



C O N T E N T S

	Page
Publication of documents concerning the drafting and application of the Charter (<i>continued</i>)	
Preparatory work with regard to the possible holding of a General Conference of the Members of the United Nations in accordance with Article 109 of the Charter (<i>continued</i>)	99
Amendment of the Charter: election of a technical committee to study and report on the amendment of the Charter on the basis of proposals to be submitted by Member States (<i>continued</i>)	

Chairman: Mr. Juliusz KATZ-SUCHY (Poland).

Publication of documents concerning the drafting and application of the Charter (A/2415, A/C.6/343, A/C.6/L.306/Rev.2) (*continued*)

[Item 58]*

Preparatory work with regard to the possible holding of a General Conference of the Members of the United Nations in accordance with Article 109 of the Charter (A/2442, A/C.6/343, A/C.6/L.306/Rev.2) (*continued*)

[Item 70]*

Amendment of the Charter: election of a technical committee to study and report on the amendment of the Charter on the basis of proposals to be submitted by Member States (A/2466 and Add.1) (*continued*)

[Item 72]*

CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED BY ARGENTINA, CANADA, CUBA, NETHERLANDS, NEW ZEALAND AND PAKISTAN (A/C.6/L.306/Rev.2) AND OF THE AMENDMENTS THERETO (*continued*)

1. Mr. PETRZELKA (Czechoslovakia) introduced his delegation's amendment (A/C.6/L.312) to the six-Power draft resolution (A/C.6/L.306/Rev.2). That amendment was in line with the position taken by his delegation on the question of preparatory work with regard to a possible review of the Charter.

2. Other delegations had concentrated their attention on paragraphs 2 and 3 of the operative part of the six-Power draft resolution and, having discerned their political nature, had quite properly proposed their deletion. Certainly those paragraphs conflicted with Article 109 of the Charter, which set specific and exceptional conditions for revision of the Charter. As

he had pointed out at the 375th meeting, however, paragraph 1 of the operative part was also intended to provide ammunition for States which had launched a revision campaign for the purposes of weakening the authority of the Charter and undermining the very foundations of the United Nations.

3. His delegation's amendment proposed the deletion of paragraph 1, sub-paragraph (c) because, the Charter being a political instrument, a study of its legislative history would serve no useful purpose; and the deletion of paragraph 1, sub-paragraph (d) because a repertory of the application of the various provisions of the Charter would be, not merely useless, but dangerous.

4. The United Nations was composed of States with very different economic, social and political systems. To stress the practices of the United Nations as a whole would mean to ignore those differences and to encourage the tendency to regard the United Nations as a super-State which could, by a majority vote, impose its will on Member States. He warned the Committee against the danger of thus putting new weapons in the hands of those who wished to undermine the principle of State sovereignty and to replace the voluntary acceptance of obligations on the part of sovereign States by domination of some States by others.

5. Mr. TAMMES (Netherlands) said that the Committee should take a decision on the three points on which the discussion had focussed attention: the contents of the preamble of the six-Power draft resolution (A/C.6/L.306/Rev.2), the documentation which the Secretariat would be asked to prepare, and the invitation to governments to submit their preliminary views with regard to the possible review of the Charter.

6. For his part, he was unable to accept point 1 of the four-Power amendment (A/C.6/L.307) which would replace the preamble of the six-Power draft resolution by a text that omitted all reference to Article 109 and to a possible revision of the Charter. Utter silence on an issue discussed at great length would not be in keeping with the debate which had taken place and would, indeed, give the impression that the Committee had taken up a position opposed to revision. He could not accept the legal theory that the General Assembly was incompetent to discuss a matter which its Sixth Committee had in fact been discussing for some time.

7. There seemed to be general agreement that the Secretary-General should be asked to prepare documentation relating to the Charter, the only differences of opinion being on the scope of the work.

8. The representatives of Iraq and Syria at the 376th meeting, had requested the sponsors of the six-Power draft resolution to withdraw the paragraphs dealing with the preliminary views of governments; as a number of other delegations had since supported those

* Indicates the item number on the agenda of the General Assembly.

paragraphs, it had seemed better to maintain them, to avoid the introduction of amendments restoring them. The draft resolution as it stood was an integrated whole and was moderate.

9. Mr. TARAZI (Syria) regretted that the sponsors of the six-Power draft resolution were not prepared to withdraw paragraphs 2 and 3 of the operative part; that left him no option but to vote for points 2 and 3 of the four-Power amendment (A/C.6/L.307) calling for the deletion of those paragraphs.

10. He took issue with the Netherlands representative's remark that the Committee had already been discussing revision of the Charter; it was a matter which could be properly taken up only under the conditions specified in Article 109.

11. He was prepared to vote for point 1 of the Czechoslovak amendment (A/C.6/L.312) for the reasons which he had stated earlier in connexion with point 3 of the Australian-United Kingdom amendment (A/C.6/L.308/Rev.1), which was identical.

12. He was unable to support the amendments submitted by El Salvador (A/C.6/L.309/Rev.2) and Panama (A/C.6/L.310), as they did not meet his delegation's position.

13. U KHIN HLA MAUNG (Burma) said that his delegation, like many others, considered that the question under discussion was purely procedural and that any decision relating thereto would in no way prejudice the question of actual revision of the Charter. His Government reserved full freedom of decision on the substance of that question.

14. The Charter represented the best compromise that had been possible at the time of its adoption. In the eight years of its operation, important events which could not have been foreseen by its authors had occurred and it had been found that some of its provisions were conflicting while others were obscure or inadequate. In addition, some Member States had interpreted the Charter to suit their own purposes. Consequently, in ordinary circumstances, his delegation would have supported the six-Power draft resolution; it felt, however, that the desirability of revision was not the decisive factor. The debate had brought to light a great divergence of views; clearly, the spirit of harmony required for successful revision was lacking at the moment.

15. Since a more auspicious political atmosphere was a prerequisite for the holding of a General Conference, he would vote in favour of the four-Power amendment (A/C.6/L.307).

16. Mr. WAHAB (Iraq) said that since the sponsors of the six-Power draft resolution had refused to withdraw paragraphs 2 and 3 of the operative part he would vote for the deletion of those paragraphs, in the belief that the measures they called for would not help to bring about the climate of international co-operation essential for the revision of the Charter. If, as stated by the Netherlands representative at the 371st meeting, the purpose of those provisions had been to stimulate the interest of governments in the question of Charter review, that purpose had already been achieved by the present debate.

17. Mr. FERRER VIEYRA (Argentina) was opposed to the Czechoslovak amendment (A/C.6/L.312), which would eliminate the requests to the Secretariat to prepare a study of the legislative history of the Charter and a repertory of the various provisions of

the Charter. The first request would result in the completion of a work already envisaged by the Secretariat but deferred for lack of funds, while the second would lead to the amplification of work begun by the Secretariat in compliance with an earlier General Assembly resolution. He had explained at previous meetings (372nd and 376th) how valuable the two projects would be.

18. He would vote for some points in the amendments of El Salvador (A/C.6/L.309/Rev.2) and Panama (A/C.6/L.310), and would abstain on others which in his view would not improve the text of the six-Power draft resolution.

19. He was unable to accept the oral amendment proposed by the Peruvian representative at the previous meeting.

20. With reference to the Syrian representative's remarks he pointed out that the General Assembly was fully competent to discuss preparatory work leading to a possible revision of the Charter, and that the six-Power draft resolution did not go beyond that point.

VOTING ON THE DRAFT RESOLUTION SUBMITTED BY ARGENTINA, CANADA, CUBA, NETHERLANDS, NEW ZEALAND AND PAKISTAN (A/C.6/L.306/Rev.2) AND ON THE AMENDMENTS THERETO

21. The CHAIRMAN invited the Committee to vote on the various amendments to the six-Power draft resolution (A/C.6/L.306/Rev.2).

22. As the four-Power amendment (A/C.6/L.307) was the furthest removed from the original text, it would be put to the vote first. Since it would be more reasonable to take decisions applying to the operative part of the draft resolution before dealing with the preamble, he called for a vote on point 2 of the four-Power amendment, which proposed the deletion of paragraph 2 of the operative part of the six-Power draft resolution.

Point 2 of the amendment was adopted by 24 votes to 23, with 5 abstentions.

23. The CHAIRMAN said that since operative paragraph 3 of the six-Power draft resolution (A/C.6/L.306/Rev.2) could not stand without paragraph 2, there seemed no necessity to vote on point 3 of the four-Power amendment (A/C.6/L.307), which might be taken as adopted.

24. Mr. BYRNES (United States of America) asked for a vote on point 3 of the four-Power amendment.

25. Mr. FERRER VIEYRA (Argentina) asked for the vote on point 3 to be taken by roll-call in order to check the close vote on point 2.

26. Mr. MOROZOV (Union of Soviet Socialist Republics) said that it would be better not to take a vote on point 3 of the four-Power amendment lest by some mishap the Committee should reject it and find itself in the ridiculous position of having retained operative paragraph 3 of the six-Power draft resolution, which was meaningless without paragraph 2.

27. Mr. MENDEZ (Philippines) suggested that a more suitable way of checking the vote on point 2 would be to take a second vote on that point.

28. Mr. FERRER VIEYRA (Argentina) supported the Philippine representative's suggestion.

29. Mr. VALLAT (United Kingdom), Mr. UMAÑA BERNAL (Colombia) and Mr. SPIROPOULOS (Greece) thought that a second vote would be im-

proper, since there had been no confusion in the vote and its results had not been questioned at the time.

30. Ato Addimou TESEMMA (Ethiopia) said that owing to a misunderstanding he had caused his vote on point 2 of the four-Power amendment to be recorded as an abstention, whereas he had intended to vote against.

31. Mr. FERRER VIEYRA (Argentina) wished it to be made clear how the vote stood in view of the Ethiopian representative's statement.

32. Mr. RIVERA-REYES (Panama), Mr. AMADO (Brazil), Mr. WANG (China), Mr. BYRNES (United States of America), Mr. NURUL-HUDA (Pakistan) and Mr. MAURTUA (Peru) supported the Philippine representative's suggestion in view of the Ethiopian representative's statement.

33. The CHAIRMAN said that the rules of procedure made no provision for correcting the results of votes. Representatives would have an opportunity of correcting their votes in the plenary meeting of the General Assembly. All the Committee could do at the moment was to decide by a vote, under rule 122 of the rules of procedure, whether the decision taken on point 2 should be reconsidered.

34. Mr. WYNES (Australia) moved reconsideration of that decision.

35. Mr. CHAUMONT (France), Mr. MOROZOV (Union of Soviet Socialist Republics) and Mr. VALLAT (United Kingdom), while agreeing with the Chairman, said that they would oppose reconsideration.

36. After some further discussion, the CHAIRMAN put to the vote the motion that the Committee should reconsider its decision on point 2 of the four-Power amendment.

At the request of the representative of the Philippines a vote was taken by roll-call.

The Union of Soviet Socialist Republics, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: United States of America, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Brazil, Canada, Chile, China, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Ethiopia, Honduras, Netherlands, New Zealand, Nicaragua, Pakistan, Panama, Peru, Philippines, Turkey.

Against: Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Afghanistan, Belgium, Burma, Byelorussian Soviet Socialist Republic, Colombia, Czechoslovakia, Denmark, France, Guatemala, Iceland, India, Indonesia, Iraq, Liberia, Mexico, Norway, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of South Africa.

Abstaining: Egypt, Greece, Iran, Israel, Thailand.

The result of the vote was 25 in favour, 24 against, with 5 abstentions. The motion was not adopted, having failed to obtain the required two-thirds majority.

37. Mr. BIHIN (Belgium) moved that a vote should be taken on whether the Committee should vote on point 3 of the four-Power amendment.

38. The CHAIRMAN pointed out that if, by its vote on the Belgian representative's motion, the Committee decided not to vote on point 3, that point would be automatically adopted as a result of the vote on point 2.

The Committee decided, by 27 votes to 16, with 2 abstentions, not to vote on point 3 of the amendment.

39. Mr. Ato Addimou TESEMMA (Ethiopia) reserved the right to state his delegation's attitude on point 2 of the amendment at a later stage.

The meeting rose at 6.45 p.m.