

SIXTH COMMITTEE: ORGANIZATION

SUMMARY RECORD OF THE TWENTY-THIRD MEETING

Held at the Capitol, Havana, Cuba,
Monday, 2 February 1948 at 10.30 a.m.

Chairman: Mr. Erik COLBAN (Norway)

1. SECOND READING OF ARTICLE 72 (VOTING IN THE CONFERENCE)
(DOCUMENT E/CONF.2/C.6/57)

Paragraph 1.

Mr. HOLMES (United Kingdom) stressed that, in order for the Organization to carry out its responsibilities effectively, the fullest use should be made in its structure of countries of chief economic importance. Provision should be made for a system of weighted voting and also for continuity of representation on the Executive Board. However, the United Kingdom delegation was quite content that the matter should be discussed on the basis of one state - one vote, but suspended its final judgement until the Charter had been drafted as a whole.

Mr. COUILLARD (Canada) associated himself with the statement by the representative of the United Kingdom. Canada's position regarding Article 72 was closely related to that concerning Article 75.

Paragraph 1, Alternative A of the Geneva text of Article 72 was approved on second reading.

Paragraph 2. (Document E/CONF.2/C.6/12 Netherlands amendment)

Mr. SPEEKENERINK (Netherlands) stated that the intention of his amendment was to prevent a hasty decision being taken with no possibility of regress, but in view of recent discussions on other articles of the Charter regarding the two-thirds majority vote, he wondered if it had lost its previous usefulness.

After some discussion, the CHAIRMAN proposed that the amendment should read "....provided that the rules of procedure of the Conference may permit a Member to request a second vote....."

Paragraph 2 of Article 72 was approved as amended by the representative of the Netherlands and the Chairman.

/2. CONSIDERATION

2. CONSIDERATION OF THE REPORT OF THE SUB-COMMITTEE ON PARAGRAPH 5 OF ARTICLE 68 (MEMBERSHIP) (DOCUMENT E/CONF.2/C.6/55).

Mr. MARTEN (United Kingdom) as Chairman of the Sub-Committee, pointed out that the first words of paragraph 5 of Article 68 should read: "The Conference shall determine, by a two-thirds majority of the votes cast, the conditions upon which, in each individual case, membership rights and obligations shall be extended to...."

Mr. KELLOG (United States) and Mr. de GAIFFIER (Belgium) opposed the provision for a two-thirds majority vote.

Mr. MACHADO (Cuba) said his delegation had proposed the two-thirds majority because it did not consider it appropriate for those territories governed by an international organization to be placed on an equal footing with sovereign states by a mere majority vote in the Conference.

Mr. AUGENTHALER (Czechoslovakia) believed that there would be no practical difficulty entailed because the Organization would execute the United Nations' decisions. His opinion was confirmed by the CHAIRMAN that only upon a request from such a territory would it be considered for membership in the Organization.

After further discussion, the Chairman took the sense of the Committee on the Report. By a small majority the Report was adopted.

3. CONTINUATION OF SECOND READING OF ARTICLE 80 (COMPOSITION AND PROCEDURE OF COMMISSIONS) (DOCUMENTS E/CONF.2/C.6/25 AND E/CONF.2/C.6/12/Add.16).

The CHAIRMAN proposed that the Costa Rican amendment to paragraph 1 of Article 80 should be amended to read: "Not more than one person of the same nationality shall be a member of the same commission."

Mr. KELLOG (United States) proposed, and the representative of Costa Rica agreed, that as the position of the members of commissions would be very much that of international civil servants established in paragraph 1 and 2 of Article 85, and provided that the sense of the Committee regarding geographical distribution was made clear, the Costa Rican amendment should be put into the Report of the Committee rather than added to paragraph 1 of Article 80.

Mr. MARTEN (United Kingdom) was opposed to the Costa Rican amendment. He proposed that the word "normally" should be inserted at the beginning of the sentence.

The CHAIRMAN, replying to the representative of New Zealand, who suggested that the amendment should be redrafted to cover the case of members of the British Commonwealth of Nations, proposed that the amendment to paragraph 1 should read: "Not more than one person national of one Member shall etc."

/Mr. TINOCO

Mr. TINOCO (Costa Rica) accepted the proposal made by the representative of the United Kingdom that the word "normally" should be inserted at the beginning of the proposed amendment, and agreed with the wording proposed by the Chair to cover the point raised by the representative of New Zealand.

It was agreed that the proposal of the representative of Costa Rica should be inserted in the Report of the Committee. Article 80 was then adopted as approved on first reading.

4. CONTINUATION OF SECOND READING OF ARTICLE 83 (THE STAFF) (DOCUMENTS E/CONF.2/C.6/29, E/CONF.2/C.6/37 AND E/CONF.2/C.6/12/Add.14).

Mr. OLDINI (Chile) referring to the amendment to paragraph 5 of Article 83 submitted by his delegation, again emphasized the great importance which the delegation of Chile attached to the requirements that appointments to the staff of the Organization should be on as wide a geographical basis as possible, should represent the various types of world economy and that only those persons with the highest standard of impartiality, efficiency, competence and integrity should receive appointments.

Mr. KOJEVE (France) said that the Sub-Committee which had been studying Article 75 had agreed that members of the Executive Board should represent the various types of world economy, and he considered that the same principle should be followed in the recruitment of the staff. He felt, however, that paragraph 2 of the proposed amendment was somewhat rigid.

Mr. COOMBS (Australia) did not object to paragraph 1 nor to the first part of paragraph 2. He did not agree, however, with the insertion of the words "subject to the aforementioned conditions" in the second sentence of paragraph 2.

Mr. de GALFFIER (Belgium) said his delegation could not support the Chilean proposal. It was not clear what was meant by the words "various types of economy". The amendment suggested would place the Director-General in a very delicate position, and the Belgian delegation considered that, in the recruitment of staff, emphasis should be laid on the integrity and experience of candidates rather than on their impartiality.

Mr. MARTEN (United Kingdom) supported the remarks of the representative of Australia. He said it would be unwise for the Organization to depart from the principles laid down in Article 101 of the Charter of the United Nations. There might be some reason for mentioning in the second sentence of paragraph 2 of Article 83 that "due regard shall be paid to the importance of as wide a geographical basis as possible" and to the "importance of including representatives of the various types of economy".

Mr. AUGENTHALER (Czechoslovakia) was in general agreement with the idea expressed in the amendment submitted by the delegation of Chile, and felt

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that it should be mentioned in the Report. He considered that the words "various types of economy" might be misinterpreted and that they should be deleted.

Mr. SPEEKENERINK (Netherlands) supported the suggestion that the words "various types of economy" should be deleted, and agreed with the remarks of the representative of the United Kingdom.

Mr. OLDINI (Chile), referring to the remarks of those representatives who were opposed to his amendment, said that all his delegation wished to ensure was that from the outset the staff of the new organization would be absolutely impartial and that all Members would be equitably represented.

He agreed with the amendment suggested by the representative of France but could not agree to the deletion of the phrase "subject to the aforementioned conditions".

Mr. NORIEGA-MORALES (Guatemala) said that past experience regarding the selection of experts and staffs of international organizations made him support the remarks of the representative of Chile and the amendment suggested by the delegation of Chile. It was essential for an international staff to be completely impartial.

Mr. MacLIAM (Ireland) suggested that it should be left to the Conference to decide what rules should be followed in appointing the staff. He therefore proposed that paragraph 1 of Article 83 should remain as at present drafted and that paragraph 2 should begin: "Regulations for the appointment of Deputy Director-Generals and further members of the Staff shall be made by the Conference with due regard to the desirability of securing persons on as wide etc.". The second sentence of the present paragraph 2 should then follow, the words "subject to the aforementioned etc." being deleted, but the word "impartiality" maintained.

Mr. ALAYZA (Peru) supported the amendment submitted by the delegation of Chile.

Mr. FEDRANO (Argentina), in supporting the amendment suggested by the delegation of Chile, pointed out that he had emphasized the same principles as those contained in the amendment when the composition of the Executive Board was being discussed.

Mr. KARMARKAR (India) said that there had been complaints in India of the way in which the staff of the United Nations had been recruited. He was anxious that there should be no ground for complaint regarding the recruitment of staff for the Trade Organization and his delegation therefore supported the Chilean amendment.

Mr. RIVERA (Colombia) agreed with the amendment proposed by the /representative

representative of Chile, but felt that some doubts might arise as to its drafting.

It was agreed that a Sub-Committee consisting of the representatives of Australia, Belgium, Chile, Colombia, France, Ireland, and Peru, should be set up to consider the amendment proposed to Article 83 by the delegation of Chile.