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THIRTEENTH SESSION, **559th**
MEETING

WEDNESDAY, 19 SEPTEMBER 1951, at 3 p.m.

PALAIS DES NATIONS, GENEVA

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President: Mr. Hernán SANTA CRUZ (Chile).

Present: Representatives of the following countries:

Belgium, Canada, Chile, China, Czechoslovakia, France, India, Iran, Mexico, Pakistan, Peru, Philippines, Poland, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Representatives of the following specialized agencies:

International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, International Refugee Organization.

Reports of the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions (E/1995 and Corr.1, E/1995/Add.1 to 4): report of the Co-ordination Committee (E/2129 and Corr.1, E/2129/Add.1 and Corr.1 and 2) (*continued*)

1. The PRESIDENT stated that the Indian delegation had submitted new amendments to paragraphs 4 and 5 of section A I of the draft resolution contained in the Co-ordination Committee's report (E/2129). Those amendments took into account the suggestions made at the 558th meeting. Paragraphs 4 and 5 would therefore read as follows:

"4. At its first regular session of the year, the Council should primarily take up such major items as are ripe for consideration. Major economic items together with related items shall as far as possible be dealt with during this session, as well as major items in the social and human rights fields and such other items as can conveniently be disposed of at this session. The Council's work at this session shall be so arranged that related items are dealt with in groups, discussion of each group starting on a date fixed at the previous session as provided in paragraph 3 (b) above. At this session the Council shall also consider the provisional sessional agenda for the second regular session drawn up by the Secretary-General, in the light of the basic annual programme, in such a way that related subjects are dealt with in groups, and fix the dates on which the discussion of each group will start.

"5. At its second regular session of the year the Council shall take up those questions which, for procedural or other reasons, cannot be disposed of earlier in the year. This session will, therefore, be primarily concerned with those major items in the economic, social and human rights fields which have not been dealt with at the first regular session, with the problem of co-ordination and priorities, with appropriate reports of specialized agencies and subsidiary bodies of the Council and with current technical assistance questions."

2. Mr. MICHANEK (Sweden) asked that before the Indian amendment to paragraph 4 was voted upon, the Council should vote on the proposed new text for that same paragraph (E/L.292) as reworded by the Secretary-General. There was no difference in substance between that text and the one proposed by the Co-ordination Committee. Consequently, the paragraph as reworded by the Secretary-General could, in effect, be considered as a revised version of the Committee's text and should therefore be voted on first.

3. The PRESIDENT pointed out that the original text was that proposed by the Co-ordination Committee. Two amendments—one by the Secretary-General and the other by the Indian delegation—had now been submitted to it. Since the latter amendment was the furthest removed in substance from the original, it would have to be voted upon first under rule 64 of the Council's rules of procedure.

4. Mr. YU (China) stated that his delegation would support the Indian amendment to paragraph 4 since it constituted a good compromise between the various points of view expressed on the advisability of specializing sessions of the Council. Stating as it did that major economic items "as well as" major items in the social and human rights fields should be taken up at the first regular session of the year, it neatly struck the balance between those two groups of items and ensured a necessary measure of elasticity.

5. Mr. KOTSCHNIG (United States of America) felt that the Chinese representative had drawn attention to the one real weakness of the Indian text. He had

interpreted the words "as well as" as putting items in the social and human rights fields on the same level as economic items, as far as the first regular session of the Council was concerned. That, however, had not been the intention of the sponsor of the amendment, as he (Mr. Kotschnig) interpreted it. In order to make the original intention clear, he therefore proposed that the second sentence of the Indian text be altered to read "Major economic items, together with related items shall, as far as possible, be dealt with during this session. It shall also deal with major items in the social and human rights fields and such other items as can conveniently be disposed of at this session."

6. Mr. KRISHNAMACHARI (India) agreed to that amendment.

7. Mr. YU (China) stated that he would support the amendment proposed by the United States representative since it did not affect the possibility of discussing major social items at the first session of the year and since it also brought the text of paragraph 4 more into line with the text of paragraph 5.

Paragraph 4 as re-drafted by the Indian delegation, and as amended, was adopted by 11 votes to 3, with 4 abstentions.

Paragraph 5 as re-drafted by the Indian delegation was adopted by 12 votes to none, with 6 abstentions.

8. The PRESIDENT then requested the Council to turn to the question of duplication of discussion and recalled that a joint amendment (E/L.294) had been submitted by the Belgian, Chinese, French, Swedish, United Kingdom and United States delegations. He also recalled that at the preceding meeting he himself had proposed a compromise solution, according to which the President of the Council should invoke rule 50 of the rules of procedure whenever items that had been referred to a committee of the whole came before the Council itself. He would suggest the adoption of the following text to be inserted after paragraph 7 of section A I:

"When items directly referred to a committee of the whole come before the plenary Council the President shall propose limitation of debate under rule 50, specifying the time allowed to each speaker and the number of times each member may speak. The President's proposal shall not be subject to amendment and shall be treated as a motion for closure of debate under rule 52."

9. The advantages of such a provision would be three-fold. In the first place, it would not lay down the principle that no item should be discussed twice, but would, on the contrary, maintain the existing principle that the Council might always debate an item, even though that item had been discussed in committee. Secondly, a distinction would be made between items which had been discussed in committee and those which had not, and the Council could judge how much time should be allotted to further discussion of the former. Thirdly, the President, in making his formal proposal, would take into account the importance of the item, the com-

mittee's recommendations and any new ideas that might have been put forward, and would propose a limitation of speeches according to his own appreciation of the situation. Furthermore, since his proposal would be considered as a motion for closure of the debate, only two speakers would be allowed to oppose it, thus ensuring that it did not itself lead to a lengthy discussion.

10. Mr. KRISHNAMACHARI (India) considered that in practice the advantages enumerated by the President would only apply if the text read: "the President may propose limitation of debate" rather than "the President shall", that formula leaving him no choice but to make the proposal.

11. The PRESIDENT, in answer to the Indian representative, recalled that in the debates on duplication of discussion emphasis had been laid on the necessity of making some special provision to avoid such duplication; the existing rules of procedure were not applied in practice, since no delegation wished to take the responsibility for invoking rule 50. The use of the word "shall" laid an obligation upon the President to invoke that rule and there could, therefore, be no question of any delegation, or indeed of the President, invoking it on their own initiative. The Council could of course reject the President's proposal if it so desired, but that proposal would nevertheless have been made impersonally.

12. Mr. YU (China) agreed with the President's argument in favour of using the word "shall" and stated that although his delegation was a co-sponsor of the joint amendment (E/L.294), he felt the President's proposal to be such a good solution that he would vote for it. Should it be defeated, he would then support the joint amendment.

13. Mr. MOROSOV (Union of Soviet Socialist Republics) considered the question of the duplication of discussion to be of special importance since it would have an effect not only on the Council's methods of work but on the results it could achieve.

14. He recalled that in the Co-ordination Committee certain delegations, including those of France, the United Kingdom and the United States of America, had insisted that items which had been discussed in committee should only be re-opened for debate in plenary meetings on the request of a majority. That proposal had been rejected by the Committee, as had a similar second proposal. Yet he noted that six delegations were again raising the same problem in the Council, thereby themselves duplicating the discussion that had taken place in the Co-ordination Committee.

15. The sponsors of the joint amendment had attempted to base their arguments on practices which obtained only in the General Assembly and which could not be applied to the Council since the structure of those two bodies was entirely different.

16. Furthermore, while the sponsors maintained that double discussion should be avoided, an analysis of the various items referred by committees to the Council during the current session would show that most of them

had not involved any long discussion, with the notable exception of the question of the economic financing of under-developed countries. When the draft resolution (E/2061) adopted by the Economic Committee on that subject had come before the Council, many representatives had stated that detailed discussion should be avoided in the plenary meeting since the Economic Committee had already voted on the issue. They had thus tried to push that draft resolution through the Council, but their manoeuvre had been defeated, a long discussion had taken place and many new proposals had been made. Those same delegations were obviously now trying to arm themselves with some defence for the future so that items to which they objected or with which they were not concerned should not be reconsidered. The sponsors of the joint proposal were attempting to violate the rights of sovereign States to express their views and were trying to turn the Council into a body which would merely countersign proposals which they had succeeded in pushing through in committee. The Council was a major organ of the United Nations and as such was an important forum for the exchange of views; it could not be used merely to endorse decisions previously arrived at.

17. The Soviet delegation could not agree to any proposal which would tend to limit the rights of members of the Council and he, therefore, appealed to members to reject the joint proposal because it would not promote co-operation within the Council, but would rather widen the existing rift.

18. Mr. ABELIN (France) wished formally to deny the allegation of the Soviet Union representative that some delegations were seeking to transform the plenary meetings of the Council into meetings for the mere registration of approval, by limiting the speaking time of representatives who did not share the views of the United Kingdom, United States or French delegations. It was quite impossible to accuse the French delegation of wishing to minimize the importance of the Council's work. It had never seriously desired to limit the time allotted to members of the Council for speaking, nor had it ever wished to avoid hearing explanations which promised to be of value. It was, on the contrary, precisely because it attached such great importance to the work of the Council and to the role that it must play in guiding world economic and social policy, that it wished it to adopt a text designed to bring order and clarity into the discussions.

19. Both the joint amendment (E/L.294) and the President's suggestions should be considered in the light of paragraph 7 of section A I of the draft resolution contained in the Co-ordination Committee's report. That paragraph recommended that major questions should normally be dealt with by the Council, unless the latter decided to refer them to a committee for study, drafting or a report. The questions directly referred to a committee should be either items of secondary importance, or questions of procedure, or matters on which insufficient preparatory work had been done. It was therefore natural that the time devoted to discussing such questions should not be longer than that allowed for major problems. That was a point on which his delegation laid great stress.

20. Double discussion was bound to disorganize the course of the Council's work, inasmuch as it delayed the consideration of other items and caused experts who arrived on a date fixed in advance to lose valuable time waiting for the matter which concerned them to be taken up. He thought that, at plenary meetings, there should be very thorough discussion of important questions. If, however, such discussions were interrupted in order to deal with secondary matters, the study of the major questions would suffer. At present, major problems were buried in an amorphous mass of minor and subsidiary questions and it was difficult to explain the working of the Council to an outsider. Journalists and press agencies likewise experienced difficulty in giving a good account of the Council's work.

21. The Council should therefore be given all the time desirable to consider important matters and to ponder over economic and social policy as a whole, a task which it could perform in one or two full-length discussions. He would like a certain limit to be placed on re-discussion of the same question, but considered that the Soviet Union representative had no right to claim that the French delegation was seeking to paralyse the work of the Council. On the contrary, it wished to give major questions the importance they deserved—a procedure in no way contrary to that customary in democratic countries.

22. He wished to thank the President for the conciliatory spirit he had shown in putting forward his suggestion. On the other hand, his delegation was quite unable to accept the Indian amendment, since the effect of its adoption would be to place an excessively heavy responsibility on the President. His responsibility would already be heavy enough if, at the opening of the discussion on a particular question, he was called upon to propose a time-limit for members who wished to speak. If, instead, the President were simply given the power to make such a proposal if he saw fit, it was clear that he might be accused of partiality. Hitherto, all members of the Council had been unanimous in recognizing the impartiality of their President and it would be prejudicial to the latter's office to give him too heavy a responsibility which might be subject to a political interpretation by certain delegations. He would therefore request the delegation of India not to press its amendment and to accept the President's suggestion in the form in which it had been made.

23. Mr. ALVAREZ OLLONIEGO (Uruguay), paying tribute to the conciliatory spirit in which the President had made his suggestion, said that, despite divergencies of view as to method, it was undeniable that the vast majority of the members of the Council recognized that steps must be taken to limit the length of certain debates. But the President's suggestion, although it did not entail the same difficulties as an *a priori* limitation of discussion, had certain drawbacks. Care must be taken to ensure that his authority and impartiality could not be called in question or even laid open to suspicion. Whenever the President made a proposal to limit the time allotted to each representative, he might, and would in practice constantly, have to face opposition both from delega-

tions who favoured a very strict time-limit on speeches and from those who rejected any form of time-limit.

24. He therefore questioned the advisability of hastily adopting, during the last days of the current session, a final decision on a question which had been the subject of such protracted discussion. In view of its importance, it would be preferable to set up an *ad hoc* body to study it and to frame proposals for submission to the Council at its next session. That procedure would, in his view, made it possible to arrive at a solution acceptable to the vast majority of the members of the Council.

25. Mrs. FIGUEROA (Chile) said that she was opposed to the adoption of the joint amendment (E/L.294). In her view, the submission to the Council of a draft resolution which had already been rejected by the Co-ordination Committee was in glaring contradiction with the proposal itself. It would appear as if the delegations which wished to obviate double discussion were themselves responsible for provoking one, since the question had already been adequately discussed by the Co-ordination Committee which had taken a decision on it.

26. It had been argued in favour of the joint amendment that it was designed to defend a principle. But she considered that the application of the principle would in point of fact be limited by the very means suggested for its defence. The joint amendment was based on rule 67 of the rules of procedure of the General Assembly. She herself had drawn the Co-ordination Committee's attention to the fundamental differences in structure existing between the General Assembly and the Economic and Social Council: whereas Article 9, paragraph 2, of the Charter provided that "Each member shall have not more than five representatives in the General Assembly", it was stipulated in Article 61, paragraph 4, that "Each member of the Economic and Social Council shall have one representative". That essential difference precluded the Council from adopting a procedure which might be justified in the case of the General Assembly. The Council's rules of procedure contained no parallel provisions to rules 100 and 101 of the rules of procedure of the General Assembly on the representation of Member States. It would be wrong, therefore, to compare the delegations of Member States at the General Assembly with the delegations of Member States at the Council. Moreover, rule 25 of the Council's rules of procedure defined the function of committees set up by the Council in unambiguous terms and rules 49, 50, 51 and 52 contained provisions governing the conduct of business, including adjournment of the debate, limitation of the time allowed to each speaker and the number of times each member was allowed to speak on any question, closure of the list of speakers and closure of the debate. The Council being essentially a deliberating body, there could be no question, in her view, of stipulating that a committee which was not composed of titular representatives should take the place of the Council for the purpose of carrying out tasks for which the latter was responsible.

27. One should also be mindful of the consequences which would ensue, if the joint proposal were adopted,

for countries with small delegations; in the case of the Peruvian delegation at the current session, for example, how, she wondered, could its sole member possibly have carried out his proper functions fully without facilities for expressing, within the Council itself, his views on all questions included in the agenda. In her view, the United Nations, being an organization of sovereign States, should not override the existing rules of procedure, which, it might be added, had not yet been fully applied. It would be regrettable if the joint amendment were adopted by no more than a small majority, seeing the importance of the question it sought to solve.

28. The President's suggestion, though not perhaps an ideal solution, was certainly preferable. It was, she considered, inadmissible that a certain proportion of delegations, however small, should have to vote in favour of a right—and one which the Chilean delegation considered infeasible—before members of the Council could exercise it. The President's suggestion, on the other hand, would save members of the Council from having to appeal to the rules of procedure; it would, in fact, be the President himself who would have to assume that responsibility. That would be an advantage from the psychological point of view.

29. The joint amendment aimed at eliminating all discussion in certain cases; the President's suggestion on the other hand, only aimed at limiting it, and accordingly did not infringe on the principle of the right of speech. True, it had certain drawbacks, since it would constitute a formidable weapon in the hands of a President who was not strictly impartial. But, even if the President proposed limiting the discussion, the Council need not necessarily adopt his proposal.

30. All things considered, therefore, she felt that the President's suggestion, taken as a whole, was less harmful than the joint amendment. She would therefore vote for the former and oppose the latter.

31. Mr. CORLEY SMITH (United Kingdom) said that he had not intended to speak on the problem in plenary meeting, but must reply to the speeches which had been made at the present and preceding meetings, challenging and distorting the views expressed by the United Kingdom delegation in the Co-ordination Committee.

32. The Chilean delegation had advanced as an argument against the joint amendment the fact that each member of the Council had only one "representative" on the Council; but surely all members of the Council were adequately represented at the present meeting, although approximately two-thirds of them were only represented by "alternate representatives" or "advisers". The Chilean Government itself had for two years not been represented by the person it had nominated as its representative on the Council, since that nominee had been elected to the high office of President of the Council; but he did not think that the Chilean delegation had failed to represent its Government. Frequently, the heads of delegations attended committee meetings, whilst junior members of their delegations spoke in the Council. Surely it was clear that that argument was merely academic.

33. The Chilean representative had said that the sponsors of the joint amendment, the purpose of which was to prevent duplication of discussion, were acting illogically in putting it forward in the Council after it had been rejected in committee. That argument also lacked a firm foundation; the joint draft resolution submitted to the Co-ordination Committee (E/AC.24/L.58) contained the words "Considering the desirability of avoiding double discussion when the subject does not require it", the United Kingdom delegation was opposed to double discussion when the subject did not require it; but surely the present case of a proposal being rejected as a result of a tied vote when all members had not been represented was a clear case for re-opening discussion in plenary meeting.

34. The Soviet Union representative had completely distorted the comments of United Kingdom representatives on the problem when he had referred to their protest against the duplication in the Council of the Economic Committee's debate on financing economic development, and had added that the United Kingdom delegation wanted work in plenary meetings to be confined to rubber-stamping recommendations made by committees. In fact, the United Kingdom delegation had made it clear that in its view as much of the Council's business should be conducted in plenary meetings as was practicable; it had repeatedly stated that the discussion in plenary meeting on financing economic development was wholly in order and had deprecated the decision to refer that item to a special meeting of the Economic Committee. It was difficult to know what the Soviet Union delegation wanted; for it had urged that the present session should be limited to four weeks, a period which would hardly have sufficed for the Soviet Union and its associates' propaganda speeches alone. Since the Soviet Union delegation had voted against the paragraph of the draft resolution to which he had just referred it would appear that it did not consider it desirable to avoid double discussion even when the subject did not require it. If all members of the Council had been of that opinion, the present session would have required considerably more than eight weeks.

35. The purpose of the joint amendment was to prevent unnecessary duplication of discussion. He preferred it to the suggestion made by the President. But if those delegations which had sponsored the proposal jointly with him did not object, he would vote for the President's suggestion in a spirit of compromise.

36. Mr. KOTSCHNIG (United States of America) said that he, unlike certain other representatives, would not attack or attribute motives to others. He would merely state that he did not share the view that the adoption of the joint amendment would mean the death of democratic procedure in the Council. The Polish representative's fear that the provision might be applied in a manner which was not liberal was unjustified, since the provision was itself liberal—much more so than the corresponding provision in the General Assembly's rules of procedure. He still wanted the joint amendment to be put to the vote, since he considered it was a good one. If it was rejected, he would be glad to vote in favour of the President's suggestion. Consequently,

he hoped that the President would put the joint amendment to the vote first. With reference to the Uruguayan representative's remarks on the danger of hasty decisions, he would point out that the joint amendment had been discussed in committee and in the Council for more than thirteen hours; in those circumstances, if the Council decided to adopt it, such a decision could scarcely be called a hasty one. Since he was certain that every delegation had already come to a firm conclusion about the joint amendment, he hoped that its fate would be decided without delay.

37. The PRESIDENT said that in view of the fact that certain delegations still wished the joint amendment to be put to the vote, he would withdraw the suggestion that he had made in an effort to bring about a compromise.

38. Mr. ALVAREZ OLLONIEGO (Uruguay) said that he was grateful to the President for having made an effort to achieve a compromise, and regretted that he had withdrawn his suggestion.

39. In answer to the United States representative, he pointed out that he had tried to make it clear that it was on the President's suggestion and not on the joint proposal that the Council would take a hasty decision. Admittedly, all delegations had had time to reach a definite conclusion on the latter.

40. Mr. KRISHNAMACHARI (India) said that, although the Indian delegation had voted in favour of the joint proposal in the Co-ordination Committee, he would abstain if it were put to the vote now because the voting in committee had shown that there was substantial opposition to it. That had put a new complexion on the case. He agreed with most of what the Chilean representative had said on the subject, and had been converted to her view that the joint amendment should not be put to the vote. Its adoption would discourage some representatives from agreeing to refer items to a committee, a procedure which was often very convenient, since it frequently led to more open discussion and allowed drafting work, for instance, to be carried out expeditiously. The usefulness of that procedure had been proved by the work done at the present session on the item now under discussion. It was understandable that several representatives were opposed to restricting the right to comment on items in plenary meetings. If only one representative wanted to comment on an item in a plenary meeting, he should be free to do so; each representative represented a whole nation, not just a small constituency. He was glad that the President had withdrawn his suggestion, since he was opposed to placing the President under the obligation of making at times a proposal which would doubtless not always be accepted. He hoped that the Council would agree to a procedure which would have the same effect as that suggested by the President.

41. Mr. CALDERÓN PUIG (Mexico) said that he could not vote for the joint amendment (E/L.294). While he did not doubt the good faith of its authors, he regretted that they had thought fit to submit it when a similar draft resolution had been rejected by the Co-ordination Committee. He regarded the exchange of ideas which

was now taking place as a tangible proof of the need for double discussion in order to clarify the situation.

42. He congratulated the President on the good will which had prompted his suggestion, and thanked him for withdrawing it, since the formula proposed would not, in his view, solve the problem.

43. In conclusion, he called attention to rule 84 of the rules of procedure of the Council. It was his understanding that the Council had not received from any of its committees a report on the joint amendment, which amounted to an amendment to the rules of procedure. If his criticism was correct, that would be a further reason for the Council to refrain from taking a decision on the joint amendment.

44. The PRESIDENT said that the change in the rules of procedure which the adoption of the joint amendment would involve had in fact been discussed by the Co-ordination Committee, as the summary records (E/AC.24/SR.97 to 100) showed. Since the latter were background documents for the present discussion, he did not consider that rule 84 militated against the adoption of the joint proposal.

45. Mr. MOROSOV (Union of Soviet Socialist Republics) said that he would only point out, in answer to the United States representative's hope that the matter would be decided without delay, that it would not have been raised in plenary meeting at all, if the group which had resurrected the joint proposal had not persisted in trying to circumvent the wishes of the majority. The United Kingdom representative's assertion that his delegation had urged that as much business as practicable should be conducted by the Council itself was not in keeping with the support he was giving to the joint amendment which aimed at restricting work in plenary meetings. He had referred to the Soviet Union proposal that the present session should be limited to four weeks; the whole of the Council's business for the session could have been satisfactorily concluded within four weeks had the Soviet Union suggestions been followed.

46. His delegation had voted against the introductory paragraph quoted by the United Kingdom representative, not because it was in favour of double discussion when the subject did not require it, as the United Kingdom representative had falsely asserted, but because that paragraph formed part of a proposal designed to limit freedom of speech in plenary meeting. The French representative had said that the authors of the joint amendment did not intend that it should result in restricting discussion on important problems; but who was to decide which were the Council's important problems? The views of the French representative on that question were clearly not the same as those of other representatives, for he had urged that the item at present under discussion should be dealt with wholly by the Council, since it was important. The majority meanwhile had agreed that it should be referred to the Co-ordination Committee.

47. Mr. INGLÉS (Philippines) said that it had not been sufficiently emphasized that the best of procedures could lead to failure when they were abused, whilst success could be achieved even with bad procedures,

provided there was good will. The purpose of the joint proposal could best be attained by other means than the amendment of the rules of procedure. In other bodies an appeal from the chair and the rules of procedure sufficed to keep a discussion useful and to the point. The same should be true in the Council. Since the prestige of the Council was at stake, a self-denying ordinance was preferable to the adoption of the joint proposal, which might prove to have more disadvantages than advantages. If only one delegation wished to raise in a plenary meeting a matter of vital interest to it and on which an adverse decision had been taken in committee, it should be free to do so. He could imagine several cases in which his own delegation would wish to do so for very good reasons, even without there being as many as five other delegations to support it. When the joint draft resolution had been put to the vote in the Co-ordination Committee, the Philippines representative had abstained because his delegation had wished to ascertain the attitude of other members of the Council before itself coming to a conclusion on the proposal. Since the joint draft resolution had been rejected in committee as the result of a tied vote, he would side with the more liberally-minded group and would vote against the joint amendment.

48. Mr. YU (China) said that since the tied vote in the Co-ordination Committee, his delegation had again considered the procedure advocated by the authors of the joint amendment and maintained the view that its adoption was highly desirable. The Chilean representative was incorrect in stating that the sponsors of the joint amendment had acted inconsistently in putting it forward again in the Council. The tied vote had occurred before the Council had adopted paragraph 7 of section A I in the draft resolution providing that major questions should normally be dealt with in plenary meetings. If the joint amendment were rejected, much time would have been wasted. Its sponsors had acted consistently, since its purpose was to prevent time being wasted by duplication of discussion. Such duplication had occurred all too frequently during recent sessions. Much had been said about freedom of speech in order to try and prove that the adoption of the joint amendment was undesirable; but surely it was desirable to prevent useless duplication of discussion and useless propaganda. The small size of some delegations had also been put forward as a reason for rejecting the joint proposal; but small delegations had a safeguard in paragraph 7 of section A I in the draft resolution and another safeguard in the clause of the joint proposal reading: "debate shall . . . be reopened provided the request is supported by at least one third of the members of the Council". Moreover, the heads of delegations were free to take part in committee meetings while junior members of their delegations spoke in plenary meetings. If the joint amendment were adopted, each representative would always be able to make known in plenary meetings his attitude to any item on the Council's agenda by explaining his vote.

49. It had been argued that the joint amendment should be withdrawn because its adoption would be against the wishes of a substantial proportion of the members of the

Council; but did the wishes of the other substantial proportion of the members of the Council count for nothing? The main issue at stake was not freedom of speech but the effectiveness of the Council's work. The work of recent sessions of the Council had not been as effective as it should have been because freedom of speech had been abused. The present state of affairs had been tolerated too long; the Council should put an end to it, and, in accordance with the high purpose for which it had established the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions, should adopt the joint amendment.

50. Mr. ABELIN (France) recalled that the Council had decided that steps should be taken in order to obviate double discussion of certain questions whose importance did not warrant it. The six delegations which had submitted the joint amendment (E/L.294) considered it to be in harmony with the rules of procedure and with the spirit informing the Council's work. It appeared from the statements of the representatives of Belgium, China, France, the United Kingdom and the United States of America that almost all the sponsors of the amendment had agreed to withdraw it. Moreover, a compromise proposal had been framed. The latter had been accepted by the French delegation, which asked the Council to take a decision on it as a means of terminating the present discussion. Consequently he wished to submit, on behalf of his delegation, the suggestion made by the President.¹

51. Mr. KOTSCHNIG (United States of America) withdrew his request for the joint amendment to be put to the vote.

52. Mr. KATZ-SUCHY (Poland) said that the President's suggestion carried with it a danger that discussions in plenary meetings would be unduly limited and certain members would be deprived of their right to make their views known. No debate in plenary meetings should be limited without the consent of the members and without the majority and the minority having equal rights. The present discussion had made it perfectly clear that an attempt was being made to limit the right of certain members of the Council to express their views. Those delegations who wished to speak on an item of the agenda in the Council should as heretofore be allowed to do so. It was useful to exchange ideas. If the Polish Government did not believe that such exchange was useful and that it could convince people of the correctness of its views by argument, thereby helping to bring about international understanding, it would not send delegations to take part in the Council's debates, but only a representative who would vote.

53. The United Kingdom representative had suggested that the adoption of the joint amendment would not result in changing the democratic way in which the Council's debates were conducted; if that were so, would the Council have spent nearly two meetings discussing that proposal? Would the latter have been made at all? The United Kingdom representative had stated that it applied only to double discussion when the subject

did not require it; but who was to decide whether a subject required repetition of discussion or not? The views of the United Kingdom on that question were not the same as those of the Polish delegation, as the discussion at the 544th meeting on the report of the *Ad Hoc* Committee on Slavery had shown. Nor did the Polish and United Kingdom delegations share the same views on the question of what was hostile propaganda. He was willing to appear before an impartial committee charged with the task of deciding which of the two delegations had spent the Council's time in making propaganda speeches and which was guilty of hostile propaganda.

54. There could be no denying that a group of delegations had made an attempt to limit freedom of speech at plenary meetings of the Council. The group which had made that attempt to impose its will on the other members of the Council had withdrawn the joint amendment, when the discussion had made it clear that it would be rejected if put to the vote. The Council should beware of all the manoeuvres which were being made to "gag" members of the Council and in particular the small delegations. The French representative had withdrawn his support for one proposal in order to be able to make another which had the same end in view. He would doubtless change his position again, if he thought he could achieve his goal by other means, whatever those means might be. The group was proposing the "gag" as a cure for an illness which did not exist. It should long since have accepted the wishes of the majority. The only purpose of the amendment was to limit freedom of speech at plenary meetings of the Council. The time had come for the Council to make it clear that it would not tolerate any infringement of its rights.

55. Mr. MOROSOV (Union of Soviet Socialist Republics) said that he had refrained from commenting on the President's suggestion in the belief that it had been withdrawn. But, since the French delegation had taken it up on its own account, he would like to state his position. In the first place, it was incompatible with rule 84 of the Council's rules of procedure, wherein was laid down that the rules could not be amended until the Council had received a report on the proposed amendment from one of its committees. The fact was, however, that the suggestion under discussion had been neither presented to nor discussed by the Co-ordination Committee.

56. He was unable to accept the French proposal. To grasp its implications, it was sufficient to recall that the powers which it was proposed to confer on the President of the Council would exceed those conferred on the President of the General Assembly by the latter's rules of procedure. Yet the General Assembly was the supreme organ of the United Nations, and ranked above the Council. Furthermore, the adoption of the proposal would be tantamount to a surrender of the principle that the President of the Council must be impartial. It provided that the President should propose limitation of debate and specify the time allowed to each speaker and the number of times each member might speak. That provision introduced a subjective element into the rules of procedure and was likely to give rise to a whole series of discussions and arguments. The Soviet Union delegation thought it preferable to keep to the objective

¹ Subsequently circulated as document E/L.297.

basis on which the rules of procedure rested, and would therefore vote against the French proposal.

57. Mrs. FIGUEROA (Chile) said that the President's suggestion which was now sponsored by the French delegation, although somewhat less radical than the joint amendment, would serve the same ends and did not therefore represent a real compromise. It could have been regarded as such while the joint amendment was still before the Council, but now that it had been withdrawn no attempt towards achieving a compromise was necessary. She had already pointed out the weaknesses of the President's suggestion and for the sake of consistency her delegation would therefore vote against it. The more powerful delegations who wished to use their influence to limit debate could always make use of it and of their prestige to achieve that end within the framework of the Council's rules of procedure.

58. Mr. KOTSCHNIG (United States of America) observed that when he had first proposed that a vote should be taken on the joint amendment he had said that if it were rejected, he would vote for the President's suggestion. He had subsequently withdrawn his proposal only on the understanding that the President's suggestion offered a compromise. He had also understood that the Chilean representative had at an earlier stage accepted the President's suggestion as a compromise solution. In the circumstances, he hoped that other delegations would maintain their support for the President's suggestion, sponsored by the French representative as a compromise and assured the Council that he had no intention of putting forward any further compromise proposals.

59. The PRESIDENT explained that the lateness of the hour and the reduced secretariat facilities obliged him to propose the closure of the debate in accordance with rule 47 of the rules of procedure.

60. Mr. YU (China) considered that, since the subject had not been exhausted and delegations were not in a position to see clearly exactly what position they should take, the closure of the debate would be unfortunate. He therefore opposed the President's proposal.

The motion for the closure of the debate was carried by 12 votes to 4, with 2 abstentions.

61. The PRESIDENT put to the vote the French proposal that the text of the President's suggestion (E/L.297) should be added as a new paragraph following on paragraph 7 in section A I of the draft resolution.

The French proposal was rejected by 9 votes to 8, with one abstention.

62. The PRESIDENT drew attention to the United Kingdom amendment (E/L.283) to section A II in the draft resolution.

63. Mr. CORLEY SMITH (United Kingdom) explained that his amendment to the effect that the question of full employment should be included on the Council's agenda each year, arose out of the termination of the Economic, Employment and Development Commission. His delegation considered that certain duties which had devolved upon that Commission, such as the receiving of reports and the detailed study and analysis of them—functions which were not specified in section A II—should be taken over by the Council.

64. Mr. MOROSOV (Union of Soviet Socialist Republics) said that the Soviet Union delegation had no objection to the question of full employment being included in the agenda of each of the Council's sessions. But the United Kingdom amendment contained a preamble recalling certain decisions taken by the Council in the absence of the Soviet Union delegation. He therefore requested that a separate vote be taken on the operative part of the amendment, since his delegation wished to vote in favour of it.

65. The PRESIDENT declared the debate on the United Kingdom amendment closed and put to the vote the operative part of the United Kingdom amendment.

The operative part of the United Kingdom amendment (E/L.283) was adopted by 16 votes to none, with 2 abstentions.

66. The PRESIDENT proposed that the Council should vote on section A as a whole on the basis of a complete text, at the beginning of its next meeting.

It was so agreed.

67. The PRESIDENT called attention to the United States draft resolution (E/L.295) which applied to all three sections of the draft resolution dealing with the organization of the Council and its commissions.

The United States draft resolution was adopted by 15 votes to 3.

68. Replying to Mrs. FIGUEROA (Chile), the PRESIDENT stated that a vote had not been taken on paragraph 7 of section A I, since the Council had only been voting on paragraphs to which amendments had been proposed. Any delegation would be free to move that a separate vote be taken on specific paragraphs when section A was put to the vote as a whole.

The meeting rose at 6.35 p.m.