22 NOV 1945
SAIDO

DELEGAÇÃO DOS ESTADOS UNIDOS DO BRASIL DBD

Comissão Preparatória das Nações Unidas

Londres, em 31 de outubro de 1945.

21 NOV 1945
N° 17368

N° 21

Recomendações do Comité n° 1
(Assembléa Geral)

602.(04)

Senhor Ministro,

Tenho a honra de passar às mãos de Vossa Excelência o relatório do Senhor Henrique R. Valle a respeito das recomendações do Comité n° 1 (Assembléa Geral), tal como, ao cabo, as adotou o Comité Executivo.

2/2 2. Como Vossa Excelência terá a bondade de verificar, tais recomendações, que são muito minuciosas, estão baseadas no pressupôsto de que a Comissão Preparatória aceite a idéa da divisão em duas fazes da Assembléa Geral e que esta com isso se conforme.

Aproveito a oportunidade para renovar a Vossa Excelência os protestos da minha respeitosa consideração.

Cyro de Freitas-Valle

A Sua Excelência o Senhor P. Leão Velloso,
Ministro de Estado das Relações Exteriores.

Com.Prep.N.U./21/1945/Anéxo único.

Comissão Preparatória das Nações Unidas

Londres, em 31 de outubro de 1945.

S/N

Recomendações do Comité nº 1
(Assembléia Geral)

Senhor Embaixador,

Tenho a honra de passar às mãos de Vossa Excelência o texto das recomendações do Comité nº 1, relativas à agenda provisória, ao regimento interno e à estrutura da Assembléia Geral das Nações Unidas.

2. No que se refere à 1a. recomendação, não foi difícil ao Comité pôr-se de acôrdo sôbre uma agenda provisória cuja composição se confinaria a ítens relativos à constituição da Organização, ficando as questões de substância relegadas a uma simples menção final - "Consideração de outros ítens". O único ponto controverso da agenda é o que se refere à admissão de novos membros, ítem que, aliás, não figura na agenda provisória do Consêlho de Segurança, cuja recomendação é, no entanto, imprescindível para qualquer ação da Assembléia no assunto.

1/1

3. A segunda recomendação refere-se à parte mais

A Sua Excelência o Senhor Embaixador C. de Freitas-Valle,

Representante do Brasil na Comissão Preparatória das Nações Unidas.

T.G.

PART III

CHAPTER I: THE GENERAL ASSEMBLY

Section 1: Recommendation Concerning the General Assembly.

The EXECUTIVE COMMITTEE:

AGREEING that it is most urgent to convene the General Assembly and constitute the other principal organs of the United Nations at the earliest possible moment so that they may perfect their organisation and turn their attention promptly to the consideration of pressing world problems;

BELIEVING that this end can best be attained if the First Session of the General Assembly is divided into two parts, during the first of which the work of the General Assembly would be primarily organisational but would also include, if urgent world problems are raised by any Member, the consideration of such problems or reference of them to the appropriate principal organs and committees which will have been established, and during the second of which the General Assembly would devote itself chiefly to the consideration of substantive items on the agenda;

REALISING that it is necessary for this purpose (a) to prepare a provisional Agenda for the first part of the First Session of the General Assembly, (b) to draw up provisional Rules of Procedure for the General Assembly, including supplementary rules for its First Session, and (c) to make recommendations concerning the organisation of the General Assembly, particularly its committee structure;

RECOMMENDS

1. that the Provisional Agenda contained in Section 2 be approved and transmitted to the General Assembly for adoption;

2. that the Provisional Rules of Procedure and the Supplementary Provisional Rules of Procedure contained in Section 3 be approved and recommended to the General Assembly for adoption as rules for the conduct of business in the first part of the First Session of the General Assembly, with the understanding that the Provisional Rules of Procedure will in due course be examined by the appropriate committee of the General Assembly with a view to adoption as the Permanent Rules of Procedure;

3. that during the first part of the First Session of the General Assembly the Committees described in Section 4 should be established in accordance with the Provisional Rules of Procedure.

Section 2: Provisional Agenda for the First Part of the First Session of the General Assembly

1. Opening remarks of the temporary Chairman.

2. Election of the President.

3. Authorisation of the Executive Secretary and his staff to perform the functions of the Secretary-General and Secretariat respectively, pending the appointment of the Secretary-General.

4. Presentation of the Report of the Preparatory Commission of the United Nations.

5. Adoption of the Provisional Rules of Procedure and Supplementary Provisional Rules of Procedure contained in the Report.

6. Appointment and Report of the Credentials Committee.

7. Election of Vice-Presidents.

8. Establishment of Committees.

9. Adoption of regulations governing the appointment of the temporary staff during the transition period.

10. Approval of the Agenda.

11. Election of the non-permanent members of the Security Council.

12. Consideration of recommendations, if any, from the Security Council relating to the admission of new Members to the United Nations.

13. Appointment of the Secretary-General (as soon as the recommendation is received from the Security Council).

14. Opening of the general discussion on the Report of the Preparatory Commission of the United Nations.

15. Election of the members of the Economic and Social Council.

16. Reference of certain questions arising from the debate to Councils or Committees.

17. Reports from Committees.

18. Adoption of the Committee Reports, including Reports on the following subjects, if referred to Committees:

(a) Rules of Procedure;

(b) The provisional budget, financial organisation and methods of assessing and collecting contributions from Members;

(c) The possible transfer of certain functions, activities and assets of the League of Nations;

(d) The organisation of the Secretariat;

(e) The site of the permanent headquarters of the United Nations;

(f) The physical arrangements for the General Assembly;

(g) The relation between the General Assembly and the Economic and Social Council;

(h) The relation between the specialised inter-governmental organisations and agencies and the United Nations;

(i) Implementation of the provisions of the Charter relating to trusteeship, including the consideration of the establishment of a Temporary Trusteeship Committee.

19. Election of the Judges of the International Court of Justice. (This cannot take place before 15 December 1945.)

20. Consideration of the date and location of the second part of the First Session of the General Assembly.

21. Consideration of other items.

Section 3: Provisional Rules of Procedure of the General Assembly.

I Sessions.

Rule 1

The General Assembly shall meet in regular session commencing on the Tuesday which falls in the period September 3rd to September 9th inclusive.

Rule 2

The General Assembly may fix a date for a special session.

Rule 3

Special sessions of the General Assembly shall also be held within fifteen days of the receipt by the Secretary-General of a request for such a session either from the Security Council or from a majority of the Members of the United Nations.

Rule 4

Any Member of the United Nations may request the Secretary General to summon a special session. The Secretary-General shall thereupon inform the other Members of the United Nations of the request and inquire whether they concur in it. If within thirty days of the date of the communication a majority of the Members concur in the request, a special session of the General Assembly shall be summoned in accordance with the provisions of Rule 3.

Rule 5

Sessions shall be held at the headquarters of the United Nations unless convened elsewhere in pursuance of a decision of the General Assembly at a previous session or at the request of a majority of its members.

Rule 6

The General Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date.

II Convocation.

Rule 7

The Secretary-General shall notify the Members of the United Nations not less than ninety days in advance of the opening of a regular session.

Rule 8

The Secretary-General shall notify the Members of the United Nations not less than ten days in advance of the opening of any special session.

Rule 9

Copies of the notices of convocation for all sessions shall be addressed to all other organs and commissions of the United Nations and to the specialised agencies referred to in Article 57, paragraph 2 of the Charter.

III. Nominations Committee *

Rule 10

At the commencement of each session, the General Assembly shall elect a Committee of eleven members whose duty it shall be to nominate candidates other than the President for functions which carry with them a seat on the General Committee.

Rule 11

The President of the General Assembly shall submit proposals to it regarding the composition of the Nominations Committee.

Rule 12

In nominating the Chairman of the Main Committees of the General Assembly, the Nominations Committee shall, provided that an equitable geographical distribution of the total membership of the General Committee of the General Assembly is assured, be guided by considerations of personal competence.

Rule 13

The members of the General Assembly and the Committees shall retain the right to propose and vote for members other than those nominated by the Nominations Committee.

IV. Delegations.

Rule 14

The Delegation of a Member shall consist of not more than five representatives and five alternate representatives, and as many advisers, technical advisers, experts and persons of similar rank as may be required by the delegation.

Rule 15

The credentials of representatives, and the names of members of Delegations, shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or by the Minister for Foreign Affairs.

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* See footnote in connection with Section 4, paragraphs 14 and 15.

Rule 16

An alternate representative may act as a representative upon designation by the Chairman of the Delegation.

Rule 17

Upon designation by the Chairman of the Delegation, advisers, technical advisers, experts or persons of similar status may act as members of Committees. Persons of this status shall not, however, unless designated as alternate representatives, be eligible for appointment as Chairman or Rapporteurs of Committees or for seats in the General Assembly.

V. Credentials Committee

Rule 18

A Credentials Committee shall be elected at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report without delay.

Rule 19

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives, until the Credentials Committee has reported and the General Assembly has given its decision.

VI. Agenda

Rule 20

The provisional Agenda for a regular session shall be drawn up by the Secretary-General.

Rule 21

The provisional Agenda shall be communicated to the Members of the United Nations, for a regular session not less than ninety days, and for a special session not less than ten days, before the opening of the session.

Rule 22

The provisional Agenda of a regular session shall include:

(a) Report of the Secretary-General on the work of the Organisation;

(b) Reports from the Security Council,
Reports from the Economic and Social Council,
Reports from the Trusteeship Council,
Reports from the International Court of Justice,
Reports from subsidiary organs of the General Assembly,
Reports from specialised agencies (where such reports are called for under agreements entered into);

(c) All items whose inclusion has been ordered by the General Assembly at a previous session;

(d) All items proposed by the other organs of the United Nations;

(e) All items proposed by any Member of the United Nations;

(f) All items pertaining to the budget for the next financial year and the report on the accounts for the last financial year;

(g) All items which the Secretary-General deems it necessary to put before the General Assembly.

Rule 23

Any Member of the United Nations may, at least thirty days before the date fixed for the opening of a regular session, request the inclusion of additional items in the Agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the United Nations at least twenty days before the date fixed for the opening of the session. The General Assembly shall decide whether items on the supplementary list shall be included in the Agenda of the session.

Rule 24

The provisional Agenda, together with the supplementary list, shall be submitted to the General Assembly for approval as soon as possible after the opening of the session.

Rule 25

During any regular session of the General Assembly items may be revised, and may be added to or deleted from the agenda by a majority of the members present and voting. Consideration of additional items shall, unless the General Assembly, by a two-thirds majority of the members present and voting, decides otherwise, be postponed until four days after they have been placed on the agenda, and until a committee has reported upon them.

Rule 26

No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the Agenda unless it has been communicated to the Members of the United Nations at least ninety days before the date fixed for the opening of the session.

Rule 27

When a special session is called, the Agenda for the session shall be confined to the items communicated by the Secretary-General to the Members of the United Nations, unless the General Assembly, by a two thirds majority of the members present and voting, decides to include additional items.

Rule 28

Any Member of the United Nations may, at least four days before the date fixed for the opening of a special session, request the inclusion of additional items in the Agenda. Such items shall be placed on a supplementary list which shall be circulated to the Members of the United Nations as soon as possible.

VII. President and Vice-Presidents

Rule 29

At the opening of each session of the General Assembly the Chairman of that Delegation from which the President of the previous session was elected shall preside until the General Assembly has elected a President for the session.

Rule 30

The General Assembly shall elect a President and seven Vice-Presidents who shall hold office until the close of the session at which they are elected. The Vice-Presidents shall be elected with regard to equitable geographical representation.

Rule 31

If the President finds it necessary to be absent during a meeting or any part thereof he shall appoint one of the Vice-Presidents to take his place.

Rule 32

If the President is unable to perform his functions a new President shall be elected for the unexpired term.

Rule 33

A Vice-President acting as President shall have the same powers and duties as the President.

Rule 34

The President, or Vice-President acting as President, shall not vote but shall appoint another member of his Delegation to vote in his place.

Rule 35

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 meetings, and at such meetings 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.

VIII. General Committee

Rule 36+

The General Committee shall consist of the President and the Vice-Presidents of the General Assembly, and the Chairmen of the Main Committees and of the Credentials Committee of the General Assembly. The General Assembly may add to the General Committee the Chairmen of the other Committees of the General Assembly and, in exceptional cases, other members.

Rule 37

The General Committee shall consider the provisional Agenda, together with the supplementary list and applications for the inclusion of additional items in the Agenda, and shall report thereon to the General Assembly. It shall assist the President in drawing up the Agenda for each meeting, in determining the priority of its items, in the co-ordination of the work of all Committees of the General Assembly, and in the general direction of the work of the General Assembly.

Rule 38

Proposals to refer any portion of the Report of the Secretary-General to one of the Main Committees without debate shall be decided upon by the General Assembly without previous reference to the General Committee.

Rule 39

The General Committee may revise the resolutions adopted by the General Assembly, changing their form but not their substance. Any such changes shall be reported to the General Assembly.

Rule 40

The President of the General Assembly shall serve as Chairman of the General Committee.

Rule 41

No member shall have more than one representative on the General Committee.

IX. Supervisory Committee for Administrative and Budgetary Questions

Rule 42

The General Assembly shall appoint a Supervisory Committee for Administrative and Budgetary Questions (hereinafter called the "Supervisory Committee") with a membership of seven, including at least two financial experts of recognised standing.

+See foot note in connection with Section 4 paragraph 13.

Rule 43

The members of the Supervisory Committee shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the Organisation. Members shall retire by rotation and shall be eligible for re-election. The two financial experts shall not retire simultaneously. The General Assembly shall elect the members of the Supervisory Committee at the regular session at which the term of members expires or, in case of vacancies, at the next session.

Rule 44

The Supervisory Committee shall be responsible for expert examination of the budget of the United Nations and shall assist the Administrative and Budgetary Committee of the General Assembly, on matters other than personnel. It shall perform such other duties as may be assigned to it under the regulations which may be established for the financial administration of the United Nations. It shall also examine on behalf of the General Assembly the administrative budgets of specialised agencies and proposals for financial and budgetary arrangements with such agencies.

Rule 45

The Supervisory Committee shall ordinarily meet at a convenient time before the regular session of the General Assembly. It shall also meet during each regular session of the General Assembly.

Rule 46

At the commencement of each regular session the Supervisory Committee shall submit to the General Assembly a detailed report on the budget for the next financial year and on the accounts of the last financial year.

Rule 47

The General Assembly shall establish regulations for the financial administration of the United Nations.

Rule 48

No member shall have more than one representative on the Supervisory Committee.

X. Secretariat

Rule 49

When the Security Council has submitted its recommendation on the appointment of the Secretary-General, the General Assembly shall consider the recommendation and vote upon it by secret ballot in private meeting.

Rule 50

The Secretary-General shall act in that capacity in all meetings of the General Assembly, its Committees and subsidiary organs. He may appoint a member of the staff to act in his capacity at any meeting.

Rule 51

The Secretary-General shall provide and direct such staff as is required by the General Assembly and any Committees or subsidiary organs which it may establish.

Rule 52

The Secretary-General shall make an annual Report, and such supplementary reports as are required, to the General Assembly on the work of the Organisation. He shall communicate the annual Report to the Members of the United Nations not less than forty-five days before the opening of the session.

Rule 53

The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Rule 54

The Secretary-General may at any time, upon invitation of the President, make to the General Assembly either oral or written statements concerning any question which is being considered by the General Assembly.

Rule 55

It shall be the duty of the Secretariat, acting under the authority of the Secretary-General, to receive, print, translate and distribute documents, reports and resolutions of the General Assembly, its committees and organs; translate speeches made at the meetings; draft, print and circulate the summary records of the session; have the custody and proper preservation of the documents in the archives of the General Assembly; publish the reports of the meetings; distribute all documents of the General Assembly to the Members of the United Nations, and, generally, perform all other work which the General Assembly may require.

Rule 56

The General Assembly shall establish regulations concerning the staff of the Secretariat.

XI. Languages

Rule 57

Chinese, English, French, Russian and Spanish shall be the official languages of the General Assembly. English and French shall be the working languages.

Rule 58

Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 59

Speeches made in any one of the other three official languages shall be interpreted into English or French according to the choice of the speaker. Interpretation into the other working language shall be made if requested by the speaker or by any Delegation. In meetings of Main Committees of the General Assembly speeches in official languages other than the working languages shall always be interpreted into the two working languages.

Rule 60

Any representative may make a speech in a language other than the five official languages. In this case, he must himself provide for interpretation into one of the working languages. If interpretation into the other working language is desired by the speaker or by any delegation the interpretation by the Secretariat interpreter shall be based on the interpretation given in the first working language.

Rule 61

Verbatim records shall be drawn up in the two working languages. A translation of the whole or part of any verbatim record into any of the other official languages shall be furnished if requested by any Delegation.

Rule 62

Summary records shall be drawn up as soon as possible in the five official languages.

Rule 63

The Journal of the General Assembly shall be issued in the two working languages.

Rule 64

All resolutions and other important documents of the General Assembly shall be made available in the five official languages. Upon the request of any Delegation, any other document of the General Assembly shall be made available in any or all of the five official languages.

Rule 65

Subject to the exception provided for in the last sentence of Rule 59, the same Rules shall apply for meetings of the Main Committees of the General Assembly as for plenary meetings. Other Committees and sub-committees may, in consultation with the Secretariat, adopt simplified rules of procedure regarding interpretations and translations.

Rule 66

Documents of the General Assembly shall, if the General Assembly so decides, be published in any language other than the official languages.

XII. Publicity of Meetings

Rule 67

The meetings of the General Assembly and its Main Committees shall be held in public unless the body concerned decides that exceptional circumstances require that the meeting be held in private. Meetings of other Committees and subsidiary organs shall be held in public unless the body concerned decides otherwise.

Rule 68

All decisions of the General Assembly taken at a private meeting shall be announced at an early public meeting of the General Assembly.

XIII. Records

Rule 69

Verbatim records of all plenary meetings shall be drawn up by the Secretariat and submitted to the General Assembly after approval by the President. Verbatim records shall also be made of the proceedings of the Main Committees established by the General Assembly. Other Committees or sub-committees may decide upon the form of their records.

XIV. Conduct of Business

Rule 70

No representative may address the General Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 71

The Chairman and the Rapporteur of a Committee may be accorded precedence for the purpose of explaining the conclusion arrived at by their Committee.

Rule 72

When a motion is under discussion, a representative may rise to a point of order, and such point of order shall be immediately decided by the President in accordance with the Rules of Procedure.

Rule 73

During the discussion of any question, any representative may move the adjournment. Any such motion shall have priority in the debate. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion.

Rule 74

The General Assembly may limit the time allowed to each speaker.

Rule 75

Resolutions, amendments and substantive motions shall be introduced in writing and handed to the Secretary-General, who shall circulate copies to the Delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure without previous circulation of copies.

Rule 76

Parts of a proposal may be voted on separately if a representative requests that the proposal be divided.

Rule 77

A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak. If application is made for permission to speak against the closure it may be accorded to not more than two speakers.

Rule 78

The President shall take the sense of the General Assembly on a motion for closure. If the General Assembly is in favour of the closure the President shall declare the closure of the debate.

Rule 79

When a number of proposals are before the General Assembly the proposal furthest removed in substance from the principal one shall be voted on first.

Rule 80

If an amendment striking out part of a proposal is moved the General Assembly shall first vote on whether the words in question shall stand part of the proposal. If a decision is in the negative the amendment shall then be put to the vote.

Rule 81

When an amendment holds to a proposal the amendment shall be voted on first and, if it is adopted, the amended proposal shall then be voted on.

XV. Voting

Rule 82

Each member of the General Assembly shall have one vote.

Rule 83

A majority of the members of the General Assembly shall constitute a quorum.

Rule 84

Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(e) of Article 86, the admission of new Members of the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

Rule 85

Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Rule 86

The General Assembly shall normally vote by a show of hands, except that any representative in plenary or committee meetings of the General Assembly may request a roll-call which shall then be taken by states in English alphabetical order.

Rule 87

The vote of each member participating in any roll-call shall be inserted in the record.

Rule 88

In addition to the provisions for the use of a secret ballot set forth elsewhere in these Rules, all decisions relating to individuals shall be taken by secret ballot.

Rule 89

If, when only one person or member is to be elected, no one person or member obtained in the first ballot the majority required in Rules 84 and 85, a second ballot shall be taken, confined to the two candidates who obtained the largest number of votes. If in the second ballot the votes are equally divided, and a majority is required, the President shall decide between them by drawing lots. When a two-thirds majority is required, the balloting shall be continued until one candidate secures two-thirds of the votes cast.

Rule 90

When a number of elective places are to be filled at one time under the same conditions, those persons or members obtaining in the first ballot the majority required under Rules 84 and 85 shall be elected. If the number of persons or members to obtain such majority is less than the number of persons or members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates who obtained the greatest number of votes in the previous ballot, not more than double in number the places remaining to be filled.

Rule 91

If a vote is equally divided on matters other than elections, a second vote shall be taken in the course of the next meeting; this meeting shall be held within forty eight hours from the date on which the first vote was taken, and it shall be expressly mentioned on the agenda that a second vote will be taken on the matter in question. Unless there is at this subsequent meeting a majority in favour of the proposal, it shall be considered as lost.

XVI. Election of Members of Councils

General Provisions

Rule 92

The General Assembly shall elect the members of Councils by secret ballot.

Rule 93

The term of office of each member shall begin immediately on the day of the election by the General Assembly and shall end on the day of the election of a member for the subsequent term.

Rule 94

Should a member cease to belong to a Council before its term of office expires, its seat shall be filled by a by-election held separately at the next session of the General Assembly. The term of office of the member so elected shall end at the date at which the term of office of the member whose place it takes would have expired.

Rule 95

When one seat is to be filled the General Assembly shall follow the procedure set forth in Rule 89.

Rule 96

When more than one seat is to be filled the General Assembly shall follow the procedure set forth in Rule 90.

The Security Council

Rule 97

The General Assembly shall each year, in the course of its regular session, elect three non-permanent members of the Security Council for a term of two years.

Rule 98

In casting their ballots for non-permanent members of the Security Council, the members of the General Assembly shall pay due regard in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution.

Rule 99

A retiring member of the Security Council shall not be eligible for immediate re-election.

The Economic and Social Council

Rule 100

The General Assembly shall each year, in the course of its regular session, elect six members of the Economic and Social Council for a term of three years.

Rule 101

A retiring member of the Economic and Social Council shall be eligible for immediate re-election.

The Trusteeship Council

Rule 102

When a trusteeship agreement has been approved and a Member of the United Nations has become an administering

authority of a trust territory in accordance with Articles 83 or 85 of the Charter, the General Assembly shall decide, in accordance with Article 86, whether a Member which is not an administering authority of a trust territory shall be elected to the Trusteeship Council. If it is decided that an additional member of the Trusteeship Council is required, the General Assembly shall elect a member at the session in which the trusteeship agreement is approved.

Rule 103

At each session the General Assembly shall, in accordance with Article 86 of the Charter, elect members to fill any vacancies.

Rule 104

A non-administering member of the Trusteeship Council shall be elected for a term of three years and shall be eligible for immediate re-election.

XVII. Election of Judges of the International Court of Justice

Rule 105

The election of the Judges of the International Court of Justice shall take place in accordance with the Statute of the Court.

XVIII. Committees

Rule 106

The General Assembly may establish such committees and subsidiary organs as it deems necessary for the performance of its functions.

Rule 107

The Main Committees of the General Assembly are:

Political and Security Committee (including the regulation of armaments);
+Economic and Financial Committee;
+Social, Humanitarian and Cultural Committee;
Trusteeship Committee;
Administrative and Budgetary Committee;
Legal Committee.

Rule 108

Each Delegation may designate one member for each Main Committee, and for any other Committee that may be constituted upon which all members have the right to have a representative. It may also assign to these Committees advisers, technical advisers, experts or persons of similar status.

+See footnote in Section 4, paragraph 3.

Rule 109

Items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects. Committees shall not introduce new items on their own initiative.

Rule 110

Each Committee shall elect its Chairman, Vice-Chairman, and Rapporteurs.

Rule 111

Each Committee may appoint sub-committees, which shall elect their own officers.

Rule 112

The Secretary-General or his deputies may make to any Committee or sub-committee any report or oral communication which the Secretary-General considers desirable.

Rule 113

The procedure set forth in Rules 70 to 81 shall apply to proceedings of Committees of the General Assembly.

Rule 114

Decisions in the Committees of the General Assembly shall be taken by a majority of the members present and voting.

Rule 115

Unless the General Assembly itself decides otherwise, it shall not make a final decision upon items on the Agenda until it has received the report of a committee on these items.

Rule 116

A discussion of the report of a Main Committee in plenary session of the General Assembly shall take place if one-third of the members of the Committee consider such a discussion to be necessary.

Rule 117

Decisions involving expenditure shall be subject to the regulations for the financial administration of the United Nations.

Rule 118

No resolution involving expenditure shall be voted by the General Assembly before the Administrative and Budgetary Committee of the General Assembly has had an opportunity of stating the effect of the proposal upon the budget of the United Nations.

XIX. Admission of New Members.

Rule 119

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. The application shall be accompanied by a declaration of the readiness of the State to accept the obligations contained in the Charter.

Rule 120

If the applicant State so requests, the Secretary-General shall inform the General Assembly, or the Members of the United Nations if the General Assembly is not in session, of the application.

Rule 121

If the Security Council recommends the applicant State for membership, the General Assembly shall decide, by a two-thirds majority of the members present and voting, whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter.

Rule 122

The Secretary-General shall inform the applicant State of the decision of the General Assembly.

Rule 123

If the application is approved the Secretary-General shall inform the applicant State that its membership will become effective on the date on which it presents to the Secretary-General the instrument of adherence.

XX. Circulation of Resolutions

Rule 124

Resolutions adopted by the General Assembly shall be circulated by the Secretary-General to the Members of the United Nations within fifteen days after the termination of the session.

XXI. Amendments

Rule 125

These Rules of Procedure may be altered by a decision of the General Assembly taken by a majority of the members present and voting, after a committee has reported on the proposed alteration.

SUPPLEMENTARY PROVISIONAL RULES OF PROCEDURE FOR THE FIRST SESSION OF THE GENERAL ASSEMBLY.

(Note: The Roman numerals are identical with those of the main Rules of Procedure. It will be noted that there is no need for Supplementary Rules in many cases).

I. Sessions.

Supplementary Rule A.

The first and second parts of the First Session of the General Assembly shall together be regarded as constituting the first regular session of the General Assembly within the meaning of these Rules.

Supplementary Rule B.

The General Assembly shall fix the place and date for the second part of the First Session.

II. Convocation.

Supplementary Rule C.

The Secretary-General shall notify the Members of the United Nations not less than thirty days in advance of the opening of the second part of the First Session of the General Assembly.

IV. Delegations.

Supplementary Rule D.

The credentials of representatives, and the names of members of delegations, shall be delivered to the Executive Secretary of the Preparatory Commission of the United Nations if possible not less than two days before the date fixed for the opening of the first part of the First Session. The credentials shall be issued either by the Head of the State or by the Minister for Foreign Affairs.

VI. Agenda.

Supplementary Rule E.

The Provisional Agenda for the first part of the First Session of the General Assembly shall be the Agenda prepared for the purpose by the Preparatory Commission of the United Nations.

Supplementary Rule F.

Any Member of the United Nations may, at least six days before the date fixed for the opening of the first part of the First Session of the General Assembly, request the inclusion of additional items in the Agenda. Such items shall be placed on a supplementary list which shall be circulated to the Members of the United Nations as soon as possible.

Supplementary Rule G.

The Provisional Agenda for the second part of the First Session of the General Assembly shall be drawn up by the Secretary-General, and shall be communicated to the Members of the United Nations not less than thirty days before the opening of the second part of the session.

Supplementary Rule H.

Any Member of the United Nations may, at least twenty days before the date fixed for the opening of the second part of the First Session of the General Assembly, request the inclusion of additional items in the Agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the United Nations at least ten days before the date fixed for the opening of the second part of the session.

VII. President and Vice-President.

Supplementary Rule I

At the opening of the first part of the First Session of the General Assembly, the President of the Preparatory Commission of the United Nations shall preside until the General Assembly has elected a President for the session.

IX. Supervisory Committee for Administrative and Budgetary Questions.

Supplementary Rule J.

At the second part of the First Session, the General Assembly shall elect simultaneously, in accordance with the procedure set forth in Rule 90, the seven members of the Supervisory Committee, two of whom at least shall be financial experts of recognised standing. It shall then by a second vote choose three of the elected members, one of whom shall be a financial expert, for the three year term. By a third vote it shall choose two of the remaining elected members, one of whom shall be a financial expert, for the two year term.

X. Secretariat.

Supplementary Rule K.

At the beginning of the first part of the First Session of the General Assembly, the Executive Secretary and staff of the Preparatory Commission of the United Nations shall be authorised to perform the functions of the Secretary-General and staff of the Secretariat respectively pending the appointment of the Secretary-General.

Supplementary Rule L.

The Secretary-General may request the services of the Executive Secretary and any of the staff of the Preparatory Commission of the United Nations until such time as a permanent staff is established.

XVI Election of Members of Councils.

Supplementary Rule M.

The General Assembly shall elect simultaneously the six non-permanent members of the Security Council, in accordance with the procedure set forth in Rule 90. It shall then by a second vote choose three of the elected members for the two-year term.

Supplementary Rule N.

The General Assembly shall elect simultaneously the eighteen members of the Economic and Social Council, in accordance with Rule 90. It shall then by a second vote choose six of the eighteen elected members for the three-year term. By a third vote it shall choose six of the remaining elected members for the two-year term.

Supplementary Rule O.

The terms of office of members of Councils elected for one, two and three years shall end on the day of the elections held at the Second, Third and Fourth Sessions respectively of the General Assembly.

Section 4: Committee Structure of the General Assembly.

TYPES OF COMMITTEES.

1. In view of the powers and functions vested in the General Assembly by the Charter, and in the light of past experience in the organisation of international conferences and assemblies, four types of committees would seem to be necessary.

(a) Main Committees to consider substantive matters referred to them by the plenary meeting of the General Assembly;

(b) Procedural Committees required for the organisation and conduct of the business of the General Assembly;

(c) Standing Committees with continuing functions;

(d) Ad hoc Committees which might be required from time to time for special purposes.

2. All Main and Procedural Committees would exist only for the duration of the session at which they are established.

MAIN COMMITTEES.

3. In meeting the requirements for the consideration of substantive items appearing regularly on the Agenda of the General Assembly, it would seem desirable to establish six* Main Committees on each of which all members of the General Assembly would have the right to be represented.

(a) Political and Security Committee. (Including the regulations of armaments);

*(b) Economic and Financial Committee;

*(c) Social, Humanitarian and Cultural Committee;

(d) Trusteeship Committee;

(e) Administrative and Budgetary Committee;

(f) Legal Committee;

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* Opinion was almost equally divided on the advisability of establishing either one or two Main Committees to deal with matters in the economic and social field; a small majority was, however, in favour of the creation of two Committees. The group in favour of a single Economic and Social Committee urged that this was the only practical means of fixing the responsibility for the overall review of the policies and programme of the Economic and Social Council. The Main Committee might create two sub-committees, on each of which all members would have the right to be represented.

4. In deciding upon the Main Committees, the following two considerations were paramount: firstly, that the major fields of responsibility of the General Assembly, as defined in the Charter, should have their corresponding Committees; and secondly, that the Reports coming before the General Assembly from the other principal organs of the United Nations might be dealt with adequately by competent Committees.

5. The Main Committees would have the double role of considering items referred to them by the General Assembly and of preparing draft recommendations and resolutions for submission to the plenary session. The items from the Reports of the other principal organs, of the specialised agencies, and of the Secretary-General, would be referred to the appropriate Main Committee for consideration. In addition to considering matters for which the General Assembly shares the responsibility with other organs, the Main Committees would also review matters for which the General Assembly is alone responsible.

6. The Political and Security Committee might consider, among other items, appropriate aspects of the admission, suspension and expulsion of Members; any political and security matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations; the general principles of co-operation in the maintenance of international peace and security, and the principles governing disarmament and the regulation of armaments; the promotion of international co-operation in the political field, and the peaceful adjustment of situations likely to impair the general welfare and friendly relations among nations.

7. The Economic and Financial Committee might concern itself with the economic and financial aspects of the programme of the Economic and Social Council and of the specialised agencies, and might consider any economic and financial matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations. It might also consider the promotion of international co-operation in the economic field, including questions of higher standards of living, full employment and conditions of economic progress and development.

8. The Social, Humanitarian and Cultural Committee might consider the corresponding aspects of the work of the Economic and Social Council and of the specialised agencies, and any social, humanitarian, cultural, educational, health and related matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations. It might also consider the promotion of international co-operation in the social, cultural, educational and health fields, and assistance in the realisation of human rights and fundamental freedoms. It might also consider conditions of social progress and development.

9. The Trusteeship Committee might have the large and clearly defined task of considering items pertaining to trusteeship arrangements as set forth under Article 16, and Chapters XII. and XIII of the Charter. This Committee might also consider any matters arising under Chapter XI.ϕ

10. The Administrative and Budgetary Committee might consider items pertaining to the budget of the Organisation, changes in the assessments of Members, financial and budgetary arrangements with the specialised agencies referred to in Article 57, and the examination of the administrative budgets of such specialised agencies. It might also consider the staff regulations to be established by the General Assembly.

11. The Legal Committee might consider the legal and constitutional aspects of such matters as proposed amendments to the Charter, requests to the International Court of Justice for advisory opinions, and problems referred from other Committees. It might also consider the encouragement of the progressive development of international law and its codification.

PROCEDURAL COMMITTEES.

12. The following Procedural Committees would seem to be required for the organisation and conduct of the business of the General Assembly:

(a) General Committee.

(b) /Nominations Committee.7*

(c) Credentials Committee.

13. The General Committee** would consider the provisional agenda, together with the supplementary list and applications for the inclusion of additional items in the Agenda, and report thereon to the General Assembly. It would have the responsibility of assisting the President generally in directing the work of the General Assembly, in drawing up the agenda and in determining the priority of items for each meeting, and in the co-ordination of the work of the Committees of the General Assembly. The General Committee would comprise the President, the seven Vice-Presidents, and the Chairmen of the Main Committees and of the Credentials Committee.

ϕ 'A majority of delegates but not the required two-thirds, voted for the introduction of this sentence into the draft report. Against this, it was contended that it implied an extension of the authority of the General Assembly with regard to Chapter XI beyond the limits of the Charter.

* See footnote in connection with paragraphs 14 and 15.

** For footnote see Page 66 .

14. The Nominations Committeeϕ would be responsible for the nomination of those persons other than the President whose functions would entitle them to a seat on the General Committee. In deciding on the desirability of establishing this Committee, the possibility was considered that the Nominations Committee might also make recommendations for membership of Councils, but this procedure was not supported by a majority of the delegates. The President of the General Assembly should be entrusted with the task of nominating the members of the Nominations Committee. It was agreed that these members should be States, not individual persons.

15. In an effort to find a proper balance between the factors of personal competence and adequate geographical distribution, it was decided by a two-thirds vote that, in nominating the Chairmen of the Main Committees of the General Assembly, the Nominations Committee should, provided that an adequate geographical distribution of the total membership of the General Committee is assured, be guided by considerations of personal competence.

** This footnote applies to paragraph 13, page 65.

This paragraph was adopted by a vote of 9 to 3 with 2 abstentions. In view of the importance which the minority attached to their dissent, the Executive Committee, by unanimous consent, gave the minority permission to record their views as a footnote.

The footnote submitted by the representative of the U.S.S.R. reads as follows:

> "The Soviet delegation agreed to the principle of the establishment of a General Committee of the General Assembly, but proposed that a decision on the question of the composition of the Committee be postponed, believing that further study of the issues involved is necessary".

The following proposal by the representative of China was put forward as a compromise, and is recorded here at his request.

> "The Executive Committee was not able to reach unanimous agreement or to make recommendations as to the precise composition of the General Committee, but all delegates were agreed that the composition should be effected on a basis which will ensure broad representative character and effective discharge of its functions".

ϕ The Executive Committee, by a majority of 8 to 6, voted for the establishment of a Nominations Committee. However, failing to secure the two-thirds majority necessary for adoption, the Committee decided, in harmony with its policy on majority votes, to include the descriptive material pertaining to it in the Report. It was agreed that the attention of the Preparatory Commission should be invited to the difficulty, in the absence of a Nominations Committee, of selecting officers of Committees on the basis of geographical distribution.

16. The Credentials Committee was recognised as forming a necessary and normal part of the mechanism of a deliberative body such as the General Assembly. Although the major part of this Committee's task would be performed at the beginning of the session, it was altogether probable that certain problems might continue to engage its attention throughout the session.

17. As envisaged in the Rules of Procedure, the Procedural Committees would have a small membership, in contrast to the Main Committees on which all members have the right to be represented. It is thought that this comparatively small membership will make possible the expeditious conduct of the business of the General Assembly.

STANDING COMMITTEE

18. A Supervisory Committee for Administrative and Budgetary Questions should be appointed with the responsibility for expert examination of the budget of the United Nations. It would assist the Administrative and Budgetary Committee of the General Assembly on matters other than personnel. It would consist of seven members, two of whom should be recognised financial experts. The members of the Supervisory Committee should be selected on the basis of broad geographical representation, personal qualifications and experience, and should serve for three years. The terms of office of the two financial experts should not expire simultaneously.

AD HOC COMMITTEES

19. In addition to Procedural, Main and Standing Committees, there will probably be many occasions when Ad hoc Committees could be usefully established by the General Assembly or by any one of its Committees.