

from which such a right could be deduced. Such parking spaces were not provided in a number of major capitals, including the other city in which the United Nations had a significant secretariat, permanent missions and conferences. So no usage, much less any custom, was involved. While authorities in the United States were pleased to try to meet needs by providing as many reserved spaces as possible, they asked the respect of the diplomatic community for the New York laws and regulations, in conformity with international law and out of courtesy to the host city.

46. Her delegation was aware of the problem of illegally parked cars in reserved DPL parking spaces and New York authorities continued to take steps to keep those spaces free exclusively for diplomatic parking. In September 1975, the Department of Traffic had ticketed almost 400 vehicles illegally parked in diplomatic spaces, and the Police Department had towed over 50 vehicles from such spaces. Non-diplomatic violators were not immune to payment of the \$25 fine for each ticket and \$50 for towing. In that regard she wished to remind the Sixth Committee that violations by diplomats of New York parking laws and regulations were a constant source of friction in the city. While diplomats were immune from penalties, they were not free from the obligation to respect the laws of the country.

47. It was appropriate for the Sixth Committee to take note of the many acts of hospitality afforded by the New York City community, of the services—not paralleled in any other city in the world—provided by the New York City Commission for the United Nations and for the Consular Corps, of the friendliness and generosity of the United Nations Hospitality Committee and of the trips offered by the Travel Program for Diplomats. While the United States delegation had not sponsored those activities, it was very proud of them and hoped they would contribute to making the stay of guests of the United States interesting and

pleasant and to acquainting the United States public with United Nations representatives.

48. She referred to other activities designed to improve relations and foster a spirit of better understanding between the diplomatic community and the City of New York. They included a series of seminars held at the Ralph Bunche Institute of the United Nations; a report on the United Nations shown on television during prime time on channel 7; a booklet being distributed by the United Nations Association of the United States of America called "The 'you' in the UN", which her delegation had asked the Secretariat to distribute to each mission; and a poster called "What's in it for you?" which would be placed in trains and buses and seen by millions of people.

49. The United States and New York would continue to co-operate with the diplomatic community in solving its problems, and asked the co-operation of the diplomatic community in the interest of everyone.

50. Mr. MUSEUX (France), speaking in exercise of the right of reply, said he regretted that he was forced to comment on the insinuation by the representative of Chad that there was a link between an incident in New York and the bilateral relations between France and Chad. It went without saying that there was no basis whatever for that charge and that it deserved no further consideration.

AGENDA ITEM 111

Question of diplomatic asylum: report of the Secretary-General (continued) (A/10139, Part I and Add.1 and Part II; A/C.6/L.1018, A/C.6/L.1020)

51. The CHAIRMAN announced that the Sudan had become a sponsor of draft resolution A/C.6/L.1018.

The meeting rose at 5.05 p.m.

1561st meeting

Monday, 10 November 1975, at 3.20 p.m.

Chairman: Mr. Frank X. J. C. NJENGA (Kenya).

A/C.6/SR.1561

AGENDA ITEM 111

Question of diplomatic asylum: report of the Secretary-General (concluded) (A/10139, Part I and Add.1 and Part II; A/C.6/L.1018, A/C.6/L.1020)

1. Mr. GOBBI (Argentina) said that in a spirit of consensus, which the Latin American Group had always favoured, the delegations of Panama, Paraguay and Uruguay, having judged that the Committee did not unanimously support the prevailing sentiment in the Latin American Group, had decided to withdraw the amendment to draft resolution

A/C.6/L.1018 contained in document A/C.6/L.1020. That laudable step had caused the Latin American Group disappointment. A large majority of the delegations which had spoken on the subject had recognized the humanitarian basis of diplomatic asylum and had viewed the practice as a recognized one of regional scope. In the United Nations, which should be concerned about protecting human rights, opposition to a modest and objective amendment to the preamble of a draft resolution, such as that contained in document A/C.6/L.1020, was unjustified. If such rigidity continued, it could destroy the consensus in the Sixth Committee and that would be a step backward.

2. The Latin American Group reserved the right to request continued consideration of the item after the responses requested in draft resolution A/C.6/L.1018, operative paragraph 2, had been received.

3. The CHAIRMAN said he had no doubt that he was speaking for the whole Committee in expressing deep appreciation to the Latin American Group. Their amendment had doubtless been a reflection of the existing situation and of the debate on diplomatic asylum in the Committee. Nevertheless, it had caused concern on the part of some delegations, based upon real or imagined fears.

4. Withdrawal of the amendment would perhaps enable the Committee to adopt the draft resolution by consensus and set the pace for the adoption of other resolutions by the Committee at the present session.

5. Mr. LAUTERPACHT (Australia) said that the Chairman had expressed the sentiments of many delegations in expressing appreciation for the generous gesture by the sponsors of the amendment. Their approach reflected an honourable and advanced tradition which the Committee would do well to take into account.

6. The CHAIRMAN suggested that draft resolution A/C.6/L.1018 should be adopted by consensus, without a vote.

7. Mr. AL-ADHAMI (Iraq) said that, before the Committee adopted the draft resolution, he would like a clarification on the meaning of the words "*plus avant*" in operative paragraph 3 of the French text.

8. Mr. LAUTERPACHT (Australia) said that the word "further" in the English text was intended to indicate that any future consideration of the question of diplomatic asylum would be a continuation of its consideration at previous sessions of the General Assembly.

9. Mr. MAÏGA (Mali) said that the question put by the representative of Iraq was an apt one. The words "*plus avant*" added little to the text and he suggested their deletion.

10. The CHAIRMAN noted that the English text appeared to cause no problem. He suggested that it should be left to the Translation Division of the Secretariat to produce a text in French, and if necessary in other languages, which would be more in harmony with the English version.

It was so decided.

Draft resolution A/C.6/L.1018 was adopted.

AGENDA ITEMS 113 AND 29

Report of the *Ad Hoc* Committee on the Charter of the United Nations (A/10033, A/10102, A/10108, A/10113 and Corr.1 and Add.1-3, A/C.6/437)

Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of

international law in relations between States: reports of the Secretary-General (A/10218, A/10219, A/10255, A/10289, A/C.6/437)

11. Mr. BAJA (Philippines), Rapporteur of the *Ad Hoc* Committee on the Charter of the United Nations, introduced the report of the *Ad Hoc* Committee (A/10033).

12. After describing the organization of the report, he noted that paragraphs 1-8 had been adopted by the *Ad Hoc* Committee without any difficulty. Paragraph 9, however, had taken the Committee three days of negotiation and its adoption by consensus had been due largely to the leadership, patience and quiet diplomacy of its Chairman.

13. He recommended that the Sixth Committee should address itself to the statement in the second sub-paragraph of paragraph 9 that there was a "fundamental divergence of opinion on the necessity of carrying out a review of the Charter". Debate on that question was as important as, if not more important than, discussion on the renewal of the mandate of the *Ad Hoc* Committee. The polarized positions in the *Ad Hoc* Committee, which had reflected the division in the General Assembly during the twenty-ninth session, could hardly be over-emphasized. If the *Ad Hoc* Committee was authorized to continue, the Sixth Committee should, as a matter of priority and necessity, adopt a resolution under which divergence could be replaced by co-operative efforts. He was optimistic that a consensus on a generally acceptable course of action could be reached. If delegations could avoid the cost-benefit ratio approach to Charter review and if the subject was not equated with Charter amendment, the foundation for a closer working relationship was assured.

14. The "areas of activities" referred to in the third subparagraph of paragraph 9 included the decision-making process in the General Assembly and the Security Council; peace-keeping operations; peaceful settlement of disputes, including the role of the International Court of Justice; the functioning of the United Nations in the economic and social fields; and the amendment or deletion of so-called anachronistic provisions of the Charter.

15. Since formal textual proposals had not been made during the session of the *Ad Hoc* Committee and since suggestions made in individual statements had not been widely discussed, the *Ad Hoc* Committee had been unable to enumerate proposals pursuant to General Assembly resolution 3349 (XXIX), paragraph 1 (d). It would of course have been inconceivable for the *Ad Hoc* Committee, in the time available to it, to have worked out the details of proposals concerning the Charter and the strengthening of the United Nations.

16. However, the session had afforded members of the *Ad Hoc* Committee the opportunity to exchange ideas and suggestions as to how the Charter and the role and functioning of the United Nations could be strengthened. In that connexion, it might be useful if the Sixth Committee devoted efforts towards formulating a generally acceptable statement of the *Ad Hoc* Committee's mandate and a time-table for its work, as well as an indication of guidelines, possible areas for negotiation and certain broad negotiating principles. A restatement of known positions at

the present time might be not only counter-productive but retrogressive. Delegations should instead direct their efforts towards creating an atmosphere conducive to acceptance of the reality of the *Ad Hoc* Committee.

17. The fact that the *Ad Hoc* Committee had been unable to enumerate proposals should not suggest that no specific ideas had been put before it. In that regard, it might be of some assistance if members of the Sixth Committee could address themselves to the specific suggestions contained in annex I of the report. For example, Sierra Leone, Zambia, Nigeria, Rwanda and Mexico had expressed definite views on decision-making and on the question of the veto in the Security Council, and Indonesia, New Zealand, Spain and Colombia had expressed views on Article 27, paragraph 3, of the Charter. Assignment of new roles to the Trusteeship Council had been mentioned by the Philippines, Colombia and Guyana. Some delegations had termed Articles 53 and 107 of the Charter "anachronistic". In the peace-keeping field, Guyana envisaged an international peace observation machinery, Colombia an international peace-keeping force, the Philippines international peace-keeping by interposition and Indonesia a standing commission to provide a choice of procedures for settling disputes. New Zealand had made a very thought-provoking proposal regarding Article 4, paragraph 2, of the Charter on admission of new States to the United Nations. Those examples were not intended to be exhaustive, but merely illustrative.

18. He also wished to mention in that connexion the significant views held by the socialist countries and most countries in the Group of Western European and Other States that the United Nations had stood the test of time

and that the best ways of strengthening it further were fuller utilization of existing provisions of the Charter and more faithful implementation of its decisions by Member States.

19. Members of the *Ad Hoc* Committee, especially during the first week of its meetings, had all known what they wanted but had hardly known how to begin their work. He therefore suggested that, if the *Ad Hoc* Committee's mandate was continued, the Sixth Committee should address itself to recommendations and guidelines concerning its methods of work. In that connexion, he drew attention to annex II of the report, containing proposals by Mexico on the method of work. The *Ad Hoc* Committee had not had the opportunity to discuss those proposals.

20. He expressed the hope that the report, even if it fell short of depicting the *Ad Hoc* Committee's work with total accuracy, would at least help the Sixth Committee to guide that work.

21. The CHAIRMAN reminded the Committee that only seven meetings were scheduled for consideration of the report of the *Ad Hoc* Committee and five meetings for the agenda item concerning the strengthening of the role of the United Nations. It had been agreed that delegations could speak on the two items together if they wished, and he urged representatives to submit any draft resolutions as soon as possible in order to avoid more than one statement per delegation. He intended to close the list of speakers on both items some time during the current week.

The meeting rose at 3.50 p.m.

1562nd meeting

Tuesday, 11 November 1975, at 3.20 p.m.

Chairman: Mr. Frank X. J. C. NJENGA (Kenya).

A/C.6/SR.1562

AGENDA ITEMS 113 AND 29

Report of the *Ad Hoc* Committee on the Charter of the United Nations (continued) (A/10033, A/10102, A/10108, A/10113 and Corr.1 and Add.1-3, A/C.6/437)

Strengthening of the role of the United Nations with regard to the maintenance and consolidation of international peace and security, the development of co-operation among all nations and the promotion of the rules of international law in relations between States: reports of the Secretary-General (continued) (A/10218, A/10219, A/10255, A/10289, A/C.6/437).

1. Mr. BAQIR (Pakistan) said that his Government's views on the question of a review of the Charter of the United Nations had been expressed at the 2059th plenary meeting during the twenty-seventh session of the General Assembly.

2. Consultations and discussions thus far indicated that opinion was sharply divided. Some States strongly held the view that the Charter had stood the test of time, had helped to avert a number of international conflicts and had succeeded in halting many others. Those States had argued that the validity and inherent strength of the Charter had been amply demonstrated over the past 30 years and that it had promoted co-operation between States at different levels of economic development. Other Member States were equally persuasive, however, in arguing for a revision of the Charter to take account of current realities; the membership of the United Nations had almost tripled since its establishment and the Charter should adapt to the concerns expressed by many of the new Members, most of whom were developing countries.

3. Still other States favoured procedural changes and amendments, since they felt that the Charter's essential