

UNCIO - Working papers - summary report of 25th meeting
of committee

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COMMISSION II General Assembly

Committee 2 Political and Security Functions

Gavel

SUMMARY REPORT OF TWENTY-FIFTH MEETING OF COMMITTEE II/2

Veterans Building, Room 202, June 20, 1945, 4:30 p.m.

The Chairman opened the meeting at 4:30 p.m.

1. Consideration of Paragraph 3, Section B, Chapter V

The Chairman said that the history of this paragraph was set out in the Note by the Secretariat (WD 385, II/2/56). There remained now only one question to answer, to be found on page 2 of this Note, viz:

"Should the General Assembly be the body empowered to expel?"

The Delegates of the Union of South Africa, Belgium, and Uruguay expressed their intention to abstain from voting on the procedural aspect of expulsion now before the Committee. They had consistently opposed the inclusion in the Charter of a provision for expulsion when the question of conditions for expulsion was discussed by Committee I/2, considering that suspension was sufficient.

The Delegate of India stated that his Delegation had voted against expulsion in Committee I/2 and, if he now voted on the procedural aspect, the vote should not be interpreted as indicating any change of opinion in favor of expulsion.

The Delegate of Norway said that his Delegation had at first opposed expulsion, but had become convinced that in certain conditions such a measure might be needed.

The Chairman explained that an affirmative answer to the question quoted above would mean that the Assembly should be the only body involved in expulsion, as contrasted with the Dumbarton Oaks text which provided for expulsion by the Assembly on recommendation of the Security Council.

Decision: Question negatived by 22 votes to none.

The Chairman then put the following text for the first part of Paragraph 3 to the vote, as follows:

"The General Assembly, upon recommendation of the Security Council, may at any time suspend from the exercise of the rights or privileges of membership any member of the Organization against which preventive or enforcement action shall have been taken by the Security Council. The exercise of these rights and privileges may be restored by decision of the Security Council."

Decision: Text approved by 26 votes to none.

The Chairman then put the second part of the paragraph to the vote, as follows:

"The General Assembly, upon recommendation of the Security Council, may expel from the Organization any member which persistently violates the principles contained in the Charter."

Decision: Text approved by 23 votes to 2.

2. Reconsideration of first part of Paragraph 1, Section B, Chapter V.

The Chairman reminded the meeting that this matter had been raised, during the discussion of the Rapporteur's Report at the previous meeting, on a motion by the Delegate of the Soviet Union. The discussion had been adjourned, and meanwhile the Steering Committee, on a recommendation from the Executive Committee, had appointed a subcommittee, composed of the Chairman of the Conference and the Delegates of Australia and the Soviet Union, to find an agreed formula. The Steering Committee agreed to recommend that the paragraph be referred back to Committee II/2, on the understanding that a formula should meanwhile be sought. He was happy to say that this had now been found.

The Delegate of Australia formally moved the adoption, in place of the text on page 8 of the Rapporteur's Report, of the wording set out in Doc. 1116, II/2/57. Recalling the history of the paragraph, he submitted that the form of words now moved, which had the unanimous support of the subcommittee to which the Chairman had referred, deserved the same support in Committee II/2. By this formula, the Assembly's field of discussion would be as wide as the scope of the Charter itself. He wished to express his appreciation of the part played by Senator Vandenberg, Mr. John Foster Dulles and Ambassador Gromyko in finding a solution to this perplexing problem.

The Delegate of the United States felt that the new form of words preserved the character of the Assembly as tomorrow's

"town meeting of the world", and demonstrated the capacity of men of good will in the United Nations Conference to find common ground in face of difficulties. He added that Dr. Evatt, who had been throughout the champion of the integrity of the Assembly, deserved the gratitude of all concerned.

The meeting recessed at 5:30 p.m., in order to permit members to attend the meeting of the Steering Committee at that hour, and re-convened at 6:00 p.m.

On the resumption of the discussion, the Delegate of Belgium asked to go on record as stating that the Committee had arrived at the end of a long debate, which had occupied it for many meetings. Much might be said about this debate; twice, indeed, a formal vote taken in the Committee had been held in question, which was, to say the least, a disputable proceeding. But since the atmosphere was now one of agreement, and since the present spirit seemed to be to favor the result despite the method by which it was reached, it would be ungracious of him to insist now on the maintenance of the original wording and thus to cast himself for the role of guardian of orthodoxy and principle. Nonetheless, one delicate question still arose. The formula for Paragraph 1 now circulated had not been officially communicated to members before the meeting. In consequence, those who had not taken part in the work of the subcommittee of the Steering Committee had now no opportunity to refer back to their delegations, and might find themselves embarrassed. Fortunately, for its part, the Belgian Delegation was free to declare its position in the meeting. He therefore supported, in the name of his Delegation, the new wording before the meeting. He did this the more willingly in that the formula had been accepted by the Delegation of the United States, for whose mediation he was grateful, and by the Australian Delegation, at whose side the Belgian Delegation had consistently sustained the good fight for democracy.

Other delegates paid homage to Dr. Evatt as the defender of the rights of small nations and expressed their willingness to vote for the compromise text. The Delegate of Egypt deplored a certain ambiguity in the new wording, due partly to its definition by reference of the Assembly's power to discuss; but added that he put his trust for the future of the Assembly in the spirit of the peoples represented thereon.

The Chairman then put to a vote the proposal to substitute the following words for the text of the first part of Paragraph 1:

"The General Assembly has the right to discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter, and, except as provided in paragraph 2(b) of this section, to make recommendations to the members of the United Nations

or to the Security Council or both on any such questions or matters."

Decision: Text approved by 38 votes to none.

The Chairman then put Section 8 of the Rapporteur's Report, as amended by the above decision, to a vote.

Decision: Approved by 36 votes to none.

The meeting then approved the Chairman's proposal that the Rapporteur be empowered to make the alterations in his Report required by the above decisions.

The Delegate of the United States thanked the Rapporteur on behalf of the members of the Committee for his admirable Report, and also expressed on their behalf his appreciation of the ability, patience, and generosity with which the Chairman had conducted the work of the Committee. The Chairman, he said, had earned the regard of all his colleagues, and he asked him to accept from them, and as a token of good will from the host country, the gavel he had used during the meetings of the Committee.

The Delegates acclaimed this tribute, and the Chairman, accepting the gavel, expressed his deep gratitude to his colleagues for their expression of good will.

The Rapporteur also expressed his sense of gratitude, and invited the Committee to include the names of the Secretary and his colleagues in their expression of appreciation.

The meeting adjourned at 6:40 p.m.