

SIXTH COMMITTEE: ORGANIZATION

SUMMARY RECORD OF THE TWENTY-FIRST MEETING

Held at the Capitol, Havana, Cuba

Tuesday, 27 January 1948, at 10.30 a.m.

Chairman: Mr. E. COLBAN (Norway)

1. SECOND READING OF ARTICLE 68 (MEMBERSHIP) (DOCUMENT E/CONF.2/C.6/5)

INCLUDING DISCUSSION OF THE AMENDMENTS OF THE DELEGATIONS OF PERU

AND MEXICO SET OUT IN DOCUMENT E/CONF.2/C.6/12

Mr. ALAYZA (Peru), referring to the proposal made by his delegation that the words "whose membership has been approved by the Conference," should be deleted from paragraph 2 of Article 68, said that very grave problems of a political nature might arise if those words were retained in the Charter. Membership of the Organization should be open to all countries which accepted the Charter. Paragraph 2 should apply only to those states with full political sovereignty, and the Peruvian delegation saw no reason for making such states await the approval of the Conference once they had accepted the Charter.

Mr. KELLOGG (United States) pointed out that Article 4 of the United Nations Charter gave the assembly the right to pass on applications for membership. The same provision was contained in the Charters of most inter-governmental organizations. It was desirable that a provision giving an organization the right to protect itself from any kind of difficulties which might be presented by applications which it considered undesirable should be retained. He suggested that the matter should be considered by a working group.

Mr. TINOCO (Costa Rica) shared the views expressed by the representative of Peru. If a State had been accepted as a Member of the United Nations then it should automatically be granted membership in the Organization if it accepted the Charter. If the matter were to be referred to a Working Party, he would suggest that the words "Member of the United Nations" should replace the words "State" in the first line of paragraph 2.

/Mr. AUGENTHALER (Czechoslovakia)

Mr. AUGENTHALER (Czechoslovakia) supported the proposal of the representative of the United States.

Mr. de GAIFFIER (Belgium) was opposed to the deletion of the phrase in question. Paragraph 2 embodied a legal safeguard and guarantee for the Organization which the Belgian delegation wished to see retained. The Organization should be allowed some discretion as to the states it desired as members, and should be in a position to reject applications for membership from states which were opposed to the purposes and objectives of the Organization.

Mr. MARTEN (United Kingdom) said that as far as the Members of the United Nations not present at the Conference were concerned, he agreed that it would be unnecessary for the Conference to have to approve their application for membership. Referring to those States which were not Members of the United Nations and were not represented at the Conference, he considered that it would be wise to retain a provision by which the Conference would have the right to approve or disapprove their applications for membership.

It was agreed that the representatives of Costa Rica, Belgium, Czechoslovakia, Peru and the United States should form a working group to consider the proposal made by the delegation of Peru.

The proposal of the delegation of Mexico to delete from paragraph 2 the phrase as amended up to the date of such acceptance was in the light of discussion withdrawn.

Mr. MONDELLO (Italy), said that, the present wording of paragraph 4 might lead to a misunderstanding that Trieste was being assimilated to a Trust Territory. He suggested that paragraph 5 should refer to Trieste and paragraph 6 to Trust Territories.

Mr. AUGENTHALER (Czechoslovakia) suggested that sub-paragraph (a) should read: "Free Territory of Trieste and other territories for which the United Nations may establish special regimes."

Mr. MACHADO (Cuba) suggested that the words "by a two-thirds majority" should be inserted after the word "determine".

It was decided to form a drafting group consisting of the representatives of Italy, Cuba, Mexico and the United States to redraft paragraph 5 in the light of the amendments suggested.

It was agreed that the Chairman and Secretary should draft the explanatory note suggested by the representative of Ceylon.

Pending the receipt of the reports of the two working groups Article 68 was approved on second reading.

/Mr. COREA (Ceylon)

Mr. COREA (Ceylon) said that a technical difficulty arose out of the wording of paragraph 1, sub-paragraph (b) in connection with the customs territories of Burma and Ceylon. At the time of the coming into force of the Charter Burma would probably be an independent State and Ceylon would soon reach political independence. In that case those two countries would accept the Charter directly and not through the competent Member. He asked whether an explanatory note could be placed in the Charter pointing out that customs territories invited to the Conference which had since attained political independence would be permitted to convey their acceptance of the Charter directly to the Organization

2. SECOND READING OF ARTICLE 71 (COMPOSITION OF THE CONFERENCE) (DOCUMENT E/CONF.2/C.6/8) INCLUDING DISCUSSION OF THE AMENDMENT OF THE DELEGATION OF IRAQ SET OUT IN DOCUMENT E/CONF.2/C.6/12

Mr. HAIDER (Iraq), referring to the amendment submitted by his delegation that paragraph 3 of Article 71 should be deleted, said that it was very important for small nations to be able to be represented by another Member. The small nations had to consider the cost involved in sending representatives to international conferences, and owing to the lack of experts in the underdeveloped countries it was very difficult to find enough of them to attend all international conferences which often took place at the same time in countries far apart.

Article 71 was Approved in the Second Reading with the Deletion of Paragraph 3.

Second Reading of Article 73 (Document E/CONF.2/C.6/14)

After a thorough discussion the following text of paragraph 1 was accepted:

"The Conference shall meet at the seat of the Organization in regular annual session and in such special sessions as may be convoked by the Director-General at the request of the Executive Board or of one-third of the Members. In exceptional circumstances the Executive Board may decide that the Conference shall be held at a place other than the seat of the Organization."

Paragraph 2 was accepted without change from the text approved on first reading.

It was agreed that a United Kingdom amendment to paragraph 1 of Article 99 should be referred to the Sub-Committee dealing with Articles 95 to 100, without previous discussion in the Sixth Committee.