

XV

RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

361 (IV). Approval of a supplementary agreement with the Universal Postal Union concerning the use of the United Nations *laissez-passer*

The General Assembly

Approves the supplementary agreement¹ between the United Nations and the Universal Postal Union signed on 13 and 27 July 1949 concerning the use of the United Nations *laissez-passer*.

*235th plenary meeting,
22 October 1949.*

362 (IV). Methods and procedures of the General Assembly

The General Assembly,

Having regard to its resolution 271 (III)² of 29 April 1949 relating to the appointment of a Special Committee on Methods and Procedures of the General Assembly,

Having considered the report³ of the Special Committee and the conclusions reached therein,

Mindful of the importance of adapting its organization and procedures to its increasing responsibilities,

1. *Expresses* its satisfaction with the work performed by the Special Committee on Methods and Procedures of the General Assembly;

2. *Approves* the amendments and additions to its rules of procedure, as set forth in annex I to the present resolution;

3. *Decides* that these amendments and additions shall enter into force on 1 January 1950;

4. *Approves* the recommendations and suggestions of the Special Committee, as set forth in annex II to the present resolution;

5. *Considers* these recommendations and suggestions to be useful and worthy of consideration by the General Assembly and its committees, and requests the Secretary-General to prepare a document embodying the above-mentioned recommendations and suggestions in convenient form for use by the General Committee and the delegations of Member States in the General Assembly;

Considering that the study of factors affecting the duration of General Assembly sessions should be pursued by making use of the experience gained during future sessions of the General Assembly,

¹ See *Official Records of the fourth session of the General Assembly, Annex to the Sixth Committee*, document A/944.

² See *Official Records of the third session of the General Assembly, Part II, Resolutions*, page 17.

Without prejudice to any initiative which Member States may take in this respect,

6. *Requests* the Secretary-General to carry out appropriate studies and to submit, at such times as he may consider appropriate, suitable proposals for the improvement of the methods and procedures of the General Assembly and its committees, including proposals to extend the use of mechanical and technical devices;

7. *Requests*, in particular, the Secretary-General to make the "thorough legal analysis", suggested by the Special Committee, of the questions raised in paragraph 34 of the report of the Special Committee, taking into account the proposal submitted to the Sixth Committee by the Belgian delegation⁴ and the discussions in the Sixth Committee and in the plenary meeting, and to submit a report to the fifth regular session of the General Assembly.

*236th plenary meeting,
22 October 1949.*

Annex I

Amendments and additions to the rules of procedure of the General Assembly

NEW RULE 1 (a)

Duration of session

On the recommendation of the General Committee, the General Assembly shall, at the beginning of each session, fix a target date for the closing of the session.

REVISED RULE 14

Additional items

Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a regular session or during a regular session, may be placed on the agenda, if the General Assembly so decides by a majority of the Members present and voting. No additional item may be considered until seven days have elapsed since it was placed on the agenda, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides otherwise, and until a committee has reported upon the question concerned.

REGULAR AND SPECIAL SESSIONS*

NEW RULE 19

Explanatory memoranda

All items proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft resolution.

³ See *Official Records of the fourth session of the General Assembly, Supplement No. 12*.

⁴ See *Official Records of the fourth session of the General Assembly, Sixth Committee, 156th meeting, paragraph 65*.

* Existing rule 19 will become 19 (a).

NEW RULE 19 (b)

Amendments and deletions of items

Items on the agenda may be amended or deleted by the General Assembly by a majority of the Members present and voting.

NEW RULE 19 (c)

Debate on inclusion of items

Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of and three against the inclusion. The President may limit the time to be allowed to speakers under this rule.

REVISED RULE 31

General powers of the President

In addition to exercising the powers which are conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the session, shall direct the discussions in plenary meeting, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order, and, subject to these rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat. The President may, in the course of the discussion of an item, propose to the Assembly the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion.

NEW RULE 31 (a)

The President, in the exercise of his functions, remains under the authority of the General Assembly.

REVISED RULE 33

Composition

The General Committee shall consist of fourteen members no two of whom shall be members of the same delegation, and shall be so constituted as to ensure its representative character. It shall comprise the President of the General Assembly, who shall preside, the seven Vice-Presidents and the Chairmen of the six Main Committees. Chairmen of other committees upon which all Members have the right to be represented and which are established by the General Assembly to meet during the session, shall be entitled to attend meetings of the General Committee and may participate without vote in the discussions.

REVISED RULE 35

Functions

The General Committee shall, at the beginning of each session, consider the provisional agenda, together with the supplementary list, and shall make recommendations to the General Assembly with regard to each item proposed, concerning its inclusion in the agenda, the rejection of the request for inclusion, or the inclusion of the item in the provisional agenda of a future session. It shall, in the same manner, examine requests for the inclusion of additional items in the agenda, and shall make recommendations thereon to the General Assembly. In considering matters relating to the agenda of the General Assembly, the General Committee shall not discuss the substance of any item, except in so far as this bears upon the question of whether the General Committee should recommend the inclusion of the item in the agenda, the rejection of the request for inclusion, or the inclusion of the item in the provisional agenda of a future session, and what priority should be accorded to an item the inclusion of which has been recommended.

NEW RULE 35 (a)

The General Committee shall make recommendations to the General Assembly concerning the closing date of the session. It shall assist the President and

the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in the co-ordination of the proceedings of all committees of the General Assembly. It shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

NEW RULE 35 (b)

The General Committee shall meet periodically throughout each session to review the progress of the General Assembly and its committees and to make recommendations for furthering such progress. It shall also meet at such other times as the President deems necessary or upon the request of any other of its members.

X(a). MINUTE OF SILENT PRAYER OR MEDITATION

NEW RULE 56 (a)

Immediately after the opening of the first plenary meeting and immediately preceding the closing of the final plenary meeting of each session of the General Assembly, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation.

REVISED RULE 59

Discussion of Committee reports

Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the Members present and voting at the plenary meeting consider such a discussion to be necessary. Any proposal to this effect shall not be debated, but shall be immediately put to the vote.

REVISED RULE 64

Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote and the President's ruling shall stand unless overruled by a majority of the Members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

REVISED RULE 65

Time-limit on speeches

The General Assembly may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.

REVISED RULE 67

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

REVISED RULE 68

Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the General Assembly is in favour of the closure, the President shall declare the

closure of the debate. The President may limit the time to be allowed to speakers under this rule.

REVISED RULE 69

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

REVISED RULE 72

Decisions on competence

Subject to rule 70, any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

REVISED RULE 80

Conduct during voting

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The President may permit Members to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations. The President shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

REVISED RULE 81

Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

REVISED RULE 82

Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the General Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

NEW RULE 89 (a)

Priorities

Each Main Committee, taking into account the target date for the closing of the session fixed by the General Assembly on the recommendation of the General Committee, shall adopt its own priorities and meet as may be necessary to complete the consideration of the items referred to it.

REVISED RULE 97

Functions of the Chairman

The Chairman shall declare the opening and closing of each meeting of the committee, shall direct its discussions, ensure observance of these rules, accord the right to speak, put questions and announce decisions.

He shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the committee and over the maintenance of order at its meetings. The Chairman may, in the course of the discussion of an item, propose to the committee the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion.

NEW RULE 97 (a)

The Chairman, in the exercise of his functions, remains under the authority of the committee.

REVISED RULE 98

Quorum

One-third of the members of a committee shall constitute a quorum. The presence of a majority of the members of the committee is, however, required for a question to be put to the vote.

REVISED RULE 102

Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the Chairman in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

REVISED RULE 103

Time-limit on speeches

The committee may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When debate is limited and a representative has spoken his allotted time, the Chairman shall call him to order without delay.

REVISED RULE 105

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time to be allowed to speakers under this rule.

REVISED RULE 106

Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the committee is in favour of the closure the Chairman shall declare the closure of the debate. The Chairman may limit the time to be allowed to speakers under this rule.

REVISED RULE 107

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

REVISED RULE 110

Decisions on competence

Subject to rule 108, any motion calling for a decision on the competence of the General Assembly or

the committee to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

REVISED RULE 117

Conduct during voting

After the Chairman has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The Chairman may permit members to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The Chairman may limit the time to be allowed for such explanations. The Chairman shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

REVISED RULE 118

Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

REVISED RULE 119

Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Annex II

Recommendations and suggestions of the Special Committee on Methods and Procedures approved by the General Assembly

13.^b The Special Committee found that in the past some of the Main Committees of the General Assembly had devoted a particularly large number of meetings to the detailed consideration, article by article, of texts of international conventions. This was even the case where the text of a convention had been drawn up by an international conference on which all Member States had been represented. It was pointed out in this connexion that experience had shown that a Main Committee, by the very fact of its size, was not particularly fitted to draft conventions, and that when it was entrusted with the detailed study of conventions, it often did not have time to deal satisfactorily with the other questions for which it was responsible.

The Special Committee recognizes the importance of the sponsorship of conventions by the General Assembly. It believes that the authority of the General Assembly and the powerful influence its debates have on public opinion should, in many cases, be used for the benefit of international co-operation. It there-

^b The paragraph numbers refer to the paragraphs of the report of the Special Committee on Methods and Procedures. See *Official Records of the fourth session of the General Assembly*, Supplement No. 12.

fore favours the retention by the General Assembly of the necessary freedom of action.

The Special Committee therefore confines itself to recommending that, when conventions have been negotiated by international conferences in which all the Members of the United Nations have been invited to take part, and on which they have been represented, not only by experts acting in a personal capacity but by representatives of Governments, and when these conventions are subsequently submitted to the General Assembly for consideration, the Assembly should not undertake a further detailed examination, but should limit itself to discussing them in a broad manner and to giving its general views on the instruments submitted to it. After such a debate, the General Assembly could, if desirable, adopt the conclusions reached by the conferences and recommend to Members the acceptance or ratification of such conventions.

This procedure might be applied in particular to conventions submitted to the General Assembly as a result of conferences of all Member States convened by the Economic and Social Council under Article 62, paragraph 4 of the Charter.

14. Furthermore, when it is proposed that the General Assembly should consider conventions prepared by groups of experts not acting as governmental representatives, or by conferences in which all Members of the United Nations have not been invited to take part, it would be advisable for the General Committee and the General Assembly to determine whether one of the Main Committees, especially the Legal Committee, would have enough time during the session to examine these conventions in detail, or whether it would be possible to set up an *ad hoc* committee to undertake this study during the session.

If this is not possible, the Special Committee recommends that the General Assembly should decide, after or without a general debate on the fundamental principles of the proposed convention, that an *ad hoc* committee should be established to meet between sessions. Alternatively, the General Assembly might decide to convene a conference of plenipotentiaries between two of its own sessions, to study, negotiate, draft, and possibly sign, the convention. The conference of plenipotentiaries might be empowered by the General Assembly to transmit the instruments directly to Governments for acceptance or ratification. In this case too, the General Assembly might, at a subsequent session, express its general opinion on the convention resulting from the conference, and might recommend to Members its acceptance or ratification.

With regard to the drafting of legal texts, the Special Committee strongly recommends that small drafting committees should be resorted to whenever possible.

20. In order that more frequent meetings of the General Committee should not delay the work of plenary and committee meetings, the Special Committee wishes to mention that it would be desirable for the General Committee to be enabled to meet, whenever necessary, at the same time as the plenary or the Main Committees. (In such cases, one of the Vice-Presidents could take the chair at plenary meetings and the Vice-Chairman could replace the Chairman at Main Committee meetings.)

The Special Committee also considers that in order to save time at the beginning of the session, some of the Main Committees should not wait until the end of the general debate before starting their work.

22. In the past, some of the Main Committees have been allocated more items requiring prolonged consideration than have others. This has especially been the case for the First Committee. The Special Committee noted, however, that, during the third session of the General Assembly, exception had been made to the principle laid down in rule 89, that "items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects".

The Special Committee feels that the allocation of items to committees might be effected in a less rigid manner and that questions which may be considered as falling within the competence of two or more committees, should preferably be referred to the committee with the lightest agenda.

23. Another means of lightening the task of any given Main Committee would be to consider directly in the plenary meeting, without preliminary reference to committee, certain questions which fall within the terms of reference of the Main Committee. This procedure would moreover have the great advantage of reducing to a notable extent repetition of debate.

It is felt that the amount of time saved by this method would be considerable, especially if the Main Committee and plenary meetings could be held concurrently.

If the Main Committee could not meet at the same time as the plenary meeting, the fact that the Committee was not meeting would enable another Main Committee to meet in its place.

The consideration of questions in plenary meetings would have the benefit of the attendance of leaders of delegations and of greater solemnity and publicity. The slightly higher cost to the United Nations of plenary meetings, due in particular to the distribution of verbatim records of the meetings, would undoubtedly be compensated by the shorter duration of the session.

The General Committee would be responsible for suggesting to the General Assembly which items on the agenda might be dealt with in this manner. The Special Committee recommends that this method should be introduced on an experimental basis at future sessions.

The Special Committee is of the opinion that this procedure would be especially appropriate for certain questions the essential aspects of which are already familiar to Members, such as items which have been considered by the General Assembly at previous sessions and which do not require either the presence of representatives of non-member States or the hearing of testimony.

39. At this point the Special Committee desires to stress once more the importance of the role of the President of the General Assembly and of the Chairmen of committees. The satisfactory progress of the proceedings depends essentially on their competence, authority, tact and impartiality, their respect for the rights both of minorities as well as majorities, and their familiarity with the rules of procedure. The General Assembly, or the committee, as the case may be, is the master of the conduct of its own proceedings. It is, however, the special task of the Chairmen to guide the proceedings of these bodies in the best interests of all the Members.

The Special Committee considers that everything possible should be done to help Chairmen in the discharge of these important functions. The President of the General Assembly and the General Committee should assist the Chairmen of committees with their advice. The Secretary-General should place his experience and all his authority at their disposal.

The Special Committee is happy to note the Secretariat's valuable practice of holding daily meetings of the committee secretaries, under the chairmanship of the Executive Assistant to the Secretary-General, where the procedural questions arising from day to day in the General Assembly and committees are thoroughly examined. Furthermore, the Special Committee

⁵ See *Official Records of the Security Council*, Fourth Year, Supplement for April 1949, document S/1298 and Corr.1.

⁶ See *Official Records of the fourth session of the General Assembly, Annex to the Sixth Committee*, document A/967.

stresses the value of having, as in the past, a legal adviser from the Secretariat in attendance at meetings to give the Chairmen or the committee such advice as they may need for the conduct of their business and the interpretation of the rules of procedure.

363 (IV). Application of Liechtenstein to become a party to the Statute of the International Court of Justice

Whereas the Government of the Principality of Liechtenstein, by a letter⁵ dated 6 March 1949 addressed to the Secretary-General, has expressed the desire to learn the conditions under which Liechtenstein could become a party to the Statute of the International Court of Justice.

Whereas Article 93, paragraph 2, of the Charter provides that a State which is not a Member of the United Nations may become a party to the Statute of the Court on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council,

Whereas the Security Council has adopted a recommendation⁶ on this matter,

The General Assembly

Determines, in pursuance of Article 93, paragraph 2, of the Charter and upon the recommendation of the Security Council, the conditions on which Liechtenstein may become a party to the Statute of the International Court of Justice, as follows:

"Liechtenstein will become a party to the Statute on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of the Principality of Liechtenstein and ratified as may be required by the constitutional law of Liechtenstein, containing:

"(a) Acceptance of the provisions of the Statute of the International Court of Justice;

"(b) Acceptance of all the obligations of a Member of the United Nations under Article 94 of the Charter;

"(c) An undertaking to contribute to the expenses of the Court such equitable amount as the General Assembly shall assess from time to time after consultation with the Liechtenstein Government."

*262nd plenary meeting,
1 December 1949.*

364 (IV). Registration and publication of treaties and international agreements

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The General Assembly,

Having considered the report⁷ of the Secretary-General on the registration and publication of treaties and international agreements,

1. *Notes* with satisfaction the progress achieved in regard to the registration and publication of treaties;

⁷ See *Official Records of the fourth session of the General Assembly, Annex to the Sixth Committee*, document A/958.