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Official Records

FOURTH COMMITTEE 248th

(CLOSING) MEETING

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CONTENTS

	Page
Question of South West Africa (<i>concluded</i>)	319
Administrative unions affecting Trust Territories : report of the Trusteeship Council (A/1856) (<i>concluded</i>)	321
Summary records of the Fourth Committee	321
Completion of the Committee's work	323

Chairman : Mr. Max HENRÍQUEZ UREÑA (Dominican Republic)

Question of South West Africa (*concluded*)
[Item 38]*

DRAFT REPORT OF THE FOURTH COMMITTEE
(A/C.4/L.202) (*concluded*)

1. Mr. LANNUNG (Denmark), Rapporteur, stated that, in accordance with established practice, he had prepared the Committee's draft reports on a purely factual basis, omitting all references to individual expressions of opinion in regard to the matters considered. His conception of his duties as Rapporteur would not allow him to accept the last phrase of the joint amendment submitted by Cuba, Guatemala, Iraq and Venezuela (A/C.4/L.213) to the draft report on the question of South West Africa (A/C.4/L.202), which implied a judgment of the action taken by a Member State, without the specific instructions of the Committee to that effect. He hoped that maintenance of the phrase in question would not be pressed.

2. Lord TWEEDSMUIR (United Kingdom) associated himself with the Rapporteur's observations. The Committee's reports must be objective ; it was no part of the Rapporteur's duty to express judgment on the conduct of any delegation and he would accordingly support the deletion of the offending phrase.

3. Mr. MENDOZA (Guatemala) said that his delegation had no special interest in the matter. The statement in question was objective, merely reflecting the facts of the situation.

4. Mr. MANI (India) agreed with the Rapporteur that no useful purpose would be served by maintaining the controversial phrase, which in his view did constitute an expression of opinion. It would be better to leave judgment on the South African delegation's action to world public opinion.

5. Mr. PEREZ CISNEROS (Cuba) considered that United Nations practice in regard to committee reports was over-simplified, thus tending to confuse the issue. He proceeded to describe Spanish parliamentary practice in the matter and maintained that, once the Rapporteur had presented his draft report, he was no longer personally responsible ; the Committee was the final judge of its contents.

6. The statement to which objection had been taken was a statement of fact ; many delegations had expressed regret in the Committee at the action of the Union of South Africa in refusing its collaboration.

7. Mr. RYCKMANS (Belgium) urged that the strict objectivity of the report, as prepared by the Rapporteur, should be maintained. If judgments of the majority were to be introduced, impartiality would require that the views of the minority should also be inserted.

8. The Indian representative had just pointed out the better course. World public opinion could be counted upon to interpret the conduct of the Union of South Africa rightly. He accordingly proposed the deletion of the offending phrase from the joint amendment.

9. Mr. KHALIDY (Iraq) said that, in a spirit of collaboration, he had withdrawn his previous opposition to a similar statement in stronger terms and accepted in full the joint draft amendment. He appreciated the dissenting views, but felt that the comment was justified.

10. Mr. RIVAS (Venezuela) had also found it possible to accept the less strong wording of the joint amendment. However, in the hope of achieving unanimity on a question of such importance, he was prepared to accept the deletion of the phrase, if the other co-sponsors would agree.

11. Mr. MATTOS (Uruguay), in a similar spirit, was also prepared to revise his previous attitude and support

* Indicates the item number on the General Assembly agenda.

the deletion. The first part of the statement would be sufficient to indicate the conclusions to be drawn from the action by the Government of the Union of South Africa.

12. Mr. PIGNON (France) regarded the disputed phrase as unmistakably a judgment. Therefore, in view of the popular conception of committee reports as strictly objective documents, he was surprised at the attempt to have it introduced at that juncture. Had he known of the proposal earlier, he would have wished to introduce certain of the French delegation's views.

13. Mr. DE MARCHENA (Dominican Republic) felt that the matter had been adequately discussed and accordingly moved the closure of the debate.

14. Mr. PEREZ CISNEROS (Cuba) opposed the closure. He wondered what possible minority view there could be on the point under discussion; the truth of the statement was self-evident.

15. Mr. SCHNAKE VERGARA (Chile) also opposed the closure of the debate because the proposed amendment was not completely objective and further discussion might lead to a solution acceptable to all. To that end, he proposed that the clause "so that the Committee could not count upon the participation and collaboration of that delegation on that important matter" should be substituted for the words "thus denying the Committee its collaboration", to which objections had been raised.

16. He also suggested, in view of what had happened during the general debate, the addition to paragraph 6 of the draft report of the following two sentences: "Many delegations considered that that attitude amounted to a regrettable refusal by the delegation of the Union of South Africa to co-operate in the work of the Fourth Committee. Some delegations expressed disapproval of the terms used in the letter addressed by the delegation of the Union of South Africa to the President of the General Assembly". He stressed that the Committee had unfortunately taken no action on the latter issue. Those facts should also be recorded in the report, and he therefore proposed the insertion of the additional sentences.

17. Mr. DE MARCHENA (Dominican Republic) withdrew his motion for closure of the debate.

18. Mr. KHALIDY (Iraq) considered that the time was long past for receipt of further amendments and, in his turn, moved the closure of the debate.

The Iraqi motion was approved by 27 votes to 4 with 13 abstentions.

19. Mr. MANTILLA (Ecuador), Mr. SCHNAKE VERGARA (Chile), Mr. MATTOS (Uruguay) and Mr. PEREZ CISNEROS (Cuba) explained their negative votes on the ground that continued discussion might prove advantageous.

20. Mr. PÉREZ CISNEROS (Cuba), added that he had found the Chilean amendment to the joint amendment acceptable; it offered an admirable solution to the controversy.

21. Mr. RYCKMANS (Belgium) asked for a separate vote to be taken on the last phrase of the joint

amendment. The Belgian delegation would oppose it, just as it would have opposed the inclusion in the report of a statement of the reasons of the Union of South Africa for withdrawal.

The Chilean amendment to the last phrase of the joint amendment (A/C.4/L.213) was adopted by 20 votes to 13, with 8 abstentions.

The joint amendment (A/C.4/L.213), as amended, was adopted by 29 votes to 7, with 8 abstentions.

22. The CHAIRMAN asked the Committee to vote on the Chilean proposal to insert two additional sentences after the addition contained in the joint amendment just adopted.

23. Mr. RYCKMANS (Belgium) and Mr. SCOTT (New Zealand) said that they would vote against the proposal because the report should contain only objective statements of fact.

24. Mrs COELHO LISBOA DE LARRAGOITI (Brazil) said that she would vote for the proposal, which was a statement of fact and conveyed the attitude of the majority.

The Chilean proposal was adopted by 20 votes to 10, with 11 abstentions.

25. Mr. THEODOROPOULOS (Greece) and Mr. DE MARCHENA (Dominican Republic) said that they had abstained from voting for reasons of principle in connexion with the form that the report should take.

26. Mr. MANI (India) said that his delegation had been absent from the voting, but would have abstained, although it agreed with the content of the proposal, on the ground that it was superfluous.

27. The CHAIRMAN said that the Committee must vote on the slight changes to paragraphs 1 and 2 of the resolution in paragraph 26 of the draft report (A/C.4/L.202), proposed verbally by the representative of Ecuador (247th meeting, para. 8). It must also vote on the Ecuadorean amendment in document A/C.4/L.212, to the effect that a third paragraph should be added to that resolution.

28. Mr. RYCKMANS (Belgium) said that the documents mentioned in the amendment should be sent to the individuals invited to appear before the Fourth Committee. A change to that effect should be made in the draft amendment.

29. Mr. LANNUNG (Denmark) was doubtful whether the Fourth Committee could dispose of the official documents of the General Assembly in the way suggested in the draft amendment. He suggested, therefore, that the Ecuadorean representative should submit his amendment as a separate draft resolution to be approved by the General Assembly.

30. Mr. INGLES (Philippines) said that the Ecuadorean amendment could be adopted by the Fourth Committee. He disagreed with the constitutional arguments put forward against it. The documents of the General Assembly were public property after their publication and the Fourth Committee was entitled to transmit them to any persons it chose. If the Ecuadorean amendment was adopted, it would form part of the

report to the General Assembly, and if the General Assembly felt that it was illegal, it would be able to take appropriate steps when the report came up before it. If any delegation should ask the General Assembly to revoke the Committee's action, delegations which had voted in favour of the amendment in the Fourth Committee would presumably oppose its revocation by the General Assembly; and if the General Assembly should fail to take action, that would be equivalent to an implied approval of the decision of the Fourth Committee.

31. Mr. MANTILLA (Ecuador) said that the Philippine representative's remarks had removed his own misgivings. He would ask for a vote on his amendment as it stood.

32. Mr. KHALIDY (Iraq) said that he was not in favour of the Danish representative's suggestion. He would vote for the Ecuadorean amendment as an amendment to the resolution.

33. In reply to a request by Mr. MENDOZA (Guatemala) for the opinion of the Secretariat, Mr. HOO (Assistant Secretary-General) said that the Secretariat view was that only the General Assembly could dispose of General Assembly documents. However, the decision lay with the Committee.

A vote was taken by roll-call on the Ecuadorean amendment (A/C.4/L.212) to the resolution on the question of South West Africa (A/C.4/L.202, para. 26).

Panama, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iraq, Liberia, Nicaragua, Pakistan.

Against: Belgium.

Abstaining: United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Canada, Denmark, France, Israel, Netherlands, New Zealand.

Absent: Panama, Paraguay, Peru, Turkey, Union of South Africa, Yemen, Afghanistan, Colombia, Costa Rica, Honduras, Iceland, Iran, Lebanon, Luxembourg, Mexico, Norway.

The amendment was adopted by 34 votes to 1, with 9 abstentions.

34. Mr. RYCKMANS (Belgium) said that he had voted against the amendment because it would be impossible for the Secretary-General to comply with the request it contained. The documentation would in fact have to be addressed to the individuals with whom the Committee had corresponded.

35. The CHAIRMAN put to the vote the changes in paragraphs 1 and 2 of the resolution in paragraph 26 of the draft report (A/C.4/L.202) that had been proposed

verbally by the representative of Ecuador at the 247th meeting.

Those changes were adopted by 36 votes to 1, with 7 abstentions.

36. The CHAIRMAN put to the vote the resolution in paragraph 26 of the draft report (A/C.4/L.202), as a whole, as amended.

The resolution as a whole, as amended, was adopted by 34 votes to 1, with 9 abstentions.

37. The CHAIRMAN put to the vote the draft report on the question of South West Africa (A/C.4/L.202), as amended.

The draft report, as amended, was adopted by 34 votes to 3, with 6 abstentions.

Administrative unions affecting Trust Territories : report of the Trusteeship Council (A/1856) (concluded)

[Item 35]*

DRAFT REPORT OF THE FOURTH COMMITTEE

(A/C.4/L.210) (concluded)

38. The CHAIRMAN proposed that the committee on administrative unions, the establishment of which was proposed in the draft resolution on administrative unions included in the draft report (A/C.4/L.210), should consist of the representatives of India, Brazil, Belgium and the United States of America.

That proposal was approved.

39. Mr. LANNUNG (Denmark), Rapporteur, suggested that the second sentence of paragraph 7 of the draft report should be amended to read as follows: "The sponsors of the joint draft resolution accepted that amendment provided that the text of paragraph 3 of the operative part was further modified by inserting the word "complete" before the word "analysis". The representative of the United States of America agreed to that modification".

The suggestion was approved.

40. Mr. RYCKMANS (Belgium) regretted that he would be obliged to abstain from voting on the draft report. His abstention was no reflection on the work of the Rapporteur.

In the absence of any objection, the draft report (A/C.4/L.210), as amended, was adopted.

Summary records of the Fourth Committee

41. Mr. PEREZ CISNEROS (Cuba) said that he had received no reply to his request for a report from the Secretariat on the comments made by delegations on the summary records at the fifth session of the General Assembly. He was therefore submitting a draft resolution (A/C.4/L.211), by which he intended no censure, reaffirming the need for an official report in view of the continued existence of difficulties in connexion with the methods used by the Secretariat for the correction of summary records.

42. The Secretariat had done much to improve the summary records, which most Committees were obliged to accept in place of the verbatim records originally required by the rules of procedure, but certain difficulties remained. The procedure for corrections in particular involved much red tape. He referred to the three-day time limit for the submission of corrections, the place of reception and the ambiguous form of the Secretariat's standard reply to a request for corrections. Other matters with regard to which he felt dissatisfied included the practice of the Secretariat with regard to honorific titles other than titles of nobility, and the fact that it had been found impossible to circulate freely the records of Sub-Committee 9 of the Fourth Committee. He felt that the summary records in general were too concise. It was perhaps regrettable that a matter which involved the policies and responsibilities of governments should be dealt with under a purely administrative régime. He also wondered why the texts of speeches made in Spanish should not first be summarized in Spanish before their translation into English and French.

43. In conclusion he put certain specific questions to the Secretariat. He asked whether the recordings of speeches made at meetings were accessible without difficulty to representatives for purposes of correction; whether there was any text of the Secretariat's regulations governing the production of the summary records, and, if so, whether it could be made available to delegations. He also asked whether the translation sections were competent to change the form, and indirectly the content, of resolutions approved in Spanish by the Committee without consulting it. He gave as an example the draft resolution in document A/C.4/L.209, the Spanish text of which had been corrected by various Spanish-speaking representatives on the Committee. Those corrections had not been incorporated in the document distributed to the Committee.

44. His remarks were not intended as an attack on the Language Services Division. The way in which the exacting and difficult work of interpretation, translation and draft production of summary records was done was a matter for admiration. A few mistakes were inevitable. He was, however, not convinced that the Spanish language had as yet achieved its rightful place in the work of the United Nations.

45. Mr. HOO (Assistant Secretary-General) pointed out that the decision referred to in the first paragraph of the draft resolution (A/C.4/L.211), seemed to concern summary records in Spanish only. The questions implied in the comments made and in the draft resolution were questions that affected all Committees and not the Fourth Committee alone.

46. He regretted that as the matter of the report requested at the 199th meeting had been raised late in the previous meeting, it had been impossible to submit the report at that time. He had therefore requested Mr. Roigt, the Director of the Language Services Division, who was responsible for the production

of summary records, to submit the report at the present meeting.

47. Mr. ROIGT (Secretariat), referring to the discussion held at the 199th meeting of the Fourth Committee, recalled that the matter had been raised by the representatives of Argentina and of the Dominican Republic, both of whom had declared themselves satisfied by the explanations subsequently offered.

48. The matter under discussion clearly did not fall within the exclusive jurisdiction of the Fourth Committee. The Secretariat followed the same method in the drafting, translation and corrections of the summary records of all Committees. On the other hand, because of its administrative nature and eventual financial repercussions, the matter would seem to be one rather for the Fifth Committee.

49. He recalled that information to delegations regarding summary records and the procedure for the submission of corrections had been published at the present session on page 4 of General Assembly Instruction No. 2, of 7 November 1951, and had been subsequently repeated on three occasions in the *Journal of the United Nations*.

50. Following the observations made in the Fourth and other Committees, the problem had been considered during the year and the procedure had been revised. The time limit for the submission of corrections had been extended from forty-eight hours to three days, and appeared to be satisfactory to most delegations. During the present session, only four corrections had had to be refused, because they had been received too late for inclusion, or for other reasons. In that connexion, he noted that corrections were requested to only 5 per cent of all speeches reported in all the Committees of the General Assembly. The summary records were not intended only for the immediate use of representatives. They were also of value to governments, and the time limit was necessary if the Secretariat was to be in a position to make the complete, corrected records available in printed form in English, French and Spanish to governments, libraries and the public with the minimum of delay.

51. Turning to the suggestion that the Secretariat had failed to incorporate emendations made by Spanish-speaking representatives in the Spanish text of resolutions, he pointed out that, in the specific case mentioned, the changes had been requested at the 247th meeting and the corrected text had not yet been distributed. The Secretariat did not assume the right to lay down rules with regard to the use of language. Its first duty was to ensure that documents were identical in meaning in all the languages in which they were issued. It had therefore to follow the rules that were generally regarded as authoritative in each of the official languages; for example, in the case of Spanish, it was guided by the dictionary and the grammar of the Spanish Royal Academy. The Secretariat had also to ensure that the use of terminology and titles was uniform in United Nations documents and consistent with the practice followed by the specialized agencies.

52. With regard to the sound recordings of meetings, he said that they were made to provide a means of checking the accuracy of the written records and were available to delegations.

53. At the instance of the Fifth Committee, it had been decided that summary records and sound recordings would be made of all Committees, but that verbatim reports would be provided for only the First and the *Ad Hoc* Political Committees. The decision had been made for financial reasons and because of the impossibility of recruiting, on a temporary basis for the period of the General Assembly, the large staff of verbatim reporters who would be required to cover the meetings of all Committees in all languages. The present system was much more economical and required a considerably smaller staff. Naturally, summary records inevitably involved compression, but the system had apparently proved satisfactory to the majority of delegations, as was shown by the small, and decreasing, percentage of corrections requested. The number received at the present session was 20 per cent of that at the previous session. The system had been improved year by year and the Secretariat would do its utmost to continue that improvement.

54. Mr. PEREZ CISNEROS (Cuba) regretted that the matter had been dealt with at so late a stage in the work of the Committee and would welcome further elucidation of a number of points. He would therefore amend the second paragraph of the preamble and paragraph 1 of the operative part of his draft resolution (A/C.4/L.211). The new paragraphs would read:

"Considering that owing to the fact that the report was submitted only at the last meeting of the Fourth Committee at the sixth regular session of the General Assembly, it was impossible to examine it satisfactorily.

"Requests the Secretary-General to submit the report in writing at the seventh regular session for further consideration, since it considers that, from the point of view of delegations, difficulties still exist in connexion with the methods used by the Secretariat with regard to the correction of summary records".

55. Mr. DE PAIVA LEITE (Brazil) proposed that the Cuban draft resolution should be put to the vote immediately and moved the closure of the debate.

The motion was adopted by 37 votes to none, with no abstentions.

The resolution, as amended, was adopted by 17 votes to 10, with 11 abstentions.

56. Mr. HOO (Assistant Secretary-General) pointed out that the resolution was on a matter of interest to all Committees and wondered whether it could

properly be submitted by the Fourth Committee together with the resolutions adopted on trusteeship questions.

57. With reference to the second paragraph, he pointed out that the matter had been raised only at the previous meeting.

58. Mr. MATHIESON (United Kingdom), explaining his vote, said that he had voted against the resolution because he considered that the Chairman would have been right to have ruled it out of order, and not because he felt that representatives should not take an interest in the way the business of meetings was recorded.

59. The CHAIRMAN said that it was also his feeling that the draft resolution was out of order and added that he did not understand the meaning of it. Nevertheless, in order to expedite the discussion, he had submitted the draft resolution to a vote.

60. Mr. LIVRAN (Israel) had also voted against the draft resolution because he considered that it was not within the competence of the Committee.

61. Mr. RYCKMANS (Belgium) had voted against the resolution because he felt that it was a matter for the Fifth Committee.

62. Mr. DE MARCHENA (Dominican Republic) had voted for the resolution. Although he was personally satisfied, he considered that it was desirable that the matter should be clarified at a subsequent session.

Completion of the Committee's work

63. Mr. PEDROSA (Brazil) paid a tribute to the Chairman, the officers of the Committee and the Secretariat and expressed his appreciation of France's generous hospitality.

64. Mr. SEVILLA SACASA (Nicaragua), Mr. SAYRE (United States of America), Mr. ZIAUD-DIN (Pakistan), Mr. TAJIBNAPIS (Indonesia) and Mr. MANI (India) associated themselves with the remarks of the Brazilian representative.

65. Mr. PIGNON (France) also thanked the Chairman and expressed his gratification at the tributes paid to his country.

66. The CHAIRMAN, in closing the session, said that, whatever success the Committee had achieved was due principally to the work of the Vice-Chairman and the Rapporteur, to the admirable spirit of co-operation shown by the members of the Committee as well as to the valuable co-operation of the Secretariat.

The meeting rose at 12.5 a.m.