

COMMITTEE VI: ORGANIZATION

STATEMENT BY THE CHAIRMAN OF SUB-COMMITTEE I CONCERNING THE
REPORT OF THAT SUB-COMMITTEE (E/CONF.2/C.6/93) MADE
AT THE MORNING MEETING ON
9 MARCH 1948

Comments with Regard to Article 83A

In response to a question put to me by the delegate of Cuba, I would like to point out that it was the view of the Sub-Committee that the word "measure" mentioned in the text of paragraph 3 of Article 83A and also mentioned in the Interpretative Notes to that paragraph and in the Report of the Sub-Committee, refers only to a measure which is taken directly in connection with a political matter brought before the United Nations in accordance with Chapters IV and VI of the United Nations Charter, -- and does not refer to any other measure.

I would suggest that this statement be recorded in the Report of the Committee in order to satisfy the delegate of Cuba.

During the discussion of the Report of the Sub-Committee objection has been made to the third sentence in paragraph 15 on page 3. That sentence reads: "It was agreed also that under this provision the Member maintaining the measure could, so far as this Charter is concerned, continue that measure so long as it felt that the circumstances were unchanged from that Member's point of view."

In view of the criticism which was stirred up by this sentence I have discussed the matter with several members of the Sub-Committee and would like to suggest the following sentence to take the place of the above sentence:

"It was also agreed that such a measure, as well as the political matter with which it was directly connected, should remain within the jurisdiction of the United Nations and not within that of the Organization."

The third suggestion which I would like to make would be that the first sentence suggested by the delegation of South Africa in its amendment to the proposed paragraph 3 of Article 83A be adopted by this Committee and inserted
/at the beginning

at the beginning of paragraph 3 as drafted by the Sub-Committee. In other words the paragraph would then begin:

"3. The Members recognize that the Organization should not attempt to take action which would involve passing judgment, in whole or in part, on essentially political issues. Accordingly, in order to avoid conflict, etc."
