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QUESTION OF THE ESTABLISHMENT, IN ACCORDANCE WITH THE CONVENTION
ON THE REDUCTION OF STATELESSNESS, OF A BODY TO WHICH PERSONS
CLAIMING THE BENEFIT OF THE CONVENTION MAY APPLY

Report of the Third Committee

Rapporteur: Mr. Dietrich von KYAW (Federal Republic of Germany)

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I. INTRODUCTION

1. The General Assembly, at its 2237th plenary meeting on 21 September 1974, allocated to the Third Committee agenda item 99, entitled "Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply".
2. The Committee considered the item at its 2101st and 2102nd meetings, on 27 November 1974. The summary records of these meetings (A/C.3/SR.2101 and 2102) contain the views of representatives of Member States on the item.
3. The Committee had before it a note by the Secretary-General containing an explanatory memorandum on the subject (A/9691).

II. CONSIDERATION OF THE DRAFT RESOLUTION

4. At the 2101st meeting, on 27 November, the representative of Austria introduced a draft resolution (A/C.3/L.2140) on behalf of Australia, Austria, Ireland, Norway, Sweden and the United Kingdom of Great Britain and Northern Ireland. The text reads as follows:

"The General Assembly,

"Considering the Convention on the Reduction of Statelessness of 28 August 1961 and, in particular, its articles 11 and 20 requiring the establishment of a body to which a person claiming the benefit of the Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority,

"Noting that the Convention will come into force on 13 December 1975,

"Having considered the note and the explanatory memorandum of the Secretary-General (A/9691),

"Considering the practical advantages involved in the proposal to request the United Nations High Commissioner for Refugees to assume the above-mentioned responsibilities,

"1. Requests the Office of the United Nations High Commissioner for Refugees to assume the functions foreseen under the Convention on the Reduction of Statelessness in accordance with its article 11;

"2. Decides to review, not later than at its thirty-first regular session, the arrangements the High Commissioner shall have made in this regard."

5. At the 2102nd meeting, the representative of Iraq proposed oral amendments to draft resolution A/C.3/L.2140. The sponsors of the draft resolution subsequently orally revised their text, taking into account some of the proposals of Iraq.

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In the revised draft resolution, the sponsors

(a) Replaced, in operative paragraph 1, the words "to assume" by the words "provisionally to undertake", and added the words "after the Convention has come into force" at the end of the paragraph;

(b) Revised operative paragraph 2 to read

"Decides to review, not later than at its thirty-first regular session, the opinion of the High Commissioner and the arrangements he shall have made in this regard, with a view to taking a decision on the establishment of the body envisaged under article 11 of the Convention."

6. At the same meeting, the representative of Poland made an oral proposal to defer the consideration of item 99 until the thirtieth session of the General Assembly. After a procedural discussion, the Committee decided by 34 votes to 24, with 43 abstentions, not to give priority to the proposal made by Poland.

7. At the same meeting, the draft resolution (A/C.3/L.2140), as orally revised, was adopted by a roll-call vote of 35 to 11, with 59 abstentions (see para. 8 below). The voting was as follows:

In favour: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Germany (Federal Republic of), Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Ivory Coast, Japan, Kenya, Laos, Lesotho, Malawi, Mexico, Netherlands, New Zealand, Nigeria, Norway, Sierra Leone, Spain, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Algeria, Bahrain, Bhutan, Botswana, Brazil, Burma, Burundi, Central African Republic, Chad, Cyprus, Democratic Yemen, Egypt, Ethiopia, Finland, France, Gambia, Ghana, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Portugal, Qatar, Rwanda, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

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III. RECOMMENDATION OF THE THIRD COMMITTEE

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply

The General Assembly,

Considering the Convention on the Reduction of Statelessness of 28 August 1961 ^{1/} and, in particular, its articles 11 and 20 requiring the establishment of a body to which a person claiming the benefit of the Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority,

Noting that the Convention will come into force on 13 December 1975,

Having considered the note and the explanatory memorandum of the Secretary-General, ^{2/}

Considering the practical advantages involved in the proposal to request the United Nations High Commissioner for Refugees to assume the above-mentioned responsibilities,

1. Requests the Office of the United Nations High Commissioner for Refugees provisionally to undertake the functions foreseen under the Convention on the Reduction of Statelessness in accordance with its article 11 after the Convention has come into force;

2. Decides to review, not later than at its thirty-first session, the opinion of the High Commissioner and the arrangements he shall have made in this regard, with a view to taking a decision on the establishment of the body envisaged under article 11 of the Convention.

^{1/} A/CONF.9/15, 1961.

^{2/} A/9691.