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*President:* Sir Douglas COPLAND (Australia).

*Present:*

The representatives of the following countries: Argentina, Australia, China, Czechoslovakia, Dominican Republic, Ecuador, Egypt, France, India, Netherlands, Norway, Pakistan, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Observers from the following countries: Chile, Colombia, Cuba, Indonesia, Iran, Philippines.

The representatives of the following specialized agencies: International Labour Organisation, International Bank for Reconstruction and Development.

AGENDA ITEM 14

**Enforcement of international arbitral awards (E/2704 and Corr.1, E/L.664/Rev.1) (*concluded*)**

1. The PRESIDENT drew the Council's attention to the revised text of the Norwegian draft resolution (E/L.664/Rev.1).
2. Mr. VAKIL (Secretary of the Council) said that the summary records of the meetings of the Committee on the Enforcement of International Arbitral Awards (E/AC.42/SR.1 to 13) had been circulated to the Governments of all States Members of the United Nations, to the Governments of all the non-member States which attended the Council as observers, and to the non-governmental organizations interested in the question.
3. Mr. CHA (China) withdrew the proposal he had made at the previous meeting that the summary records of the Committee's meetings should be included among the documents which the Secretary-General was requested to transmit to the Governments of Member and non-member States.
4. The PRESIDENT put to the vote the draft resolution submitted by Norway (E/L.664/Rev.1).

*The draft resolution was adopted by 16 votes to none, with 1 abstention.*

SUPPLEMENTARY ITEM 2

**Reorganization of the sessions of the Council (E/2732, E/L.665)**

5. Mr. HOTCHKIS (United States of America) said that his delegation did not intend to undo the excellent work done by the Council at its eighteenth session in connexion with the organization and operation of the Council and its commissions. On the contrary, the draft resolution submitted by Argentina, Australia and the United States (E/L.665) should ensure the success of the essential part of the reorganization, while doing away with the one feature that had not been successful. The results of the first part of the divided spring session introduced in implementation of Council resolution 557 B II (XVIII) had been meagre and the prospects for the second part were no better; the agenda was scanty and the session would not even run its allotted three weeks. Representatives had been brought from all over the world to attend meetings at which there was little for them to do whilst their urgent work in their own countries was being neglected. The documents for the summer session were ready, but those who would have to discuss them would have too little time to prepare their statements before the session opened.

6. It had been suggested that the new system had not been given a fair trial, but it was clear from the provisional agenda for the twentieth session (E/2741) that the position in the following year would be even worse. If the 1956 spring session were divided, the agenda for each part would be very small. It had not been foreseen, when the proposal to divide the spring session had been adopted (Council resolution 557 B II (XVIII)), that there would be pressure from subsidiary bodies to place items of importance to them on the agenda of the summer session.

7. The objection had also been raised that the Council would lose prestige if it changed its mind only eight months after it had decided on reorganization; it was equally true to say, however, that the Council would enhance its status by frankly admitting its mistakes, and taking the necessary steps to correct them.

8. Mr. SAKSIN (Union of Soviet Socialist Republics) recalled that his delegation had had misgivings, now justified by experience, about the division of the Council's spring session. He welcomed the proposal to restore the *status quo ante* and would support the draft resolution submitted by Argentina, Australia and the United States (E/L.665).

9. Mr. SCOTT FOX (United Kingdom) said that the proposal to divide the Council's spring session had been adopted only after exhaustive discussions and consultation with the Secretary-General. If the Council reversed its decision it would lay itself open to the criticism that it had wasted time and effort in discussing the matter at its eighteenth session, or else that its attitude at the nineteenth session was irresponsible.

To reverse a substantive decision before it had been put properly into effect was to establish a dangerous precedent.

10. The reorganization which involved dividing the spring session had been made because many delegations had felt that the prestige of the Council was declining, that its debates were not attracting the attention they deserved, and that some means must be found of giving the Council a "new look" and enabling it to concentrate on its important task of co-ordination.

11. In order to achieve that, the Council had decided that its main summer and spring sessions should be much shorter and the means devised to make that possible was the resumed spring session, which was to be devoted to discussion of routine matters and questions which could be dealt with by the permanent delegations in New York.

12. It had been asserted that the new system had not been satisfactory in practice, but it was not reasonable to condemn out of hand an idea which had been tried out for only half a session. There must be a period of transition, during which any initial difficulties which arose could be eliminated if delegations really wished to make the new arrangement work. It was premature to say that the 1956 spring session was likely to be a failure. The Council would have half a dozen important items ripe for discussion, which was just what was envisaged under the reorganization. His Government was ready to send experts to discuss important items on a high technical level, but it could do so only if the sessions were short and particular items could be taken on definite dates.

13. Whether or not the Council decided to maintain the division of its spring session, the new character of the summer session must be retained. The Council's co-ordinating role was most important; at its forthcoming summer session it would review the work of the United Nations in the economic and social fields against the background of wide debates on the world economic situation. He was glad to note that the United States proposal did not envisage any change in the character of the summer session, but it must be realized that a return to the old system of an undivided spring session might open the way to demands for a more even distribution of agenda items between the spring and summer sessions.

14. He urged the Council to adopt the Secretary-General's proposed amendment (E/2713) to rule 2 of the rules of procedure for a trial period of one or two years. The Council had taken a step forward and if it now took a pace back again it might find itself returning to the old state of affairs, which it had generally been agreed must be altered in the interests of the future of the Council.

15. Mr. MORALES (Argentina) said that his delegation, mindful of the need to ensure the fulfilment of the Council's functions, had voted in favour of resolution 557 B II (XVIII), the purpose of which was to allow adequate time for the preparation of documents, to distribute the Council's work more evenly over the year and to facilitate the attendance of high-level representatives and experts of Member States. While immediate results could obviously not be expected and a period of transition was required, the fact was that the consequences of the reorganization, in so far as the division of the spring session was concerned, had

been purely negative. The expected high-level representation had not materialized and the Council had been compelled to work under a rigid time-limit. The experiment, while brief, had nevertheless been conclusive.

16. The Argentine delegation therefore felt that the Council would do well to revert to its former schedule and hold an undivided spring session every year. A decision to that effect would not imply a hasty reversal of a position it had taken earlier but would rather demonstrate a commendable flexibility of approach. Moreover, none of the other principles set out in resolution 557 B II (XVIII) would be affected.

17. For the reasons given, his delegation hoped that the draft resolution (E/L.665), of which it had been one of the sponsors, would commend itself to the Council.

18. Mr. FORSYTH (Australia) said that the provisions of the draft resolution which his delegation had co-sponsored would not affect the general reorganization decided upon at the Council's eighteenth session. The Council would merely revert to its former practice with respect to its spring session. At the time, Australia had supported the idea of a divided spring session as a worth-while experiment under which the first part of the session would be devoted to the more important items and the resumed session to the more routine questions. The experiment had failed, one of the major handicaps being the difficulty of deciding in advance on the relative importance of items. The attendance of high-level representatives and experts, which had not materialized under the new scheme, might be ensured through a more careful planning of the time-table for the discussion of various items.

19. Mr. MENEMENCIOLU (Turkey) felt that the divided spring session decided upon at the eighteenth session had not been given a fair trial. The results so far were admittedly not very encouraging. However, immediate success had not been anticipated. The Council should be allowed a reasonable period to adapt itself to the new scheme which, if effective, would be of considerable help to the delegations of countries which were at a considerable distance from United Nations Headquarters.

20. For the reasons given, the Turkish delegation could not support the joint draft resolution (E/L.665), which it considered premature.

21. Mr. STANOVNIK (Yugoslavia) said that the Yugoslav delegation would vote in favour of the joint draft resolution despite the fact that it had supported Council resolution 557 B II (XVIII). Yugoslavia still subscribed to the underlying considerations which had led the Council to change its programme of work. Moreover, in its view the joint draft resolution in no way affected the substance of the reorganization which the Council had decided upon at its eighteenth session. The minor revision proposed would, on the contrary, contribute to the fulfilment of the basic concept which had prompted nine Member States, including Yugoslavia, to introduce the draft which had become resolution 557 B II (XVIII). The Yugoslav delegation had felt at the time that the reorganization proposed in that resolution would ensure the attendance of high-level representatives and experts at the Council's summer sessions. The proposal to revert to the system of a single spring session would not affect the achievement

of that goal. It would, on the other hand, allow delegations more time in which to study the documentation for the important items which the Council would have to consider at its summer sessions.

22. Mr. HSIA (China) said that he would support the draft resolution (E/L.665). His delegation had voted for resolution 557 B II (XVIII), but with some misgivings about the extra work, expense and travelling entailed by holding the spring session in two parts. It had finally been persuaded that the first part would be devoted to the more important problems requiring the attendance of high-level representatives and the second to routine items. It was generally agreed that the arrangement had not worked as planned. Both parts required the presence of representatives at all levels. A return to the former system of a single spring session of five to six weeks with a concentration of personnel was required. There was a growing feeling that under the current system the presence of high-level representatives was unnecessary. If it were amended as proposed in the draft resolution, however, they would have to attend, even if for only a part of the session.

23. Mr. MIR KHAN (Pakistan) said that, as it had expected, Pakistan had found the difficulties and expense of sending experts to two parts of the spring session insuperable and the main work had been done by the permanent mission, which had hardly been able to cope with the agenda. The sooner the decision to rectify a mistaken decision was taken, the better, as the Council would have to plan its work for 1956. He therefore supported the draft resolution.

24. Mr. AMANRICH (France) urged the Council not to take action prematurely. In the opinion of the French delegation, it was not so much the Council's resolution that was at fault as the way in which the Council itself had put it into effect. However, the draft resolution submitted was only limited in scope; the Council would still be able to deal at its first session with major items appropriate for high-level discussion, and the most important parts of resolution 557 B II (XVIII), in particular the organization of the summer session, was not affected. Even so, he could not support the joint draft resolution (E/L.665).

25. Mr. RAJAN (India) said that his delegation had supported Council resolution 557 B II (XVIII) and did not see any good reason for reversing it only two-thirds of the way through the first session held under its terms. He appreciated the difficulties experienced by some delegations and admitted that certain drawbacks had been found which had not been anticipated and that certain of the advantages expected had not materialized, for example, the attendance of high-level representatives. The divided session had, however, eased the burden on the Secretariat and had facilitated

the early production of documents. The agenda of the summer session had also been somewhat lightened. Some of the difficulties might decrease with further experience. The current arrangement should be continued.

26. Mr. SCOTT FOX (United Kingdom) requested a separate vote on paragraph 1 (b) of the joint draft resolution (E/L.665). He would vote against it, because it jettisoned the idea that the summer session should be restricted to four weeks, which was fundamental to the new system. If the summer agenda appeared too heavy, the decision to meet earlier than the second week in July could be taken at the spring session, but that decision should be taken each year if it proved necessary.

27. He proposed a preamble reading "Reaffirming the general aims expressed in its resolution 557 B (XVIII)". If that were acceptable, he would abstain on the joint draft resolution as a whole in view of the weight of feeling in the Council in its favour.

28. Mr. HOTCHKIS (United States of America), Mr. MORALES (Argentina) and Mr. ROGERS (Australia) accepted the amendment.

29. The PRESIDENT put to the vote paragraph 1 (b) of the draft resolution submitted by Argentina, Australia and the United States of America (E/L.665).

*The paragraph was adopted by 13 votes to 1, with 4 abstentions.*

30. The PRESIDENT put the draft resolution (E/L.665) to the vote as a whole, as amended.

*The draft resolution, as amended, was adopted by 13 votes to none, with 5 abstentions.*

31. Mr. SCHIFF (Netherlands) said that he had not taken part in the debate as the Netherlands delegation had not been a member of the Council at its eighteenth session, but he had voted for the joint draft resolution on the basis of the unhappy experience of the divided session, an arrangement which he thought had little prospect of future improvement.

#### AGENDA ITEM 23

#### Revision of the rules of procedure of the Council (E/2713)

32. The PRESIDENT said that the adoption of the joint draft resolution (E/L.665) had rendered any change in the rules of procedure unnecessary, so that the Council was not required to take any action on item 23. The item would therefore be deleted from the agenda.

*It was so agreed.*

The meeting rose at 12.20 p.m.