

6. *Application of Article 27 of the Charter*

The Committee had again on its agenda the question of the exercise of the veto, the subject coming up under two items :—

(1) Convocation of a general conference under Article 109 of the Charter to amend the privilege of the veto (item proposed by the delegation of *Argentina*).

(2) Resolution of the second part of the first session of the General Assembly in relation to the exercise of the veto in the Security Council and the extent to which the recommendations contained in that resolution have been carried out (item proposed by the delegation of *Australia*).

China also submitted a proposal designed to bring about “an improvement in the practice of the Security Council by the method of procedural revision in full harmony with the spirit and letter of the Charter.” This document proposed that the General Assembly should resolve as follows :—

“A. To recommend to the Security Council to consider as procedural matters and therefore subject to Article 27 (2) :

“1. The question whether a given question brought before the Security Council is a situation or a dispute ;

“2. The question whether or not a member of the Security Council is, in relation to any matter under consideration by the Council, a party to a dispute in connection with any such matter and is thereby required under the Charter to abstain from voting thereon ;

“3. The fixing of conditions under which a State not a member of the United Nations may become a party to the Statute of the International Court of Justice under Article 93 of the Charter ;

“4. A request to the International Court of Justice to give an advisory opinion on any legal question or any legal aspect of a situation or a dispute brought before the Security Council.

“B. To recommend to the five permanent members of the Security Council to amplify the Sponsoring Governments’ Statement issued at San Francisco by adding to it a declaration that the five permanent members, one and all, waive the right of invoking the application of Article 27 (3) in all proceedings arising under Chapter VI of the Charter on pacific settlement of disputes ;

“C. To declare (in a separate resolution) that whenever the Security Council, in dealing with any question brought before it, fails to adopt a resolution voted for by a majority of seven or more members, including four of the permanent members, the members constituting such a majority may request the Secretary General to convoke a special session of the Assembly for the consideration of the question ; that such a request shall be considered to have the same force as a request of the Security Council in accordance with Rule 3 of the Provisional Rules of Procedure of the General Assembly ; and that the Secretary General shall forthwith convoke such a special session ; provided the same question has been removed from the agenda of the Security Council.”