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**GENERAL
ASSEMBLY**
THIRTY-EIGHTH SESSION
*Official Records**



SIXTH COMMITTEE
58th meeting
held on
Wednesday, 30 November 1983
at 10.30 a.m.
New York

SUMMARY RECORD OF THE 58th MEETING

Chairman: Mr. KNIPPING-VICTORIA (Dominican Republic)

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A/C.6/38/SR.58
5 December 1983

ORIGINAL: ENGLISH

The meeting was called to order at 11.a.m.

AGENDA ITEM 124: PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES (continued)
(A/38/57, A/38/61-S/15549, A/38/89-S/15596, A/38/106-S/15628, A/38/132-S/15675 and Corr.1 and 2, A/38/164-S/15727, A/38/177-S/15743 and Corr.1, A/38/234, A/38/256-S/15809, A/38/267-S/15824, A/38/268-S/15825, A/38/269-S/15826, A/38/303-S/15877, A/38/308, A/38/321-S/15896, A/38/322-S/15900, A/38/324-S/15904, A/38/325-S/15905, A/38/327-S/15911, A/38/330-S/15915, A/38/343, A/38/407-S/15982, A/38/408-S/15983, A/38/432-S/15992, A/38/495-S/16035, A/38/507-S/16044, A/38/529, A/38/599-S/16118 and Corr.1; A/C.6/38/L.9)

AGENDA ITEM 134: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)
(A/38/33, A/38/358, A/38/61-S/15549, A/38/106-S/15628, A/38/132-S/15675 and Corr.1 and 2, A/38/253, A/38/288, A/38/343, A/38/367 and Corr.1, A/38/415, A/38/425, A/38/454; A/C.6/38/L.14)

1. Mr. MEISSNER (German Democratic Republic) said it was understandable that some States felt that the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization had made much less progress at its most recent session than it had in 1982. However, account must be taken of the complex and controversial nature of the proposals submitted to the Special Committee, particularly those on the question of the maintenance of international peace and security.
2. A number of delegations, including his own, had repeatedly stressed that the Special Committee's mandate to submit recommendations to the General Assembly was subject to certain conditions. For instance, paragraph 3 of General Assembly resolution 37/114 emphasized the need to identify proposals which had awakened "special interest" and to accord priority to those on which "agreement", seemed possible. Moreover, the criterion of "general agreement" was referred to in paragraph 6 of that resolution.
3. It had been the Special Committee's practice to establish, at the beginning of each session, an exact timetable for the consideration of the issues before it, and that approach had proved successful. However, it might be more advisable for the Special Committee, after considering questions for a certain length of time, to concentrate on the issues on which agreement seemed possible. Such opportunities had in fact arisen at its most recent session. For instance, the question of rationalization of existing procedures of the United Nations had been considered on the basis of working paper A/AC.182/WG/39, submitted by the delegations of the Philippines and Romania, and the debate had proceeded in a business-like atmosphere. Major progress could have been achieved in that field, had more time been available.
4. His delegation shared the view that draft recommendation A/AC.182/L.29/Rev.1, on the question of the maintenance of international peace and security, was unacceptable because it called into question the fundamental provisions of the

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(Mr. Meissner, German Democratic Republic)

Charter of the United Nations. The draft recommendation would not strengthen the role of the United Nations in international relations and should therefore not be regarded as a matter of priority. The listing of proposals in accordance with paragraph 3 of General Assembly resolution 37/114 and the discussions on the basis of the draft list submitted by Romania (A/AC.182/WG/56 and Add.1-3) had confirmed that the reservations expressed by many members of the Special Committee in respect of several proposals were based on sound principles. His delegation would continue to oppose any attempt to jeopardize the concept of balanced security laid down in the Charter, which focused on the relationship between the Security Council and the General Assembly.

5. It was precisely the basic provisions of the Charter dealing with the structure and functions of the United Nations, particularly those on the Security Council's composition, functions, powers and voting procedures, that were the prerequisite for fulfilment by the United Nations of its task of maintaining international peace and security, through an organ capable of prompt action and vested with the necessary powers.
6. Misuse of that organ's considerable powers in order to further the interests of only one socio-economic system was impossible, owing to the Council's composition, the positions adopted by its permanent members and the principle of unanimity among those permanent members. The relevant provisions of the Charter were in keeping with the realities and demands of the current international situation and protected the vital interests of all States. The principle of unanimity among the permanent members of the Security Council had rightly been described as the key principle of the Charter.
7. It was regrettable that it had not been possible to reach agreement on matters relating to the listing of all proposals on the maintenance of international peace and security, since the listing would give an indication of the existing possibilities for a consensus on the problems in question.
8. There had been a constructive debate in the Special Committee on the peaceful settlement of disputes between States. His delegation was in favour of the preparation of a handbook on that question. However, it was by no means convinced of the desirability of establishing a permanent commission on good offices, mediation and conciliation for the settlement of disputes and the prevention of conflicts among States, as proposed in the annex to document A/38/343. The existing machinery was quite adequate, and it was only the lack of the necessary political will on the part of a number of States that stood in the way of the settlement of disputes in accordance with international law. The principle of free choice of means of settlement was of crucial importance, as stressed in the Manila Declaration on the Peaceful Settlement of International Disputes. However, the proposal that a permanent commission should be established was based on the assumption that one party to a dispute could refer it to the commission, which would not be in keeping with Article 33 of the Charter or with the Manila Declaration. Although the powers vested in the Security Council and the General

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(Mr. Meissner, German Democratic Republic)

Assembly had been clearly established in the Charter and reaffirmed during the drafting of the Manila Declaration, it was now being suggested that a body such as the proposed commission should make specific substantive recommendations concerning the settlement of disputes. Not even the Security Council had such powers, let alone the General Assembly, and it must therefore be concluded that the proposal in question called for a change in the basic provisions of the Charter.

9. Mr. OUYANG Chuping (China) said it was a matter of concern to all States that the role of the United Nations should be strengthened, in view of the intensification of the arms race between the super-Powers, constant acts of aggression, expansionism and armed conflicts.

10. As a result of abuse of the veto, the Security Council often failed to adopt decisions on important international issues or to implement decisions it had already adopted. Moreover, the United Nations was often bypassed when major international issues were discussed. In that connection, he wished to draw attention to the 1982 report of the Secretary-General on the work of the Organization (A/37/1) and to General Assembly resolution 37/67. Since the beginning of the year, the Security Council had been conducting a series of consultations on the report of the Secretary-General, and a note by the President of the Council (S/15971) had recognized the need to give close consideration to all proposals on enhancing the Council's effectiveness, including the recommendations in the report. The Special Committee on the Charter deserved recognition for the results it had achieved, and the 1982 report of the Secretary-General, the relevant General Assembly resolutions and the note by the President of the Security Council would give it impetus in its work.

11. His delegation did not endorse the view that the Special Committee's work was of little significance because the same issues were being considered in the Security Council. That work should in fact be intensified. The Special Committee should continue to consider, on a priority basis, the maintenance of international peace and security. Although it already had before it a number of specific proposals on the strengthening of the role of the Organization in maintaining international peace and security, a study should first of all be carried out on the strengthening of the role of the Security Council, with the note by the President of the Council as a point of reference.

12. Paragraph 8 of that note indicated that a "collegial spirit" should be further developed among the members of the Council. The permanent members should take the lead in fulfilling their obligations under the Charter. Whatever the circumstances, use of the veto should be in keeping with the purposes and principles of the Charter and the common interests of the majority of States Members of the United Nations. As a permanent member of the Council, China was willing to join the other Council members and other Member States in complying strictly with the provisions of the Charter and in contributing to the enhancement of the role of the Security Council. The Council's procedures and methods of work were in need of reform, and serious consideration should be given to the

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(Mr. Ouyang Chuping, China)

suggestions that the Council should: organize consultations between the parties to a dispute before it developed into a conflict; send fact-finding missions; hold regular sessions; and formulate measures to ensure the implementation of its resolutions.

13. In principle, his delegation supported the proposal that a permanent commission on good offices, mediation and conciliation should be established, and believed that the working paper annexed to document A/38/343 could serve as a basis for in-depth consideration, in a working group at the Special Committee's following session, of the proposed commission's terms of reference, structure and methods of work.

14. Mr. LAMAMRA (Algeria) said that neither the arduous drafting of the Manila Declaration nor the intellectual satisfaction derived from certain phases of the Special Committee's work could conceal the fact that no results whatsoever had been achieved in the important sphere of the maintenance of international peace and security, although over 70 proposals had been put forward in that connection. Any flaws in the Special Committee's organization of work were the result of the constraints imposed on it by some of its members. Restrictions on the number of issues on which the Special Committee could focus, taboo subjects and an incapacitating approach to the concept of consensus were among the structural factors responsible for its difficulties. It would therefore be unwise to judge the Special Committee's performance only on the basis of its most recent session, or for that matter, on the basis of any single session. Although the 1983 session had been frustrating, it had not differed fundamentally from any of the preceding sessions.

15. The desire of the great majority of Member States that the Organization should be rehabilitated found expression in the Political Declaration adopted by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, which stressed the need to enhance the effectiveness of the Special Committee on the Charter and strengthen the role of the United Nations. The non-aligned countries had been motivated by the same spirit that had led them to call for a new international economic order and for disarmament, which, together with the necessary democratization of international relations, represented the essential dimensions of a future international community freed from the false values of power and domination.

16. The Special Committee must get off to a fresh start on the basis of more flexible and rational criteria. That required a break with certain practices, a streamlining of its mandate and a reassertion of the value of its work.

17. As to the first of those requirements, there must be a break with the conception of the Special Committee as a throttle-valve for ideas which ran counter to the theory of the untouchability of the Charter. There must also be a break with the spirit in which the work of the Special Committee was conducted and with the practice of negotiations between unequal partners. Lastly, there must be a break with the disturbing tendency of the Special Committee to minimize its subordinate relationship to the General Assembly by refusing to submit proper recommendations to it.

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(Mr. Lamamra, Algeria)

18. Experience had shown that the threefold mandate given to the Special Committee by the General Assembly in its resolution 3499 (XXX) had resulted in undue competition between the three topics to be studied, procedural confrontations on the question of the number of meetings to be assigned to each topic and inadequate consideration of the topics. Concrete measures had been adopted on one topic only, the rationalization of existing procedures of the United Nations. Indeed, discussions on that topic at the eighth session of the Special Committee had shown that there was a chance of reasonable proposals being adopted if they were discussed by a body more action-oriented than the Special Committee. It had also been shown, at that session, that structural reforms suitable for the General Assembly and unquestionably political in scope were conceivable under the topic entitled "Rationalization of existing procedures of the United Nations", but would not be conceivable under the other two topics. In the opinion of his delegation, the rationalization topic should be removed from the mandate of the Special Committee, which would then be able to concentrate on the other two topics. The work on those two topics should also be recast, simplified and revitalized. The Special Committee should be given the mandate to study, at each session, a specific sub-topic and to record conclusions and recommendations in its report.

19. The reassertion of the value of the Special Committee's work should result from the actions he had just suggested and should be accompanied by a review of the rule of consensus. That rule represented a working arrangement which should not be allowed to interfere with the relevant rules of procedure of the General Assembly. Consensus was not the same as unanimity, which implied veto power. Consensus was a means of securing general agreement on the basis of negotiation.

20. Turning to the question of the definitive form to be taken by the results of the Special Committee's work, he said that the production of general declaratory documents was not the only or the best solution. Although that approach had been adopted with regard to peaceful settlement of disputes, it was conceivable that conclusions and recommendations could be transmitted to the General Assembly, so far as possible at reasonable intervals, with respect to the maintenance of international peace and security. The "time" element was an important element in the reassertion of the value of the Special Committee's work. The Special Committee must be able to respond, however imperfectly, to the specific needs of the international community. Although in the short term the action of the United Nations could and should be galvanized within the framework of existing texts, calm collective reflection could show the advisability of applying the provisions of Chapter XVIII of the Charter. Amendments to the Charter had already been made; further amendments would not necessarily be suicidal for the Organization.

21. By its nature and functions, the United Nations was the natural focus of tensions and crises, and the irreplaceable forum for efforts to build peace and promote international co-operation and development. The peoples of the world had reason to be frustrated that it was not doing enough to promote collective security and the mutually supportive development of nations. The paralysis of the Security Council as a result of abuse of the veto had undermined the ideal of the United Nations and its credibility. It was very dangerous, however, to accept with

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(Mr. Lamamra, Algeria)

resignation the erosion of the role of the Organization and to fail to respond enthusiastically and imaginatively to the cry of alarm raised by the great majority of Member States and by the Secretary-General. In order to improve the performance of the United Nations, there would have to be a serious re-evaluation of the functioning of its organs and a thorough review of methods. Nothing should be allowed to stand in the way of efforts in that direction.

22. Mr. TEPAVICHAROV (Bulgaria) said that realization of the great potential of the Charter would substantially strengthen the role and effectiveness of the Organization. The Charter was the principal source of contemporary international law and the legal basis of the many declarations and resolutions that constituted the legal mechanism for regulating international relations. Any revision of the Charter would mean revision of the foundation of that legal mechanism and would inevitably affect the interest of a large number of States. The Charter safeguarded the rights and interests of all States irrespective of their socio-economic systems. Therefore, any review of the basic provisions of the Charter could be effected only in the same way as the Charter itself had been adopted, namely, with the consent of all members of the international community on the basis of their firm conviction that modification was required.

23. At its 1983 session, the Special Committee had given much attention to the question of rationalization of existing procedures of the United Nations. In the opinion of his delegation, strict observance of existing norms constituted an important means of strengthening the role and effectiveness of the Organization without modifying its Charter. His delegation could not accept proposals aimed directly or indirectly at limiting the role of the Organization in dealing with a number of essential political issues, at setting up new main organs of the United Nations or at substantially altering the competence of existing organs. Only proposals on which general agreement could be reached should be considered at future sessions of the Special Committee. Most of the proposals contained in its current report (A/38/33) failed to meet that requirement.

24. In considering the maintenance of international peace and security, the Special Committee had concentrated on the principle of unanimity among the permanent members of the Security Council. Given the prevailing international situation, it was unreasonable to expect that a change in the scope of application of that principle would lead to a strengthening of the role of the United Nations. On the contrary, such a change could upset the balance that had been established and preserved for 38 years and lead to serious abuses with regard to the Security Council's responsibility for the maintenance of international peace and security. The principle of unanimity was the basic prerequisite for the success of efforts to eliminate threats to the peace and security of mankind. The Charter conferred additional rights upon the permanent members of the Security Council on account of their greater responsibility for the maintenance of international peace and security. The permanent members should not be stripped of their rights, but should be helped to exercise them with the necessary sense of responsibility towards the international community. Thus, what was required was not revision of the Charter, but achievement of its enormous potential for strengthening the role of the United Nations in the maintenance of international peace and security.

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(Mr. Tepavicharov, Bulgaria)

25. Turning to the question of the peaceful settlement of disputes, he stressed the importance of the Manila Declaration. Agreement was an imperative prerequisite for the adoption of proposals on the peaceful settlement of disputes. Agreement on such proposals would be impossible if they envisaged revision of the Charter and serious institutional modifications of the existing mechanism for the peaceful settlement of international disputes provided for in Chapter VI of the Charter. The potential of that mechanism had not been used to its full extent.

26. The Special Committee had recorded in its report a number of very useful ideas and proposals. It should normally emphasize those proposals likely to generate general agreement, since the maintenance of international peace and security and the preservation of the credibility of the Organization were the responsibility of all Member States, not only some of them. It was to be hoped that such proposals would be reflected in the draft resolution to be submitted to the Sixth Committee for consideration.

The meeting rose at 12.10 p.m.

United Nations
**GENERAL
ASSEMBLY**
THIRTY-EIGHTH SESSION
Official Records*



SIXTH COMMITTEE
59th meeting
held on
Wednesday, 30 November 1983
at 3 p.m.
New York

SUMMARY RECORD OF THE 59th MEETING

Chairman: Mr. GASTLI (Tunisia)

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- ORGANIZATION OF WORK

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8 December 1983
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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 124: PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES (continued) (A/38/57, A/38/61-S/15549, A/38/89-S/15596, A/38/106-S/15628, A/38/132-S/15675 and Corr.1 and 2 (English only), A/38/164-S/15727, A/38/177-S/15743 and Corr.1, A/38/234, A/38/256-S/15809, A/38/267-S/15824, A/38/268-S/15825, A/38/269-S/15826, A/38/303-S/15877, A/38/308, A/38/321-S/15896, A/38/322-S/15900, A/38/324-S/15904, A/38/325-S/15905, A/38/327-S/15911, A/38/330-S/15915, A/38/343, A/38/407-S/15982, A/38/408-S/15983, A/38/432-S/15992, A/38/495-S/16035, A/38/507-S/16044, A/38/529, A/38/599-S/16118 and Corr.1; A/C.6/38/L.9)

AGENDA ITEM 134: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/38/33, A/38/61-S/15549, A/38/106-S/15628, A/38/132-S/15675 and Corr.1 and 2 (English only), A/38/253, A/38/288, A/38/343, A/38/358, A/38/367 and Corr.1 (English only), A/38/415, A/38/425, A/38/454; A/C.6/38/L.14)

1. Mr. AKDAG (Turkey) said that the position of his Government on the subject of the Charter had been set forth in document A/1013/Add.1 and had been stated several times in the Sixth Committee and in the Special Committee on the Charter. It would be neither just nor reasonable to see the United Nations solely as an international institution which took binding decisions and implemented them by force. Such a procedure was followed as a last resort and only the Security Council was empowered to do so.
2. There was no doubt that the adoption by consensus of the Manila Declaration on the Peaceful Settlement of International Disputes at the thirty-seventh session of the General Assembly had been an important event. His delegation attributed particular importance to the wide dissemination of the Manila Declaration and, above all, to observance of and full implementation of that Declaration. He was pleased to note that the Declaration recognized the importance of direct negotiations among the parties as the most flexible and effective means of settling disputes. However, the provisions of the Declaration concerning the binding jurisdiction of the International Court of Justice did not merit the same support. According to document ST/LEG/SER.E/2, 47 countries had accepted the binding jurisdiction of the Court but had done so with extensive reservations. That demonstrated the hesitancy felt by the great majority of States on the subject. His delegation had supported the idea of drawing up a handbook on the peaceful settlement of disputes right from the beginning.
3. Mrs. LONGARIC (Bolivia) said that one of the principles and purposes of the United Nations related to the peaceful settlement of disputes among States. Bolivia based its foreign policy on that principle and its actions on the international level were guided by complete respect for all pacifist principles. The international situation was far from stable and peaceful and the developing countries continued to struggle to protect their liberty, independence and sovereign equality, determined to resist foreign interference which prevented them from finding a peaceful solution to their problems.

(Mrs. Longaric, Bolivia)

4. The major Powers were not trying hard enough to ease international tension and they had not contributed to the security and stability of the developing countries; nor had they worked together to ward off the danger of possible armed confrontation. That was highlighted by the latest developments in the region, which threatened international peace and security.
 5. Unfortunately, existing United Nations mechanisms had, in many cases, proved impractical and ineffective in solving those problems, which threatened to trigger a world conflagration. Nevertheless, the Manila Declaration provided hope that tensions might be anticipated and that armed conflicts might be averted. The Declaration was a decisive step towards strengthening the principles of the Charter and creating future bases which would lead to the final elimination of the use of force in international relations, and her delegation had consistently expressed its support for it.
 6. She noted with interest the creation of such bodies as the Permanent Commission; the latter should be flexible enough to adapt to emergency situations and to contribute with friendly and effective measures to the implementation of the mechanisms provided for in and prescribed by the Charter.
 7. It was important to point out that the Seventh Conference of Heads of State or Government of Non-Aligned Countries had recalled that the principle of peaceful settlement of disputes remained central to the philosophy of peaceful coexistence. In that connection, account should be taken of all the proposed initiatives, which were designed to achieve understanding among parties affected by situations which might jeopardize world peace and security. Those initiatives included the creation of a permanent commission on good offices, mediation and conciliation.
 8. Just and lasting solutions would be achieved when States faced their international problems in good faith, in a constructive spirit and with mutual recognition of the inalienable rights of peoples.
- AGENDA ITEM 127: REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS SIXTEENTH SESSION (continued) (A/38/17; A/C.6/38/L.15, L.16, and L.18)
9. Mr. TUERK (Austria), introducing draft resolutions A/C.6/38/L.15 and L.16 on the work of the United Nations Commission on International Trade Law, pointed out that Belgium, Cyprus, Jamaica, Morocco, Spain, Trinidad and Tobago and Turkey had joined the sponsors of draft resolution A/C.6/38/L.15. The Committee should adopt the draft resolution by consensus. Cyprus and Japan had joined the sponsors of draft resolution A/C.6/38/L.16 concerning Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance adopted by the United Nations Commission on International Trade Law. He suggested that the draft resolution be adopted without a vote.
 10. On behalf of the sponsors of the two draft resolutions, he stressed once again the tremendous importance they attached to the efforts exerted by UNCITRAL in connection with the progressive harmonization and unification of international trade law as a major contribution to economic co-operation among all States.

11. The CHAIRMAN said that, if there was no objection, he would take it that the Committee adopted draft resolution A/C.6/38/L.15 by consensus.
12. It was so decided.
13. Mr. LAMAMRA (Algeria) said that he unfortunately had doubts concerning the way in which draft resolution A/C.6/38/L.16 dealt with the Uniform Rules on Contract Clauses for an Agreed Sum Due upon Failure of Performance. Too hasty a decision had been taken, despite the fact that some delegations, including his own, had stated in the Committee that Governments should be allowed time to study the substance of the Rules and express their views on the most appropriate form for them to take. The draft resolution apparently ignored the preference that had predominated in UNCITRAL and had been expressed by many speakers in the Committee for a form of implementation of the Rules other than that suggested in the operative paragraph of the draft resolution. As a result of hasty action, the question had been resolved only very partially. It would be much better to postpone the decision for a further year, since the work of UNCITRAL on the topic was not given its due in the draft resolution.
14. Mr. BOUONY (Tunisia) said that he would not criticize the consultations which had been held and the efforts which had been made, especially by the Austrian delegation, with a view to submitting draft resolution A/C.6/38/L.16, but he did regret that the draft was flawed by ambiguities that were reflected in the last preambular paragraph and in the operative paragraph. He doubted whether the draft, as formulated, would serve to harmonize international trade law, and he deplored the fact that the text did not sufficiently reflect the consultations that had been held and, in particular, the ideas expressed in the Committee itself with regard to seeking the comments of Governments on the Uniform Rules before beginning a substantive debate on them.
15. Draft resolution A/C.6/38/L.16 was adopted without a vote.
16. Mr. BERMAN (United Kingdom) said that, although during the debate on the item his Government had stated that it considered it rather unlikely that the Uniform Rules could be implemented in the form in which they had been adopted by UNCITRAL, his delegation, after listening to the introduction of draft resolution A/C.6/38/L.16, had had no objection to its being adopted without a vote.
- AGENDA ITEM 120: CONSIDERATION OF THE DRAFT ARTICLES ON MOST-FAVOURLED-NATION CLAUSES: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/344, A/C.6/38/L.3, L.4, L.17)
17. The CHAIRMAN said that, as a result of his informal negotiations with the delegations that had submitted draft resolutions A/C.6/38/L.3 and A/C.6/38/L.4 under item 120, he had prepared as a compromise a new draft resolution, which appeared in document A/C.6/38/L.17. He drew attention to the specific features of the new draft resolution and expressed the hope that the Committee would adopt it by consensus.

18. Mr. BERMAN (United Kingdom), speaking on behalf of the sponsors of draft resolution A/C.6/38/L.4, said that they were prepared to withdraw it and to adopt instead draft resolution A/C.6/38/L.17 submitted by the Chairman. Although the new text was not entirely in accordance with the views of the group of countries for which he was speaking, it did establish a principle they considered important, namely, that the Committee's decisions on the subject must be adopted in the form of a compromise and as a result of negotiations in which all interested groups were represented.

19. Mr. ASTAPKOV (Byelorussian Soviet Socialist Republic), speaking on behalf of the sponsors of draft resolution A/C.6/38/L.3, said that that draft had been prepared with a view to establishing an international legal instrument on the subject of the most-favoured-nation clause. Although the sponsors believed that a working group of the Sixth Committee offered the best approach for the elaboration of draft articles of that kind and that it might, in the course of its work, arrive at a generally acceptable solution on disputed issues, they had decided to take part in the consultations held under the Chairman's leadership, thus showing their good will, flexibility and constructive attitude. In view of the fact that the draft resolution submitted by the Chairman reflected the view of the overwhelming majority that it was essential to continue working to conclude the elaboration of the draft articles on most-favoured-nation clauses, the sponsors were prepared to withdraw draft resolution A/C.6/38/L.3 in favour of the compromise draft resolution A/C.6/38/L.17.

20. The CHAIRMAN said that, if there was no objection, he would take it that the Committee adopted draft resolution A/C.6/38/L.17 by consensus.

21. It was so decided.

ORGANIZATION OF WORK

22. The CHAIRMAN, replying to comments made by the representatives of Israel, Italy, Brazil and France regarding the Committee's programme of work for its last week of meetings, announced that nine meetings were expected to be held and that a definite programme would be available on Friday, 2 December, at 1 p.m. The President of the General Assembly had insisted that all Committees should complete their work by Friday 9 December.

23. To enable the Committee to study and discuss the outstanding items, including the adoption of draft resolutions, he intended to meet informally with the Chairmen of the regional groups and draw up the timetable for the last week of work. Any delegations wishing to do so could also attend the meeting, since the purpose was to decide on the timetable.

The meeting rose at 4.55 p.m.