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PROVISIONAL AGENDA OF THE EIGHTH REGULAR SESSION OF THE
GENERAL ASSEMBLY: ITEM PROPOSED BY ARGENTINA

PUBLICATION OF DOCUMENTS CONCERNING THE DRAFTING AND
APPLICATION OF THE CHARTER

Letter dated 13 July 1953 addressed to the Secretary-General
by the Charge d'Affaires of the Permanent Delegation of
Argentina to the United Nations

New York, 13 July 1953

I have the honour to inform the Secretary-General that I have received instructions from my Government to propose the inclusion of the following item in the provisional agenda of the eighth General Assembly:

"Publication of documents concerning the drafting and application of the Charter."

In pursuance of rules 12 and 13 of the rules of procedure of the General Assembly (A/520/Rev.2), I therefore request the Secretary-General to include the above item in the agenda of the next General Assembly.

The explanatory memorandum required under rule 20 of the rules of procedure is attached.

(Signed) Enrique FERRER VILEYRA
Acting Charge d'Affaires

EXPLANATORY MEMORANDUM

(1) In proposing the inclusion in the agenda of the eighth General Assembly of the item "Publication of documents concerning the drafting and application of the Charter", the Government of Argentina has been guided by the basic principle that all work done by the United Nations must conform to the provisions contained in the Charter.

(2) In that connexion, some provisions of the Charter have sometimes given rise to varying interpretations, which has made it necessary to refer to the preparatory work. It is likewise very important to know the interpretation given and practice followed by the various organs of the United Nations in applying the provisions in question. In that connexion various difficulties are often encountered, the main ones being as follows:

(a) Part of the official documents of the San Francisco Conference are not in practice available for consultation - for instance, the summary records of the Co-ordination Committee. Without reference to those documents it is impossible to acquire a complete knowledge of the process of the drafting of the Charter. Moreover, as far as the Argentine delegation is aware, there are only two sets of the documents in question in the United Nations, one in the United Nations archives and the other in the Library. It is easy therefore to understand the difficulties encountered in consulting them.

(b) Experience has shown that it is often difficult to trace the history of certain articles through the various stages of their drafting by the different sub-committees and committees of the Conference. The documentation is so voluminous that it would take a very long time to do so without a complete index covering all the committees and sub-committees. The compilation of a subject index would be very helpful to governments and delegations.

(c) Even when all the San Francisco documents on a certain subject are to hand, it is a very lengthy task to trace the history of the drafting of the passage concerned, and a legislative history of the Charter, based exclusively on the official documents and written objectively and without comment, would therefore be of the greatest value to governments.

(d) In the seven years that the United Nations has been in existence, a number of its organs have acquired extensive experience in applying the provisions of the Charter and in so doing have created precedents. In view of the multiplicity of the documents, it is difficult to obtain an adequate knowledge of the practice thus established. A repertory of the practice of United Nations organs on selected subjects, based exclusively on official documents and written objectively and without comment, would be most useful.

(3) In order to eliminate the difficulties indicated above, the Argentine Government proposes that the Secretary-General be given the necessary means to prepare and publish:

- (a) a systematic compilation of the documents of the San Francisco Conference not yet published;
- (b) a complete index of all the documents of the San Francisco Conference;
- (c) a systematic and comprehensive study of the legislative history of the Charter; and
- (d) a repertory of the practice followed by the main organs of the United Nations on given subjects.

(4) The Argentine delegation hopes that the General Committee of the Assembly will consider favourably its Government's proposal for the inclusion of the item in the agenda of the eighth General Assembly.

(5) The Argentine delegation likewise hopes that all the delegations to the General Assembly, which no doubt have had similar difficulties in studying the provisions of the Charter, will support the proposal for the publications requested, believing that that will facilitate a better knowledge of the Charter.