolution on the substance of item (a) above (document A/C.1/42, later revised as A/C.1/42/Rev.1). On the same date, the Cuban delegation submitted a draft resolution (documents A/C.1/49 and A/C.1/49/Rev.1) combining in a text referring to point (c) above the two suggestions which had been made by the Cuban Government. This proposal was later revised as document A/C.1/58. The Philippine delegation submitted as an amendment to the proposals submitted by the delegations of Cuba and Australia on veto power a draft resolution (document A/C.1/34). The Peruvian delegation submitted a draft resolution amending the proposals of the delegations of

Cuba, Australia and the Philippine Commonwealth concerning the right of veto (document A/C.1/52). The Argentine delegation submitted a proposal on items (a), (b) and (c) above (document A/C.1/57).

3. The Committee, at its twenty-third meeting on 18 November 1946, decided on the suggestion of the representative of France, to request the Rapporteur, in consultation with the Secretariat, to draw up a statement in tabular form of the suggestions submitted by the various delegations, and to postpone discussion of the questions under consideration so as to enable delegations of the various Members, and particularly of the permanent members of the Security Council, to consider these suggestions in detail. This statement was circulated as document A/C.1/63.

4. A memorandum on pacific settlement by the Security Council presented by the delegation of Canada was circulated as document A/C.1/91. A list of suggestions regarding voting in the Security Council laid before the permanent members by the United Kingdom Secretary of State for Foreign Affairs was circulated as document A/C.1/95.

On 1 December, the Delegation of the Union of Soviet Socialist Republics introduced a draft resolution concerning the matter under discussion (document A/C.1/96).

At its thirty-third meeting held on 3 December 1946, the First Committee appointed a drafting sub-committee "to reconcile the draft resolutions" submitted by the delegations of Argentine (A/C.1/57), Australia (A/C.1/42/Rev.1), Cuba (A/C.1/58), Peru (A/C.1/52), the Philippine Republic (A/C.1/34), and the Soviet Union (A/C.1/96). The Chairman appointed to the Sub-Committee the delegations of Argentina, Australia, China, Cuba, Denmark, France, India, Peru, the Philippine Republic, Poland, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Venezuela.

5. In the course of discussion in the Sub-Committee, the Philippine representative withdrew his proposal in favour of the Cuban draft resolution. The representatives of Venezuela, Poland, France, India, and China put forward various suggestions. The representative of China submitted a draft resolution (document A/C.1/122) and the representative of Australia submitted a new version of his draft resolution (A/C.1/121). The

Sub-Committee, which was unable to reconcile all the resolutions referred to it by the First Committee, suggested that the latter should vote on the resolutions of Cuba, Peru, Argentina, Australia (A/C.1/121), the Soviet Union and China (A/C.1/122).

6. At the forty-second meeting of the First Committee, on 8 December 1946, the representative of Peru withdrew his draft resolution. The representative of the Soviet Union withdrew the Soviet proposal in favour of the draft resolution of China.

The draft resolutions of China, Argentina and Cuba were voted upon and rejected.

The draft resolution of Australia (A/C.1/121) was voted upon paragraph by paragraph:

Paragraph 1 was adopted by twenty-six votes to seven with nine abstentions and twelve absent;

Paragraph 2 was rejected by nineteen votes to ten with thirteen abstentions;

Paragraph 3 was adopted by twenty-seven votes to six and nine abstentions;

Paragraph 4 was adopted by twenty-seven votes to six and nine abstentions;

Paragraph 5 was adopted by twenty-seven votes to five with ten abstentions.

7. The First Committee therefore recommends to the General Assembly the adoption of the following resolution:

VOTING PROCEDURE IN THE SECURITY COUNCIL

THE GENERAL ASSEMBLY,

MINDFUL of the purposes and principles of the Charter of the United Nations, and having taken notice of the divergencies which have arisen in regard to the application and interpretation of Article 27 of the Charter;

EARNESTLY REQUESTS the permanent members of the Security Council

to make every effort, in consultation with one another and with fellow members of the Security Council, to ensure that the use of the special voting privilege of its permanent members does not impede the Security Council in reaching decisions promptly;

RECOMMENDS to the Security Council the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions; and

FURTHER RECOMMENDS that, in developing such practices and procedures, the Security Council take into consideration the views expressed by Members of the United Nations during the second part of the first session of the General Assembly.
