

**ECONOMIC
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SOCIAL COUNCIL****CONSEIL
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English
Unrestricted

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VERBATIM RECORD OF TWENTIETH MEETING OF THE THIRD SESSION
OF THE ECONOMIC AND SOCIAL COUNCIL

Lake Success, New York

Thursday, 3 October 1946 at 2:45 pm

PRESENT:

THE PRESIDENT: DR. STAMPAR

MR. NISOT	(Belgium)
MR. RIDDELL	(Canada)
MR. DAVILA	(Chile)
DR. CHANG	(China)
MR. SUAREZ	(Colombia)
MR. CISNEROS	(Cuba)
MR. PAPANEK	(Czechoslovakia)
MR. HOFFHERR	(France)
MR. ARGYROPOULOS	(Greece)
SIR SHANKAR BAJPAI	(India)
MR. MALIK	(Lebanon)
MR. THAGAARD	(Norway)
MR. PATINO	(Peru)
MR. MEDVED	(Ukrainian SSR)
MR. FEONOV	(Soviet Union)
MR. PENSON	(United Kingdom)
MR. WINANT	(United States)
MR. MATES	(Yugoslavia)

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The PRESIDENT: The meeting of the Council will come to order.

As I have informed the Members of the Council, we should finish our work today, and if we are not through by 7:00 o'clock pm, we will have dinner and start after dinner again.

Is there any objection? Approved.

You have in your hands Document E/211, Draft Resolution, relating to the report of the Temporary Subcommittee on the Economic Reconstruction of Devastated Areas, submitted by the Subcommittee on the 13th. As you remember, this Council has appointed 15 Members to the Drafting Subcommittee. May I ask the Members of the Council to confine themselves to short statements dealing with this subject.

You have two corrigenda to the Draft Resolution and one amendment Document E/211, Addendum 1, proposed by the Canadian Delegation.

Does any Representative wish to speak on this subject?

There is no objection, it seems to me.

MR. PENSON (United Kingdom): I would like to raise the question, Mr. President, whether on the Point of Order we can take this resolution now. It touches on a very important matter, that of the UNRRA Resolution, the Geneva Resolution. It was only circulated last evening at 5:00 o'clock, or rather, it was seen first at 5:00 o'clock last evening. It was only circulated this morning and I have not had time to receive an answer from my Government as to their attitude on this question. If it is decided that we shall take it, I shall have some points of substance to inquire about. But, I would like to ask first, whether the Canadian Representative really insists upon this Resolution being taken.

MR. RIDDELL (Canada): Mr. President, it was not my intention to speak at any length on this Resolution and perhaps, with your consent, I might say just a very few words about it now, and if there are further objections or questions about it, I might say something a little more about it later.

The Resolution in question is to be found on Page 4 of Document E/211. That Document -- on Page 4 of E/211 -- is one which the Council takes action on as a result of a suggestion, a recommendation which was made by the Council of UNRRA. The Council of UNRRA, meeting last August, taking into consideration the situation which would arise with the termination of UNRRA activities, recommended to the General Assembly that certain actions should be taken to determine the situation which would exist following the termination of UNRRA. Now, that action, which would not take place until the General Assembly meets, will be delayed now for at least another three weeks and perhaps longer.

It seems to the Canadian Delegation that such great accomplishments having been achieved by UNRRA, that the sooner this recommendation was acted upon the better; and that it was a pity that so much more time would elapse before anything was done, than had originally been intended. We therefore thought that certain preparatory action might be taken by the Secretariat simply in the form of a scrutiny of the situation for the purpose of putting together material on which the agency, if and when it comes into existence, might act.

I presume that that agency will have to act on information gathered by some secretarial body eventually. It seems to us that that work might have to be put in hand at once. Indeed, I had the idea that it was the intention that something along that line might happen and it has been the view of the Canadian Delegation on other occasions, that if we expected the Secretariat to do something, we should tell them so specifically and in as precise terms as possible. I think we owe that to the Secretariat, so that they may know precisely what is intended, and whether or not it was intended that the

Secretariat should take that action. We feel they should be in a position to take certain preparatory measures so when the agency was established, statistical information would be available for that agency.

Now it was not the intention of this amendment in any way to complicate the consideration of the general question or to prejudice the consideration of the general question before the General Assembly. If you will notice the Canadian amendment as it appears in E/211/Add 1, you will see that the Secretary-General is asked to make immediately the collection and analysis of information relating to the subjects which are discussed in the original document, with the view to the submission of this data to the agency, and not to the General Assembly. The suggestion ^{is} that the international organizations own Governments should cooperate with the Secretary-General in this task. Well, I hope that this recommendation which simply empowers the Secretary-General to carry out the functions of collecting and analyzing information, turning it over to the agency when it exists, may commend itself to the Council. I realize that I have not yet met the point which was raised by my United Kingdom colleague concerning the lateness of the date at which this amendment was presented to the Council. I am sorry about that. This is a subject which might have occurred to us sooner, and if it had, we would certainly have tried to put it before you. This is not the first occasion on which a Resolution of this nature has been put before us without time for lengthy consideration. I did show a draft of this to my United Kingdom colleague yesterday evening and I sympathize with him in this position, because I have been in this position myself at earlier meetings of the Assembly, when I was asked to consider documents that I have not had the time to scrutinize. He has, however, now had close to twenty-four hours to consider it and I would hope that in view of the urgency of the matter, that he will allow us to discuss it. Thank you Mr. President.

Mr. ARGYROPOULOS (Greece): Mr. President, I think also that it would be most important to prepare the estimates which could be submitted to the agencies to be created by the General Assembly, in order not to lose any time.

The question is so very urgent and important that if we put off that work, it would probably delay our action by some months . perhaps. It is so very important that all the necessary information and all the necessary estimates concerning the relief needs in 1947 be presented at the right time for any agencies that would be created by the Assembly.

That is why I support very strongly the Canadian amendment.

(During the above remarks, Mr. Lebeau, the Representative of Belgium arrived and assumed his seat at the Council table; and Mr. Colbjornsen, Representative of Norway, arrived and replaced Mr. Thagaard.)

The PRESIDENT: Are there any other speakers? If not, we can now vote.

Mr. PENSON (United Kingdom): My feeling, Mr. President, is that this adds a certain confusion.

We have before us -- or we have in view -- the meeting of the General Assembly in less than three weeks, and we have a resolution before it to the effect that it shall appoint an agency or agencies for a certain purpose. That agency, or those agencies, will presumably study the situation. Now we have another body to set up - or rather the Secretary-General -- who will also undertake, as far as I can see, a similar task.

I feel that this is confusing the work of the agency or agencies. However, if my Canadian colleague wishes to press for this amendment, I will not oppose it, but will be glad to hear of any suggested amendments that other Delegations may wish to put forward.

Mr. PAPANEK (Czechoslovakia): Mr. President, we would have preferred to have the UNRRA work continued, but unfortunately that is not the case. We feel, therefore, that the main problem before us today is to find a solution for continued help after UNRRA stops its activities. We therefore have to use existing means and instruments so that the excellent work already done will not have been done in vain.

The PRESIDENT: There are no amendments to General Resolution under 1. There is only the Canadian amendment under 2.

Mr. PATINO (Peru): Mr. President, on page 6 it is stated that the proposal of the Delegation for Peru will be transmitted to the Working Group of Europe and Africa of the Temporary Sub-Commission. The proposal was for the undertaking of studies in the non-devastated countries in order to see what products are available to meet the needs of the devastated areas. I think we should have an explanation.

The PRESIDENT: We will consider first the General Resolution under 1; otherwise we will be out of order. Any amendments to this Resolution?

Mr. ARGYROPOULOS (Greece): Mr. President, the Resolution under 1 was a modification of the initial Resolution under 2 which was submitted yesterday to the Drafting Committee, and during the discussion a "Member" phrase was deleted in paragraph 3 on page 3. It says "Draws the specific attention of the Member Governments and Specialized Agencies concerned to the following matters referred to in the report of the temporary Sub-Commission." This "Member" phrase has been deleted. Now I think that if paragraph 3 remains as it is drafted now it will be completely meaningless because it has no background. The Secretariat cannot proceed to draw the specific attention of specialized agencies to certain points which result from no report whatever. I think it is absolutely necessary, in order to give a background to the whole thing, to leave in the text what was initially in it; that is to say, to refer to the matters referred to in the report of the temporary Sub-Commission. Then we know exactly why the Secretariat draws the attention of the Member Governments and Specialized Agencies to the different points which follow. It is not an arbitrary matter; it is the result of a very deep and conclusive report which has been submitted to us after study of the situation on the spot, and that report explains paragraph 3 which, I repeat, would be meaningless without any reference to the report itself.

The PRESIDENT: Any other speakers on this matter? Any amendments to General Resolution under 1?

Mr. PENSON (United Kingdom): Mr. President, in paragraph 3 at the top of page 3 I move that we add after the word "areas" the words "referred to in the report of the temporary Sub-Commission". I therefore am in general agreement with the views expressed by the Representative of Greece in his opinion that without these words this paragraph lacks a certain precision which it requires, and therefore I would earnestly hope that my colleagues would see their way to maintaining this original wording.

MR. Trygve LIE (Secretary General): Mr. President, I think everybody knows the volume of documents and reports which we have to study in order to meet the wishes of the Council and the requests of the Council. In my mind, it is not necessary to adopt the report of the honorable Representative of Greece, as proposed; but if you do, there will be no harm done.

MR. FEONOV (Soviet Union): Mr. President, the Soviet Delegation cannot agree to the amendment just proposed by the Greek Representative and supported by the Representative of the United Kingdom. There will not only be a textual difference, but a difference in substance if that amendment is accepted.

During a very long discussion on the report of the Sub Commission and the recommendations made by the Sub-Commission, it has been clearly established that there are different views on the recommendations. Some of the Representatives thought that the recommendations were prepared in such a way that several passages were very disputable. That is why it was thought advisable in order to reach unanimity on the substance of the resolution to mention the report of the Temporary Sub-Commission on Economic Reconstruction at the very beginning of this resolution. It is stated here: "The Economic and Social Council, having considered the preliminary report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas, requests the Secretary-General to transmit . . . " So, the report itself is mentioned but, then, if we accept this amendment that would actually mean that all of these paragraphs would be nothing but headlines of the recommendations proposed by the Sub-Commission which, as I said, are very disputable.

I must repeat, Mr. President, that for this reason the Soviet Delegation found this proposed amendment unacceptable.

PRESIDENT: Are there any more speakers? We have to decide on this amendment proposed by the Greek Representative and supported by the United Kingdom Representative. Does the Greek Representative insist on this amendment?

MR. ARGYROPOULOS (Greece): Mr. President, in order to reply to your question, I want to say a few words. The honorable Representative of the Soviet Union said previously that the report of the Sub-Commission was mentioned in paragraph one. That is right. It is mentioned in paragraph one. But here, this is something completely separate from paragraph one. If we said, for instance, the following paragraph: "The Economic and Social Council draws specific attention of the Member Governments . . .", then the two parts would be related to each other and this would have a meaning. Then, I would no more insist on mentioning specifically the report of the Sub Commission here. I think that in order to give some consistency to paragraph three, one ought to do either one or the other thing.

MR. MATES (Yugoslavia): Mr. President, in reading Paragraph 3 of the proposed Resolution, the Yugoslav Delegation has come to the conclusion that it finds it very difficult to understand why it was necessary to put those points from letter (a) to (i) in the Resolution at all. We read in Paragraph 3, "...draws attention of Member Governments and specialized agencies concerned with the following matters important to the reconstruction of devastated areas." That is from point (a) to (i). It is most respectfully our opinion that if Member Governments do not realize the usefulness of these points that were pointed out here, then it would be best advisable for them to hand in their resignation, and as to specialized agencies, if they do not realize the usefulness of this point, they are not specialized agencies at all.

But, as it was decided in the Subcommittee, and I understand there was a compromise in the whole matter, it is not our intention to create now at this late stage new difficulties in opposing this paragraph. We are quite ready to have it in if it makes somebody happy. So be he happy.

But the question arises again now that we are faced with an amendment to put in reference to the report. In our consideration, and as we regard it, it is even more difficult to understand this. Why? Well, if we deem it necessary to give such advice of such general character which should be obvious to every man with common sense, we find it now necessary that we have to refer to some authority before we can take upon ourselves to give such advice, we must first refer to an elaborate study on the spot to find out the need for increased production of electric power; we need to refer to a long study on the spot to find out the importance of reviving and expanding international trade; or the desirability of exchanging information and experience regarding an urgent housing problem; or the need for the rehabilitation of transport.

Mr. President, most respectfully, I cannot understand that this amendment is necessary to give any force to the statements enumerated from (a) to (i).

Now the question arises why this amendment? Why is it necessary to bring it in this form? It is necessary, if at all necessary, and can be explained only in this way, not to give weight to these general conclusions, but to give weight to the report. Mr. President, that is precisely what the Yugoslav Delegation is not prepared to do, because, we do not feel that we have to endorse and give further weight to a report which has come to such conclusions, such recommendations. I am sure that it does not apply only to my country, but in all the rest of the countries. Small children know what is written down here.

MR. FEONOV (Soviet Union): Mr. President, I hope I make the position of the Soviet Delegation absolutely clear. I don't want to hide anything from ourselves on this matter. The attitude of the Soviet Delegation was very clearly expressed during the general debate of this report. As you know, our suggestion was that as the recommendations prepared by the Subcommittee were too general in their meaning and were formulated in such a way that they could be interpreted later on to the detriment of the devastated areas, we propose that, first, the Subcommittee should work out new recommendations which should not be general but should show the practical way of helping the devastated areas. Some Delegations, however, thought it necessary to include in the Resolution several recommendations, however general they may be. In order to meet the desires of these delegations, the Soviet Delegation agreed that such recommendations should be included, but, agreeing to that suggestion, the Soviet Delegation expressed it clearly that the Delegation could not agree to the text proposed or prepared by the Subcommittee. That is why it was thought advisable, in order to reach a general agreement on the Resolution, that paragraph 3 should mention several important points, important for reconstruction of devastated areas. The proposed amendment actually means that those points mentioned in paragraph 3 would be only headlines of the paragraphs of recommendations prepared by the Subcommittee and to that, as I explained many times, and for which I stated the reasons, the Soviet Delegation could not agree.

I regret that the shortage of time does not allow me to explain our position more clearly today point by point, on recommendations prepared by the Subcommission. I think everybody remembers the speeches of the Representative of the Soviet Union on that point, here, and on the Subcommission. I think, Mr. President, that the voting would show what would be the desire of the Economic and Social Council in this respect. I would like, however, to draw the attention of the Members to the fact that the proposed amendment changes the meaning of the whole resolution in one case, that is, in the text recommended to the Council. As a whole, it would be agreeable to the Soviet Delegation, with perhaps one or two amendments, very small ones, which we might propose. If the amendment is accepted by the Council, then the Soviet Delegation will not propose any alteration, because, I am sorry to say, the resolution as a whole would not be acceptable to the Delegation.

(During the above remarks, Mr. Stinebower replaced Mr. Winant as Representative of the United States at the Council Table.)

Mr. STINEBOWER (United States): Mr. President, we have listened with a great deal of attention to the discussion which has been going on on this matter on both sides and with the best will in the world to understand it, we cannot see the difference between these two points of view. Surely, the Secretary-General is right in his interpretation.

The United States, therefore, proposes to abstain if any vote is taken on this subject.

Mr. HOFFHERR (France): Mr. President, I share the point of view expressed by my American colleague.

Dr. CHANG (China): So does the Delegation of China.

Mr. ARGYROPOULOS (Greece): Well, after the declarations of the Secretary-General and the advice given by the Representative of the United States, I accept the withdrawal of the amendment which I made although I think it was absolutely justified. I want to do it in order to facilitate this situation.

The PRESIDENT: There are no amendments then to the General Resolution.

Mr. STINEBOWER (United States): Mr. President, I want to say that I think a great many of us appreciate the action taken by the Representative of Greece and we hope it sets a very happy precedent for the discussion of the rest of this Document.

The PRESIDENT: Any more amendments please?

Sir G. SHANKAR BAJPAI (India): I would like to say, Mr. President, that the country which wants to abstain is perfectly justified in preaching the virtue of abstention.

Mr. FEONOV (Soviet Union): Mr. President, what the Representative from the United States has just said was a clear invitation to me to withdraw the amendments which I said I would propose. However, there are a couple of points which I should like to mention.

First of all, paragraph 2(b) of the Resolution, Page 2 --- The Soviet Union Delegation does not vote against this paragraph. However,

as we are not connected at present with the activities of the International Bank for Reconstruction and Development, and what is more important, we are not familiar with the activities of this Bank, we would like to make it clear that we are not voting against this paragraph. At the same time, we are not voting for it.

That applies to paragraph 3(a) as well.

Then, paragraph 3(d) Page 3 -- The Delegation proposes to eliminate the words, "utilization and" so that the paragraph would read "The need for international cooperation in the training of manpower."

The second and last amendment is in paragraph 3(f). We propose the following text, " The importance of development of trade between the countries."

Mr. President, I do not want to take the time of the Council to explain in any long terms the reasons. I just think that if there is any objection to our amendments, then the Council should vote on them.

(During the above remarks, Mr. Lebeau, Representative of Belgium, arrived and replaced Mr. Nisot; Mr. Fausto Soto, Representative of Chile, arrived and replaced Mr. Davila; Mr. Zuleta Angel, Representative of Colombia, arrived and replaced Mr. Suarez; Mr. Colbjornsen, Representative of Norway, arrived and replaced Mr. Thagaard; Mr. Winant, Representative of the United States, left and was replaced by Mr. Stinebower.)

The PRESIDENT: Are there any objections to the Soviet proposal?

Mr. STINEBOWER (United States): I am afraid we shall have to object particularly to the second of the two amendments suggested by the Soviet Representative. If I understood his words rightly, it would confine the statements about international trade merely to trade among "the countries" - - "the countries" obviously referring back to the first three lines on this page, "... the countries in devastated areas." We shall vote for the language as it stands here.

Mr. FEONOV (Soviet Union): I would agree to meet that position.

Mr. STINEBOWER (United States): Even so we are very much interested in this language as it stands.

Mr. LEBEAU (Belgium) (Interpretation from French): Mr. President, I hate to oppose the first amendment proposed by the Soviet Representative in respect of Paragraph (d) because, if we delete the two words "utilization and", this would mean that we would eliminate the notion of shifting of manpower, which in our opinion has very great importance.

The PRESIDENT: We have now to vote on the Soviet proposal. All those in favor of the Soviet amendment to paragraph 3, (d), and (h) please raise their hands. (Showing of hands.)

It is not carried.

Therefore, as there are no more amendments, I assume that the general resolution under number 1 is generally approved, with the statement made by the Soviet Representative under paragraph 2 (b).

Mr. FEONOV (Soviet Union): 3 (a).

Mr. MATES (Yugoslavia): The Yugoslav Representative did not vote either in favor or against this resolution. I think, from the earlier intervention of the Yugoslav representative, it is quite obvious why.

The PRESIDENT: Resolution under 2, Page 4 is the Canadian amendment to add a new Paragraph 3. All those in favor of the Canadian amendment should raise their hands.

Mr. LIE: (Secretary-General) Ten Members in favor.

The PRESIDENT: Who is against? None.

It is carried.

Now, resolution, Page 5, under 3. Are there any amendments to this resolution as phrased in Page 5, Paragraph 1, Paragraph 2, Paragraph 3?

I assume every Member agrees to it. It is approved.

Resolution under 4, page 6.

Mr. PATINO (Peru): Mr. President, I do not think it is necessary to repeat again what I have already said, that it is not very clear in the last two lines. It is not quite the sense of the proposal made by the Representative of Peru. So, I think it is a matter of drafting that the Secretariat should undertake.

The PRESIDENT: Will you please indicate that to the Secretariat later?

Page 7, resolution under 5. Is there any opposition to it?

SIR Girja Shankar BAJPAI (India): There is just a verbal amendment, Mr. President. I am sorry to be pedagogic.

The PRESIDENT: I like it.

SIR Girja Shankar BAJPAI (India): You like it? We are both teachers, or have been.

If you look at the last line, the expression used is "considered at the next ordinary or special session of the Council." I do not know of the next special session of the Council. In fact, I do not think we have ever had a special session so far and none is contemplated. Isn't it better to say at the "next session" rather than "next ordinary or special session"?

The PRESIDENT: "Next session" is better.

MR. STINEBOWER (United States): Mr. President, as the American Member stated earlier, when we were first discussing this matter, the United States has from the beginning of this discussion favored the creation of a Commission for Europe. We believe the proposal was sound and we should have hoped that we could have come to a resolution on that subject at this Session. Unfortunately a good many Delegations evidently have not had time to get final instructions on this important subject, and with some reluctance we have seen it postponed to the next session of the Council. Now, we are very hopeful that that session will not be long delayed and that this is not a means of postponing action which is urgent. Therefore, while we accept the resolution as it is stated here before us, on page 7, we reserve the right to introduce on the last item of today's agenda the question of whether we should not have a special session of the Council during, or shortly after, the next meeting of the General Assembly for the specific purpose of discussing this question.

MR. LEBEAU (Belgium): (Interpretation from French): Mr. President, I wish to express the deep disappointment felt by the Belgian Delegation in view of the fact that this session of the Economic and Social Council has not seen its way to vote a final resolution on this, which I consider the first constructive proposal ever submitted to the Council. I, therefore, fully share the opinion of my United States colleague, and I would urge that this matter be taken up by the Council at the earliest possible moment. It has been suggested that a special session of the Economic and Social Council be called as soon as possible at a very early date. I agree with this idea, but I would say that I would not agree that this extraordinary, special session of the Council be called after the Assembly, but, at the latest, during the Assembly in order that the Assembly may take definite decisions on this matter at the next session, which will be held on the 23rd of October.

Under these reservations, I agree to vote for the text as it is now suggested.

MR. ARGYROPOULOS (Greece): Mr. President, I join my Belgian colleague on what he said previously. I completely agree with him on all points. I would mention that some days ago our Soviet colleague pointed out, during the discussion of the Report of the Sub-Commission, that it would be necessary to take practical steps, and not theoretical steps, for the reconstruction for Europe. I remember that also my Ukrainian colleague gave some very striking examples of practical measures, and not just theoretical measures, for the reconstruction of Europe.

Well, the most practical measure of all, according to me, is the creation of the Commission for the Reconstruction of Europe. It is the most practical means of action, and I did hope that we would reach a decision during this meeting of the Council as regards this question. It is most regrettable that we have not. But I must state that my country, as one of the most devastated countries in Europe, has the right to raise its voice and invoke the creation of the Commission. I still add that if there are some countries which have sufficient raw materials, have sufficient resources, have sufficient means of all sorts in order to deal with their own reconstruction, that is not the case with my country, and it is not the case, as I ought to know, of some other countries in Europe. So, we are entitled, I think, to stress the necessity of reaching, as quickly as possible, a result on this point. It is the most practical and the most important point of our work if we want to proceed with the reconstruction of Europe.

That is why, Mr. President, since we cannot reach any result in our actual meeting of the Council, I agree with my American colleague that the matter ought to be taken up as quickly as possible, and that is why I have the honor to propose the following text:

"The Economic and Social Council resolves to convene a Special Session toward the end of the forthcoming session of the General Assembly, in order to consider the proposal for the establishment of an Economic Commission for Europe."

MR. LEBEAU (Belgium); (Interpretation from French): Mr. President, I see that there is a discrepancy between the English and the French texts of this Resolution. In fact, what the French Resolution says in its last line is: "Certain Delegations reserve the right to reopen the question before the General Assembly." There is an expression of doubt about this, which I cannot find in the English text. I, therefore, would ask: Which is the original text, the French or the English?

SECRETARY-GENERAL: As Secretary-General in charge of the administration, I must ask the Council not to take any decision about a new session during the Assembly. If it should be necessary -- and I think we know our duty -- we will call a new session, but do not take the decision today.

You do not know, and you cannot imagine what a program we have before us in October and November. I will just mention the General Assembly, the Security Council, and you have decided to call the Narcotics and the Statistical Commissions together. Then, we have the International Trade Conference in London. We have the UNESCO Conference in Paris. You cannot find people in the world to serve all these international meetings and conferences at the same time.

This Session of the Economic and Social Council has produced 25 per cent more documents than the two previous Sessions of the Council. We have now reached one million pages of documents a day.

Therefore, I must ask the Council not to take a final decision today.

MR. PAPANEK (Czechoslovakia): Mr. President, my country, too, belongs to the devastated countries in Europe, but we feel that the decision in postponing the creation of the European Commission is rather wise, because it will give us time to work out specific programs.

We must not forget that there are today at least six or seven commissions or organizations working in Europe, and if a new one will be created, it will only complicate the work. If we have a certain time to coordinate the work of these with the new one that is proposed, I think that the means will be achieved earlier than if the commission would be created now.

However, the needs that we have in these countries should be taken care of by these organizations that are already existing. Therefore, I think that the resolution proposed should be adopted.

MR. FEONOV (Soviet Union) (Interpretation from Russian): Mr. President, the Representative of Greece just pointed out to us that the proposal to create a European Economic Commission is the most constructive way of solving the problems of the economic reconstruction of Europe.

I do not want at this time to start a debate on the essence of the proposal to create such a commission. I would like only to indicate here that if the creation of a commission would be really the most constructive way of solving problems of reconstruction, then, our world would be already a Paradise, so many commissions do we have in this world.

The PRESIDENT: We have to vote now on the Greek proposal.

MR. ARGYROPOULOS (Greece): Mr. President, I just wanted to reply very shortly to some things that have been said. We haven't as yet created a commission for Europe in order to say that it is an inefficient means of action. Until now, we have created ~~commissions~~ for narcotics and for other subjects, but it is not with those commissions that we are going to reconstruct Europe. I don't think we can say that Europe can become a paradise, for instance, with the Commission on Narcotics. We need a commission which coordinates all the works, and submits proposals, and constructive proposals, which will be enacted by the competent organisms, and the different means will be put at its disposal in order to make its work efficient. And it is precisely what I wanted also to reply to my Czechoslovakian colleague, that the coordination of which he was speaking can only be secured by a commission which takes up all that work and concentrates and correlates all the work of the different organisms in favor of the reconstruction of Europe.

If, as Mr. Secretary-General said, there is a technical difficulty in convoking special meetings of the Economic and Social Council during the session of the General Assembly, then I would propose the following text:

The Economic and Social Council resolves to refer to the General Assembly during its forthcoming meeting, the consideration of the proposal for the establishment of an Economic Commission for Europe.

MR. PENSON (United Kingdom): My Delegation, Mr. President, has reserved the right to raise this matter at the General Assembly, and we think that that would be sufficient. We have taken note of what the Secretary-General has said in regard to the pressure of business, with which we are very well acquainted, and I would have thought, and would indeed recommend to my other colleagues, that we adopt that rather simple procedure rather than committing ourselves further at the present moment.

The PRESIDENT: After this explanation, I think all the Members agree on the text of the resolution under V, page 7. It is generally approved.

MR. ARGYROPOULOS (Greece): I just want to say, Mr. President, that I take

with great satisfaction what has been said by our British colleague concerning the raising of the question by the British Delegation in the Assembly, and we, of course, will support it, warmly.

(During the above remarks, Mr. Parodi, Representative of France, arrived and replaced Mr. Hoffherr at the Council table.)

(During the above remarks Mr. Arca Parro, Representative of Peru, arrived and replaced Mr. Patino at the Council table.)

The PRESIDENT: Page 8, resolution under VI.

DR. CHANG (China): This concerns the rectification of a term, the correction of an anomaly.

We have considered the report of the Temporary Sub-Commission for Economic Reconstruction of Devastated Areas. As a matter of fact, the Sub-Commission is "sub" to nothing. It is, as a matter of fact, a Commission, directly advising the Council. It is not a sub-commission advising the Commission on Economic and Employment, as it was first contemplated. So, I have been informed by certain Members of Delegations, as well as of the Secretariat, that this anomaly has created some inconvenience. It is always right to make a rectification of a term as soon as that anomaly is detected. So, the Chinese Delegation has the honor in proposing this: the change of status to recognize the anomaly and to alter it as soon as possible.

In regard to the terms of reference, I think it does no harm to let the changed status, namely, the Temporary Commission for Economic Reconstruction of Devastated Areas, to keep the same set of references until our next session. For, after all, this Sub-Commission is a temporary one. The change of the name is, after all, only a matter of correcting an anomaly. However, when this suggestion was brought out, I was informed that this might cause some prejudice to the proposal for the establishment of an Economic Commission for Europe. In the spirit that the Chinese Delegation would like to promote, namely, conciliation, I agreed to leave this proposal to be dealt with together with the proposal for the creation of an Economic Commission for Europe. If that proposal should be discussed in the General Assembly -- of course, this may be

referred to the General Assembly altogether -- but there is this consideration, namely, this is strictly a Council matter. It is not a matter that can be dealt with properly by the General Assembly.

So, Mr. President, I should like to find out the opinion of the Members here as to whether we might not take an action on this immediately. But, if there should be any serious objection to its influence on the consideration of the proposal for the creation of an Economic Commission for Europe, if there should be, I should like to hear the reason. I am still ready to follow the spirit of conciliation.

The PRESIDENT: This is in fact an amendment to the Resolution under VI. The Chinese Representative proposed that the Economic and Social Council, at this session, should raise the Sub-Commission for Economic Reconstruction of Devastated Areas to the status of a Commission. This is his proposal.

SIR G. Shankar BAJPAI (India): Mr. President, a point of explanation. The text before us talks of the next ordinary or special session of the Council.

The PRESIDENT: The Chinese Representative is raising the question now. Of course, the Council can decide on this matter.

SIR G. Shankar BAJPAI (India): I am not disputing that the Council can decide. I was not quite sure as to whether our Chinese colleague wanted us to discuss the text of the Resolution as printed, or whether he has modified it to suggest that we take a decision now.

The PRESIDENT: I think my interpretation is right.

DR. CHANG (China): Yes, Mr. President. . . I would have said nothing at all had not Resolution V been changed. If Resolution V had not been changed then Resolution VI would follow the same procedure. Now, inasmuch as Resolution V has been changed, to referring the matter to the General Assembly, I see some difficulty--or is my understanding correct that Resolution V has been changed?

The PRESIDENT: Resolution V is taken as it stands; no changes. Only two Representatives have said that they reserve the right to raise this question at the Assembly, but every Representative has the right to do so.

DR. CHANG (China): If that is the case, I also will follow the text as it stands.

The PRESIDENT: Resolution VI is approved.

DR. CHANG (China): Mr. President, before we go to the next item, may I just say one word in appreciation of what the Council has decided under Resolution III. The Chinese Delegation appreciates deeply the special significance of the decision of the Council to convene a meeting of the Far Eastern Working Group of the Sub-commission on Economic Reconstruction of

Devastated Areas, in Nanking. This will be the first time for any agency of the United Nations to visit China, and to hold its meetings in China, and it is my hope, Mr. President, that we may be honored by the presence of the Secretary-General.

MR. FEONOV (Soviet Union): Mr. President, as a result of the discussion of the report of the Sub-Commission on Economic Reconstruction of Devastated Areas, we have adopted six resolutions. During the discussion of these resolutions, the Soviet Union Delegation, in its desire to reach unanimity, agreed to several recommendations without consent of its Government. It was difficult to communicate with the Government, as the discussion has been continuing up to the very last moment. The Soviet Union Delegation, therefore, reserves the right of the Soviet Government to propose any change to the agreed resolutions, at a later stage, if found necessary.

SIR G. Shankar BAJPAI (India): Mr. President, before you pass to the next item, I would like to say one word with regard to Resolution III of the resolutions that we have adopted. I shall not delve into the merits of it at all. As a matter of fact, I am very largely in agreement with the proposal which our Chinese colleague put forward and which the Council accepted. I would merely like to say this--that I have had no opportunity of ascertaining the views of my Government as to the venue of the proposed Commission or Sub-Commission, and therefore I accept this resolution ad referendum.

(During the above remarks, Mr. Warren, Representative of the United States, arrived and replaced Mr. Stinebower at the Council table; Sir George Rendel, Representative of the United Kingdom, arrived and replaced Mr. Penson; and Mr. Yepes, Representative of Columbia, arrived and replaced Mr. Zuleta Angel at the Council table.)

THE PRESIDENT: The next item on the Agenda is this: "(d) Refugees." At one of our meetings we decided that we would vote on the IRO Constitution as a whole. You have in your hands E/161, First Revision. All amendments approved at our meetings are inserted in the new text.

MR. WARREN (United States): Mr. President, there are two slight errors in printing at the foot of page 13.

THE PRESIDENT: Page 15.

MR. WARREN (United States): Third line from the bottom, second word "of" should read "to." That is page 13.

THE PRESIDENT: Page 13. It is an error in typing.

MR. WARREN (United States): It is an error in typing.

THE PRESIDENT: This could be easily corrected.

MR. WARREN (United States): Also on page 16, the fifth line from the bottom. The fourth word should read "Organization" instead of "Organizations."

There is one more matter. On page 20, I suggest that the note be changed to read "It is contemplated that the scales of contributions for the first year are to be prepared by the General Assembly in the light of the report to the General Assembly of the Standing Committee on Contributions."

THE PRESIDENT: Are there any more corrections?

MR. WARREN (United States): Just one, on page 6, paragraph 4 (b), the fourth word which now reads "or" should be "of". It should read "Whenever any Delegate of a Member..."

THE PRESIDENT: Instead of "or."

Are there any more corrections in the text? If there are no more corrections -- of course, when we discussed the text of the proposed Draft Constitution, several Delegations made some reservations, and, of course, those reservations, will be submitted to the Assembly. So if the Members agree, I could declare that

the Draft Constitution of IRO is adopted, with the reservations already made.

MR. FEONOV (Soviet Union): Mr. President, I just wanted to say that there is a reservation I already made several days ago; rather, it is not a reservation but just a statement that the Constitution in its present text, owing to the fact that there are several points which are not acceptable to the Soviet the Delegation Delegation, would not vote for the present text of the Constitution.

MR. MATES (Yugoslavia): Mr. President, the negative vote of the Yugoslav Delegation on the Constitution as a whole has already been explained in this Council several days ago.

MR. MEDVED (Ukrainian S.S.R.) (Second interpretation; original in Russian): At the previous meeting of this session when we discussed the Draft Agreement on the International Refugee Organization, the Ukrainian Delegation stated already that she will vote against this Draft, and we brought sufficient motivation for the statement. Therefore, I will not repeat my motives today.

MR. CISNEROS (Cuba) (Interpretation; original in French): Mr. President, the Cuban Delegation has on the occasion of previous meetings made a certain number of reservations in regard to the Draft Constitution. I will not repeat these reservations here, but I will simply make a statement that these reservations have been made by my Delegation.

THE PRESIDENT: I clearly said at the beginning that all reservations will be forwarded to the Assembly, so I see no reason why we should discuss the matter again. Therefore, I propose that the Draft Constitution of IRO should be submitted to the Assembly for final adoption and final resolution, with the reservations already made by the different Delegations.

SIR GEORGE RENDEL (United Kingdom): Mr. President, a point of order. May we have a vote on this by a show of hands, please?

The PRESIDENT: We are going to vote. Those in favor of this proposed Constitution should raise their hands.....Nine votes.

Those against?.....Three votes.

I think everybody is satisfied.

You have in your hands Document E/164/Rev.1. United States Delegation Interim Arrangements -- Refugees and Displaced Persons.

In fact, this document was produced out of an original United States proposal, and proposals made by the Secretariat.

MR. WARREN (United States): There are two changes, which are rather simple ones, and that nevertheless are necessary for a full discussion of the document. On page 2, the second sub-paragraph (a), in the middle of the page -- no, paragraph(e), which starts with "...the final approval by the Council of the Constitution..." -- I wish to insert the words "and of the provisional budget of the first financial year" after the words "the Constitution." So that it would read, "...final approval by the Council of the Constitution and of the provisional budget for the first financial year, the adoption by the Council of an arrangement for a preparatory commission, and the transmittal of both these instruments to the General Assembly, under a resolution of the Council of _____ October 1946;" The words to be inserted after "Constitution" are, "and of the provisional budget for the first financial year."

The second change is to delete on page 3, paragraph (e), -- in brackets, at the top of the page -- at the top of page 3.

With those preliminary suggestions for amendments, I merely wish to explain that this is a resolution of recommendation by the Council to the General Assembly that the General Assembly adopt an arrangement providing for a preparatory commission for the IRO to do the necessary planning in advance of it coming into being, ^{the} coming into force of the IRO itself. It is similar in its language to other interim arrangements such as that adopted for the

World Health Organization, and it is a draft form of resolutions for the Council based in part at least on the original memorandum presented by the Secretariat, the original memorandum of information presented by the Secretariat at the opening of the Session of the Council. That paper was in the form of a memorandum of information and not in the form of a draft resolution. The paper has been under a good deal of discussion by the Representatives since the original paper E/164 was issued. This is a revision of the original paper which reflects the changes which have been suggested in those informal discussions and with the amendments which I have now suggested; it is before the Council for consideration, and I hope for adoption.

MR. COLBJORNSEN (Norway): Mr. President, I should like to have an explanation with regard to Paragraph 6 on Page 4.

At the bottom, it is said that, "The expenses incurred by the Commission may be met by advances from such governments, ..." etc. "Expenses incurred" does that mean that the Preparatory Commission is authorized to enter into obligations, monetary and financial obligations, before advances are authorized or received from Governments, or before funds are transferred to it from existing organizations in another way?

My point is this: should the money be there before the expenses are incurred, or, if the Preparatory Commission enters into obligations and later on it might prove short of funds, are those obligations then obligations of the United Nations, to be covered by the general funds of the United Nations -- that is, from the capital working fund?

MR. WARREN (United States): Mr. President, there is clearly no intention that the Commission should expend money before it has it. I do not know where it would get the credit to do it. If it would help any, the word "of" might be substituted for the words "incurred by" -- "The expenses of the Commission..." etc.

There was no intention that it should spend money before it had money.

(During the above remarks, Mr. Yang replaced Dr. Chang, Representative of China, at the Council table.)

MR. YANG (China): Mr. President, I just want to ask a very simple question.

On page 1, the next to the last paragraph reads: "Recommends that the General Assembly adopt the annexed resolution." Now, I do not see the annex here; in fact I do not even find the resolution. Exactly where does it begin?

The PRESIDENT: Have you Document 164/Rev. 1?

MR. YANG (China): I have here Document 164/Rev. 1.

The PRESIDENT: It is only a question of wording and typing. I do not think that we should lose too much time discussing this proposal on Interim Arrangements. It is simply a proposal to be transmitted to the General

Assembly for final decision.

MR. FEONOV (Soviet Union): Mr. President, on page 5, paragraph 9, it is stated: "This Arrangement shall be effective as from this date, ...". What date is contemplated? Is it the date of the approval of this document by the Economic and Social Council, or by the General Assembly?

The PRESIDENT: I understand it will be effective on the date of the first signature by States that are willing to contribute to the International Refugee Organization.

MR. WARREN (United States): The intention was that it should be the date of the signatures.

SIR George RENDEL (United Kingdom): Mr. President, on the point which has just been raised, I think there is an obscurity, which I confess I had not myself observed.

Clearly, the effective date is the date of the signature, but, at the same time, if it is signed by one power or two powers, it seems unlikely that the Preparatory Commission, consisting of those one or two powers, would be very effective. It is perhaps, therefore, worthy of consideration whether it would not be well to recommend a certain number of signatures. I do not want to introduce any new elements of controversy. I think it is really only a matter of common sense. I do not think it should be necessary, in the case of a Preparatory Commission of this kind, to provide for the same number of signatures as in the case of the Constitution itself with the obligations, liabilities and other commitments involved.

But I would suggest that it might be well to fix a number, and I would tentatively suggest the number 8 as being a number which should constitute a sufficiently large body to meet the purpose in view and, at the same time, give some kind of guarantee that the Commission could come into being quickly.

The PRESIDENT: The United Kingdom Representative proposes that the number "8" should be inserted.

SIR George RENDEL (United Kingdom): I think, Mr. President; that it would want a little drafting. It could be: "The above agreement shall come into force as soon as it has been signed by eight parties."

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The PRESIDENT: Is this amendment approved?

SIR George RENDEL (United Kingdom): Mr. President, I think it comes into paragraph 9. It says "This arrangement shall be effective as from this date". I suggest it be amended to read "This arrangement shall be effective as from the date when it shall have been signed by the Representatives of eight Governments."

MR. WARREN (United States): Mr. President, I think it would be necessary to add "when it shall have been signed by the Representatives of the eight Governments which have signed the Constitution of the International Refugee Organization".

The PRESIDENT: Any objection to the amendment by the United Kingdom and the United States Representatives?

MR. FAUSTO SOTO (Chile): Mr. President, probably it would be better to add some phrase to the amendment proposed by the United States Representative-- "The States who have signed the Constitution of the International Refugee Organization without reservation".

The PRESIDENT: Now we have another amendment proposed by the Chilean Representative, an amendment to the United Kingdom and the United States amendment. Is it acceptable?

MR. WARREN (United States): No, Mr. President, I don't think that is necessary or feasible. This is only a preparatory Commission which will do planning and preparatory work before coming into existence of the International Refugee Organization. That would unduly restrict Members who might sign the Preparatory Commission arrangements to those who have completed all their Constitution procedures with respect to joining the International Refugee Organization itself. That amendment would not be acceptable for that reason.

The PRESIDENT: Without any further discussion I think we should vote. Those in favor of the amendment proposed by the United States and the United Kingdom Representatives please raise their hands?

SIR George RENDEL (United Kingdom): Are we voting on the Chilean amendment or on ours?

The PRESIDENT: We are now voting on your amendment.

SIR George RENDEL (United Kingdom): As amended by the United States Representative?

The PRESIDENT: Yes. Those in favor? Those against? Who is in favor of the Chilean super-amendment? Who is against? Not carried. So Document E/164/Rev.1, with corrections made during the discussion, will be transmitted to the General Assembly.

MR. FEONOV (Soviet Union): Mr. President, on page 3, paragraph 1, the Soviet Union Delegation suggests deleting the words "and the Director of the International Labour Organization". It seems to us the question of refugees cannot be considered as only a question of labor. If we agree to that, then the representation of the International Labour Organization would not be necessary at all. That is why I propose to delete these words.

The PRESIDENT: We have this amendment. Those in favor will please raise their hands.

MR. FEONOV (Soviet Union): In favor of the amendment?

The PRESIDENT: In favor of your amendment. Those against? Not carried.

DR. MALIK (Lebanon): Mr. President, I have a resolution to submit in connection with these interim arrangements which I hope will meet with universal approval. I trust you will be kind enough to give me a few minutes of your precious time in which to present this resolution.

The Representative of the Soviet Union has pressed repeatedly the question of repatriation. Countries of origin obviously are deeply concerned about that. There is no doubt that the primary matter of the problem of refugees and displaced persons is to speed up as much as possible the process of repatriation. For our part, we are prepared to support every effort in that direction, but we must face this hard fact that with the best intentions in the world, and after employing every means of encouraging people to return home, there would always remain residues who for various reasons would not go back home. Such people would surely have to be looked after by the Organization. Whether there are one thousand or one million, refuge must be found for them somewhere in the world. Therefore, complementary to the ultimate questions of

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repatriation, which we believe are primary and which were raised previously by the Representative of the Soviet Union, are also the ultimate questions of resettlement and re-establishment. Surely the problems of resettlement will have to be faced no less than those of repatriation, and if the latter have found an advocate, the former cannot be allowed to go by default.

As a result of the suggestion of the Lebanese Delegation some time ago that we immediately approach the individual Governments asking them how many and what kind of refugees they were prepared to receive, the Secretariat was kind enough to prepare at once a memorandum in which it showed that this approach has, in fact, already been made more than once. What was the outcome? The outcome was far from encouraging. There was a universal lack of enthusiasm for receiving refugees. Even the countries which, in keeping with their traditional magnanimous spirit, were at first prepared to open their doors, changed their minds upon second thought.

It seems to me, Mr. President, that our next step, while we are setting up these interim arrangements as an Economic and Social Council, is quite plain. Now that the Constitution is finished and all of us hope that the Assembly will approve it and that the Organization will come into being at the earliest possible moment, our next step is to keep on urging the individual countries of the world to open their doors to these unfortunate people. Unless we succeed in convincing the individual countries to cooperate according to the measure of their ability to provide refuge for these homeless people, then the problem will perpetually remain on our hands. It is no good, I submit, raising money and building up a tremendous organization in order to maintain, by philanthropy, unwanted and economically unproductive people. It is no good to keep on blaming the Economic and Social Council for this problem as though it were of its own making; when, as a matter of fact, it has done more by laboring to lay down the foundations for this organization than many an individual country by herself. What is required is to maintain and increase our pressure upon the individual countries so as to start at the earliest possible moment an organized flow of refugees from the camps. Surely this task need not baffle the responsible ingenuity of the nations. Surely the nations which overcame much more stupendous difficulties in the war can face and solve this minor problem. After everybody has been repatriated who desires to go home, we will have left

on our hands an irreducible core of, I suppose, not more than a half a million people. Now, Mr. President, I ask what is half a million people compared to the more than two billion people of the world?

I submit that if we divide them up among ourselves, there would be no problem left over. The best way in which we, as a Council, can continue being of help even after the completion of the Constitution and while the Organization is coming into being and its funds collected, is at the same time to prepare the ground for the essential functioning of the Organization. This essential functioning is certainly not to expend money on idle and unsettled refugees and camps, but to place them happily in a friendly society where they may find again meaning and usefulness in their lives.

Let, therefore, this problem be tackled first. Let the individual nations be appealed to in the strongest possible terms now by this Council and at the end of the month by the General Assembly. Let us, if necessary, send them effective speakers who will address the legislative bodies to the end that their Constitutions be quickened, their processes accelerated. If thus we keep on pressing moving, appealing to the individual countries, then before long we may have the receiving and prepared, if not actually opened.

To that end, Mr. President, I have the honor to submit the following resolution which is found in Document E/223, dated October 3--which ought to be October 2 because it was actually submitted to the Secretariat yesterday. The Resolution is simply this: "Considering the urgency of this problem of resettlement, we recommend that the General Assembly urge all of the Governments, Members of the United Nations, to pledge themselves each to receive into its territory, so far as may be practicable and for permanent resettlement at the earliest possible time, its fair share of the unrepatriated persons who are the concern of the IRO." This resolution, Mr. President, may be termed the interim arrangement for the interim arrangements themselves, for what is the use of preparing

the sending end of the process, when the receiving end is not prepared or does not exist at all.

I wish finally to state here on behalf of my Government that as soon as the appeal is made on a universal basis, my country, small as it is, would be prepared to receive three-fold its proper share of refugees.

(During the above remarks, Mr. Argyropoulos, Representative of Greece, left the table and was replaced by Mr. Loverdos.)

MR. FEONOV (Soviet Union): Mr. President, with your permission I will continue my remarks on this. I have some remarks concerning page 5, right at the end. It says there that only two languages are to be used, English and French. It was accepted in the Constitution itself that five languages should stand. I propose that five languages should be inserted here. It is at the end of page 5. It should read:

"IN FAITH WHEREOF, the undersigned representatives, having been duly authorized for that purpose, sign this Arrangement in the English, French, Russian, Chinese, and Spanish languages, all five texts being of equal authenticity."

The PRESIDENT: I think everybody agrees.

(During the above remarks Mr. Hoffherr replaced Mr. Parodi as Representative of France; Mr. Yang replaced Dr. Chang as Representative of China)

The PRESIDENT: Any objection to this proposal? No response. Accepted.

MR. FEONOV (Soviet Union): The third and last one is paragraph 3, page 4. The Soviet Delegation is of the opinion that while the Commission should continue its work in preparation for the International Refugee Organization and this work should be purely organizational, UNRRA will continue its activities with displaced persons. It seems to me that there will be no need to take over functions, activities, or assets, et cetera, from any of the organizations before the International Refugee Organization is set up. In any event, it is known that UNRRA is to be in operation with displaced persons up to the end of June 1947. Until that time we will have two meetings of the Economic and Social Council, I think in January and in May. If any emergency arises it would then be proper to raise this question at the first or second meeting of the Economic and Social Council in 1947. I think we will have enough time to handle the situation. But at the present time, it seems to the Soviet Delegation that the Preparatory Commission should devote all its efforts to purely organizational questions, to help in bringing the whole organization, the International Refugee Organization into operation. That is why we propose to delete paragraph 3 entirely.

MR. CISNEROS (Cuba) (Translation from French): Mr. President, I rise on a point of order. We are not opposed to discussing any remarks which any Representative may have to make but may I remind the Council that we are all more or less tired. We have worked long hours and we are supposed to work more long hours. Therefore, I believe we should take the various points in their logical order. We have now heard a proposal by the Representative for Lebanon and now, we are asked to come back to a Document which has already been approved. I think, Mr. President, that we could avoid jumping from one subject to the other without any order. I would suggest that if anybody has any remarks to make in respect to the points which may already have been settled, that they all be brought to the attention of the Council at a final point of our Agenda tonight.

The PRESIDENT: You must understand that the President is also tired but after all, I am always willing to give every Delegation a chance to raise some other point. You know how I have conducted our business at this Session. I think that nobody can say that I have not been liberal.

It is true that this Document under question has already passed but most probably our Soviet Colleague has now seen certain points and in my opinion, every Delegation is entitled to make observations and remarks on this Document. I think the Soviet Delegation is completely entitled to send those remarks with the Document to the General Assembly.

MR. FEONOV (Soviet Union): Mr. President, I am sorry but it was not my understanding that the Document was already passed. I thought that the proceedings on this Document were just interrupted by the speech of the Lebanese Representative.

MR. MALIK (Lebanon): Mr. President, from the President's own statement a minute ago, my intervention was not an interruption of anything.

Sir George RENDEL (United Kingdom): Mr. President, I certainly was under the impression that the Document before us had not been adopted. We had several proposals. There were several remarks which we wanted to make about it and if I may support my Soviet colleague, he was in the middle of proposing a series of amendments. I would have been surprised if it really

had been adopted.

With your permission, I would like to make one or two remarks about the position of my Government on this Document. I make them now because I want to be sure that I may have an opportunity of making them before the Document goes through. But I should like to preface them by saying that with regard to the Lebanese proposal, it does seem to me that our Lebanese colleague has put forward an entirely new resolution. It is a most interesting resolution. It is one which is full of possibilities and which obviously merits very careful discussion but it is surely a different proposal and a different paper which we have before us. We have here a perfectly clear text, Paper E/164, Revision 1, which has been submitted by the United States Representative. That is under discussion at present. The Amendments on it have not yet been fully discussed.

The Lebanese Representative has put forward another paper. It is a paper which is, as I say, of great interest but it does seem to me a separate question. You, Mr. President, will no doubt decide what is to be done about that paper, whether it is to be discussed as a new item on the Agenda or whether our Lebanese colleague should be advised to adopt some other method of introducing ^{it} such as putting it before the Assembly for whatever he may consider or you may consider appropriate. I will not comment on it now because the paper we are discussing is another paper.

I would only add that I think I am probably voicing the views of most Members of the Council if I say that we do feel a very deep appreciation of the extremely generous and fine offer which he has made on behalf of his Government to accept three times the number of immigrants which may be apportioned to the Lebanon as a result of any action that may eventually be taken on his resolution. I think that is a very generous offer which we should all note with appreciation.

Mr. President, if I may now for one moment express the views of my Government or make a few general remarks about the effort of my Government towards this paper -- I am doing this because in previous discussions on the subject, there has been some doubt as to the attitude of my Government and the

question of interim measures or preliminary international action in this matter has been raised in various forms.

Sir Girja Shankar BAJPAI (India): On a point of order, Mr. President, I don't wish to interrupt our colleague from the United Kingdom but possibly because of the fatigue which we have all endured, we are getting more and more confused as we proceed.

It seems to me that there are two clear propositions which have been submitted to the Council. One is the rather long paper which the United States Delegation has submitted and which we were discussing. Now our Lebanese colleague is fully competent to express his own opinion. Everybody knows how clear-headed and eloquent he is. But I think I am expressing his view as well as mine when I say he spoke under the impression that the other Document had been adopted and that what we had passed on to was this separate paper to which Sir George Rendel was referring, namely, his own resolution with regard to immigrants. Now I don't mind what we do but it seems to me not that we should perform the acrobatic trick of riding two horses at the same time. I mean we are not expert in the art of the circus. We can take either the one or the other and I think on that point, Mr. President, your ruling is both called for and likely to be very helpful.

(During the above remarks Mr. Zuleta Angel, Representative of Colombia, returned and replaced Mr. Yepes at the table.)

The PRESIDENT: I know very well that I announced that this document was discussed and will be transmitted to the Assembly. We did not vote specifically on this document, because it is only material for consideration of the Assembly. At the same time, I understand that perhaps some Representatives did not read it properly and that the document was in their hands, perhaps, today, and that they would like to raise some important question. As you know, I never prevent the Representatives from speaking on some important issues, but I would like to ask the Representatives to refrain from further discussion, and to be satisfied with my ruling that any new remarks or observations could be transmitted to the Assembly with this document. I think that is perfectly all right. Otherwise, we are going to have to vote on certain amendments, and I do not like to go back again to documents. There was plenty of time. I announced it and I asked the Representatives if they objected. I have really been extremely liberal.

We have had altogether to vote on more than 20 different resolutions, which have been submitted at the last moment. It is very difficult to work under such conditions. I am quite sure that the Economic and Social Council is going to meet in two or three months' time, and I see no reason why we should submit so many new resolutions.

The Representative of Lebanon proposed one resolution connected with interim arrangements, but as far as I can see, it is not regarding interim arrangements, but only appealing to the Assembly to assist refugees. Of course, the Representative of Lebanon is quite free to submit this proposal to the Assembly as an appeal to the receiving countries. In my opinion, if he is satisfied with my ruling, he should submit these proposals to the Assembly and not to this Economic and Social Council.

MR. MALIK (Lebanon): Mr. President, before we come to that point, I want to be exonerated of the charge which has just been cast upon me, that I interrupted a discussion and spoke irrelevantly. I interrupted no discussion that was going on. The President had already closed the discussion of that paper and said that it was to be transmitted to the General Assembly. I had

waited until that moment to bring up my own resolution. Therefore, I interrupted nobody.

SIR George RENDEL (United Kingdom): Mr. President, of course we accept your decision that this paper has been adopted by the Council. I was not aware of it; I do not think my Soviet colleague was. But I have no further amendments to propose, and if you have decided that it was adopted by the Council, it is adopted by the Council, and that is the end. I had imagined that it would be voted on. I had some statement to make about the attitude of my Government on that paper. The discussion being closed, I will not make that statement. It would not have modified the paper, but I had been instructed to make it, and I am sorry that I have not had the opportunity of doing so.

The only other thing I would like to say is that my first remarks, which were of no great importance but which were relevant, were not translated, owing to the point of order which was subsequently raised. I do not want them translated now but, no doubt, if there is a French text, some translation of them will appear.

(During the interpretation of the foregoing remarks, the following statement was made:)

SIR George RENDEL (United Kingdom) (Interpretation from French): There is no need to make a translation of my previous remarks, if they are in the minutes.

The PRESIDENT: But I clearly stated that every Delegation has a right to transmit written remarks and proposals with this document. I have never prevented anybody at this table from making statements.

We now have to decide on the proposal of the Lebanese Representative, Resolution on Interim Arrangements for Refugees.

MR. COLBJORNSEN (Norway): Mr. President, I propose that the proposal be referred to the General Assembly.

The PRESIDENT: Who is in favor of the proposal of the Norway Representative.

MR. MATES (Yugoslavia): Mr. President, I understand that paper 228 has a heading to be linked with interim arrangements on Refugees. This being so, I think that I am in order in giving a statement of the Yugoslav Delegation concerning interim arrangements.

MR. COLBJORNSEN (Norway): Point of order Mr. President! Mr. President I don't think the substance matter of interim arrangements can be open again now. That matter has been closed.

The PRESIDENT: The Yugoslav Representative has a perfect right in submitting his statement.

MR. MATES (Yugoslavia): Mr. President, I thank you for your liberal attitude, but I certainly do not want to be out of order in the opinion of any Representative, and may I have the ruling whether the question of interim arrangements is still under discussion or is closed. If it closed, I shall refrain from giving my statement, but in this case I think we cannot discuss paper 228.

The PRESIDENT: I clearly stated that our discussion in Interim arrangements has been closed, but that with reservations made during the discussion because some Delegations proposed some amendments. The majority of the Members approved. But at the same time I must declare that any Member of this Delegation has a right to submit in writing his statement of a new proposal and everything will be transmitted to the Assembly. I declare that the discussion on interim arrangements is closed. Therefore, the Lebanon proposal submitted on interim arrangement cannot be discussed, but we can invite the Lebanon Representative to submit his proposal directly to the Assembly.

Next item -- E., report of the Committee on Negotiations with Specialized Agencies. May I ask the Chairman of this Committee to present his report.

MR. LEBEAU (France) (Interpretation from French): Mr. President, at this stage of the work of the Council, I would not to prolong this discussion of the

Council. Therefore, instead of making a complete expose of all the report, I would like to refer you directly to the report and, more particularly, to the recommendations embodied in the end of the report -- in the English text on Page 4 and the French text on the bottom of Page 4. It concerns Document E/205, Page 4.

The PRESIDENT: We have now to decide on recommendations submitted in Document E/205, Page 4. Does any Representative wish to speak on this subject?

(During the above remarks Mr. Warren, Representative of the United States left the table and was replaced by Mr. Kotschnig; Sir George Rendel, Representative of the United Kingdom left the table and was replaced by Mr. Penson; Mr. Argyropoulos, Representative of Greece, arrived and replaced Mr. Loverdos)

MR. FEONOV: (Soviet Union): Mr. President, I have two or three remarks to make on that Document. The first one concerns the Provisional International Civil Aviation Organization. The Soviet Union Delegation does not consider it possible to depart from the view it expressed already when we discussed that question at the plenary meeting of the Economic and Social Council some days ago. It was argued at that time that it was too late to accept the Soviet recommendations to postpone negotiations because negotiations were about to be completed.

Now, we are considering the report on the Committee of Negotiations of Specialized Agencies. One of the items of this report concerns this Provisional International Civil Aviation Organization. It is stated in the Charter of the United Nations that the Economic and Social Council, in its negotiations with the Specialized Agencies, should state the conditions of such an agency. So, I think it is proper, Mr. President, now to propose one of the conditions of the Economic and Social Council, for the Provisional International Civil Aviation Organization. I must repeat that this condition should be to get rid of Franco Spain as far as this organization is concerned.

It seems to me Mr. President that that suggestion that I have just made

has full justification, especially having in mind that the Organization itself has not yet been created and has not yet been properly set up. It is not now an established Organization, but is only an initial group with which the Economic and Social Council now wishes to establish relations. There is no justification for any haste in the decision of this matter, and there is full justification for the postponing of the establishment of the relationship between the Council and this Organization because of reasons just stated by the Delegation of the Soviet Union. The Delegation proposed -- and that is the first proposal of the Delegation on this report -- the Delegation ^{that} proposes ~~the Council~~ refrain from acceptance of the agreement reached between the Committee on Negotiations and the initial group of the Provisional International Civil Aviation Organization.

Mr. PAPANEK (Czechoslovakia): Mr. President, for the reasons presented by the Czechoslovak Delegation during the discussion of this proposal concerning PICA0, the Czechoslovak Delegation feels, without repeating the reasons again, that the United Nations should not enter, directly or indirectly, into relations with the Government of Franco-Spain.

Therefore, our Delegation supports the proposal of the Soviet Delegation.

The PRESIDENT: Are there no more speakers on this subject?

Mr. MEDVED (Ukrainian SSR) (Second interpretation; original in Russian):

Mr. President, I would like to avail myself of the opportunity I have, in the presence of the Secretary-General here, to ask a question.

If we consider the fact that PICA0 does not exist at the present time, and that it is merely an initiative group and that the Statute of the Organization is not in force, I would like to know: Can we sign an agreement with an Organization which is not in force? The Statute of that particular Organization states that the Organization will exist when twenty-six countries will have signed the Statute.

It is merely a judicial question. If we are going to sign, with whom are we going to sign? Can we reach an agreement with an Organization that does not exist? I would like to have an answer to this question.

The SECRETARY-GENERAL: Mr. President, I can only ask the Honorable Representative from the Ukraine to look on Page 1 where it says that: "In compliance with the instructions laid down by the Council itself in its Resolution of the 21st of June, 1946, the negotiations have been taken up with the Provisional International Civil Aviation Organization", and we have followed the same course as we did with UNESCO before UNESCO was established.

That is the only information I can give you.

Mr. LEBEAU (Belgium): In my capacity as the Chairman of that Commission, I am in a position to answer the question raised by the Ukrainian Representative. As a matter of fact, the Commission had the same question in mind: What powers did the Organization in question have?

We did ask this question of the Representative of the Organization, who produced at that time an Article of the interim agreement, and showed a clause

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whereby the Organization was authorized to enter into relations with the United Nations, and on the strength of that clause, we did enter into negotiations with the Organization.

(During the above remarks, Dr. Chang, Representative of China, returned and replaced Mr. Wang at the Council Table.)

MR. KOTSCHNIG (United States): Mr. President, I think it was three days ago that my Delegation recommended that negotiations with the Representative of PICAQ should be continued. We made that recommendation, not because of any sympathy for Franco Spain, -- I don't need to point that out -- but because we felt that it was our duty to make an arrangement with the International Civil Aviation Organization. Further, we were bound to make such an arrangement if we were to carry out the task invested in us, which is to coordinate the activities of the major international specialized organizations, of which, undoubtedly, PICAQ was, or, later on, is one. This situation which existed three days ago has not changed. For the same reasons for which we voted against any postponement of negotiations with PICAQ, we are now obliged to vote against any amendment which would suspend such an agreement. We do feel that the agreement should go forward to the Assembly for its action. But we do recognize the worth of the political issue regarding Spain, which has been raised here in this Council Chamber. We do feel, however, that this is an issue which ought to be settled by the Assembly itself in all freedom, and the Assembly certainly, even if the Soviet amendment is not included in our report, is likely to take up that issue.

Thus, to conclude, we do feel that the Soviet amendment, as proposed, is unnecessary. We should like to have this matter decided by the party most qualified to do so, which is the Assembly. We therefore shall support the recommendation of the Negotiating Committee as it stands in its present form.

MR. FEONOV (Soviet Union): Mr. President, the suggestion that the report of the Negotiating Committee on negotiations with PICAQ should be referred to the General Assembly is based on just expediency, not on delaying the matter. As I stated, I saw no urgency in this matter. But let us suppose that there is, and the Soviet Delegation perhaps will not raise an objection to the suggestion that this report should be referred to the General Assembly for consideration. But I would like to draw the attention of the Council to Article 63 of the

Charter of the United Nations, where it is stated:

"1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57," -- that is, about specialized agencies -- "defining the terms on which the agency concerned shall be brought into relationship with the United Nations."

I would suggest, Mr. President, that one of the conditions which should be defined according to Article 63, would be that PICA0 should get rid of Franco Spain. If the present Constitution of PICA0 does not allow this organization to do that, then Members of the United Nations, in this Organization, should make this proposal at the first General Meeting of this Organization. That should be one of our recommendations entirely consistent with Article 63 of the Charter of the United Nations.

It seems to me that all those who have no sympathy with Franco Spain cannot refuse such a suggestion, otherwise it cannot be understood.

That, Mr. President, is our suggestion.

The PRESIDENT: Any more speeches?

(During the above remarks, Mr. Riddell, Representative of Canada, left the Council Table and was replaced by Mr. Davidson)

DR. CHANG (China): I think the suggestion of bringing this matter to the attention of the General Assembly, concerning the relationship with PICA0, is altogether wise and acceptable, because I think not only the Chinese Delegation, but others, may feel the same. However, I will speak for the Chinese Delegation, that the last vote taken was, as I expressed in my cold language, -- we considered the matter technical, from both points of view; technical in the sense that having started negotiations, it was not necessary to stop it half way. However, the negotiations were finished, and I think it may be remembered that at that time I suggested the resolution proposed by the Soviet Delegation should be amended to include not only the negotiations, but also the relationship with the PICA0, and today that has been brought out.

It seems as though I would not, at this stage, vote again on that question, because if I should vote on the technical issue, it may be understood

that I am politically sympathizing with some Government which we expressed, the Chinese Delegation expressed, very definitely, in the vote on the Narcotic Protocol, our attitude.

So, I think it is altogether wise for us not to take a vote on this issue, but to bring the matter to the General Assembly, because even though there should be an expression here, I think the matter would be brought up before the Assembly anyway.

Mr. FEONOV (Soviet Union): Mr. President, I must repeat that it is absolutely clearly stated in Article 63 that the Economic and Social Council may enter into agreement with any of the agencies referred to in Article 57 defining the terms on which the agency concerned shall be brought into relationship with the United Nations. So it is proper for the Economic and Social Council to define the terms of relationship with the specialized agencies. And one of the terms should be, as the Soviet Union Delegation proposes, to get rid of Franco Spain. That is a very clear proposal entirely consistent with the terms of reference of the Economic and Social Council. And it seems to me that the mere vote on this suggestion will clearly show who is and who is not a sympathizer with Franco Spain.

I would suggest, Mr. President -- I do not want to propose to stop the discussion on this matter, if anybody wishes to discuss it, but when we come to voting, I would suggest a roll call.

Dr. CHANG (China): Mr. President, in view of the fact that this is an Economic and Social Council, naturally the greatest emphasis should be on economic and social problems. There is that item in the Charter, but the Council, it seems to me, has the prerogative to decide which terms are exactly within our competence and which terms are not.

May I then, if there has been a resolution already, suggest an amendment saying that the question suggested should be referred to the General Assembly. In other words the so-called terms really could be so interpreted as not to include things which the Council feels itself requiring some higher mandate for us to get a directive.

Mr. FEONOV (Soviet Union): Just a question to the Chinese Representative, Mr. President. When the Chinese Representative entered the discussion of this question, he started by saying that the attitude of his Government was clearly expressed by his voting for the Resolution on narcotic drugs. We clearly stated that Franco Spain was excluded from that. It was considered by everybody -- every Member of the Economic and Social Council, including the Chinese Representative -- as entirely consistent for the Economic and Social

Council to take this Resolution. I am now asking the Chinese Representative why is he inconsistent in regard to PICAQ, what is the difference?

(At this point Mr. Riddell returned and replaced Mr Davidson for Canada.)

Dr CHANG: I feel highly honored to be called by name to answer an argument, but I feel that the time is too short. But I have already stated the distinction. One is a matter of the signing of the protocol, and the other is a matter of considering the PICAQ as a technical institution, the same as the Postal Union. I understand that in the Postal Union there are Members who do not happen to completely agree in their political structure. As to whether the PICAQ can be considered as analogous to the Postal Union, I should like to have the General Assembly decide. So if there should be any vote, I hope my refraining from voting should never again be interpreted as an expression that China is in favor of Franco Spain. Any interpretation along that line would be contrary to the truth.

MR. FEONOV (Soviet Union): May I make a statement to clear up this misunderstanding?

PRESIDENT: Yes.

MR. FEONOV (Soviet Union): It was not my intention at all to offend my Chinese colleague whom I very greatly respect. I just wanted to understand his point of view, why in one case he thought the Economic and Social Council could express a political opinion, because when we speak of relations with Franco Spain -- whether there should or should not be relations established with Franco Spain -- it is clearly a political matter, as everybody understands. In one case it was not only permissible but the Chinese Delegate voted himself -- as far as I remember -- for the elimination of Franco Spain from international cooperation while in the other case -- in the case of PICA0.. Why. should not ^{this} be applied as well, because at present it is exactly the same issue? The Economic and Social Council should express its attitude on this matter. So, Mr. President, I have not the slightest doubt that it is entirely in accordance with the terms of reference of the Economic and Social Council and the Charter of the United Nations to express its views because it is clearly stated in Article 63 that the Economic and Social Council should define its terms on which the agency concerned shall be brought into relationship with the United Nations. I would propose, Mr. President, to vote, and as I have already asked, the Soviet Union Delegation would wish to have a roll call.

MR. LEBEAU (Belgium) - (Interpretation; original in French): Mr. President, first of all I would like to raise an objection at a state of conditions which seems to reign in this Council whereby the slightest debate very soon becomes a political debate of the first order.

The Economic and Social Council is a technical body and not a political body. So far as Spain is concerned, our policies in regard to Spain are very clear. They have been demonstrated through various declarations, acts, and steps. The Council itself through the means of Protocol concerning an act of the United Nations has very definitely shown what were to be the relations between the United Nations and Spain.

We voted at that time on a proposal which excluded Spain from having any relations with the United Nations. However, on the question which we are discussing at the present time I am not in agreement with the Soviet Representative. I feel that we are faced at the present time with a completely different proposition. We are not studying the relations between Spain and the United Nations in the Economic and Social Council right now. We are not planning to make Spain come into an instrument/organization of the United Nations. All we are trying to do is approve an agreement with a specialized organization in accordance with the terms of the Charter and within the frame of the Charter.

Therefore, I feel that the Commissions' proposal is a very reasonable one. Whenever we consider the Charter, I feel that we should consider the Charter as a whole and view it from the point of view of the general economy and not limit ourselves to the quotation of one article and field like the Koran when any idea might be included. Let us consider Chapter IX and Chapter X of the Charter. Chapter IX is a very general one. In Article 57, it speaks of: "The various specialized agencies, established by inter-governmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63."

In other words, these relations which show the connection which the Organization should have, form an essential institutional system which itself is created by the Charter, and the said arrangement should be subject to Article 63.

Let us consider now Article 63, and there again, we have that the Economic and Social Council may enter into agreement with any of the agencies referred to in Article 57, which defines the terms under which the agency shall be brought into relationship with the United Nations. What does this actually signify? That signifies that the relations which are obligatory under Article 57 will have to be approved by the Economic and Social Council. This relation, of course, is subject to the agreements in which the terms will be defined. These conditions would subject the relationship of the Organization to the United Nations.

It is an obligation to the Economic and Social Council to work out such terms, but not to find conditions which would not be applicable to the specialized agencies. We could not, just for political considerations, ask the specialized agencies to exclude from its membership a particular member whom we do not like. It is a question of technical collaboration which is concerned here. The proposal deals on a purely technical basis and, Mr. President, I want again to object to the political issue which has been brought to bear. I refuse to be drawn into a political discussion, and this whole proposal and recommendation should be considered only and purely on its technical merits.

Mr. CISNEROS (Cuba) (Interpretation from French): Mr. President, I seem to recognize here some of the arguments which have been presented two days ago. However, today they seem to be presented with more heat and more precision. But it leaves me to believe that all the Representatives have already taken their position in regard to the document which is being studied at the present time. Therefore, we would like to ask the Chair to close the debate and to proceed to the vote on this proposal. Taking advantage of the opportunity we have right now holding the floor, I want to thank the Representative of Belgium for the statement he has just made and during which he has expressed exactly the same position which is taken by the Representative of Cuba.

Mr. FEONOV (Soviet Union): Mr. President, the Belgian Representative suggested that the Economic and Social Council should avoid any political issue. I must say that the political issue is here before us. The only question now is who will take what side.

Mr. CISNEROS (Cuba) (Interpretation from French): The Cuban Delegation would ask for the application of the corresponding article for the closing of the debate, and therefore, I believe that after this, only two speakers will have the right to speak for the closing.

The PRESIDENT: You are right; therefore, two speakers can speak in favor of closure of the debate.

MR. MATES (Yugoslavia): With all respect, Mr. President, if I am not greatly mistaken, the rule is that two speakers are allowed to speak against the closure.

The PRESIDENT: Rule 55 -- "A Representative may at any time move closure of the debate whether or not any other Representative signifies 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."

MR. ARGYROPOULOS (Greece): I want to back the proposal, Mr. President.

The PRESIDENT: Excuse me but only two speakers have the right to speak against closure. Who is against it? There are no speakers against it; therefore, the debate is closed. We have to vote now. The Representative of the Soviet Union asked for a roll call. So, I am putting to a vote the recommendation on page 4. I understood that the Soviet Representative would like to have a roll call on sub-paragraph (b).

MR. LEBEAU (Belgium) (Interpretation from French): Mr. President, what are we voting upon?

The PRESIDENT: We are voting on the recommendations on page 4 as to whether they are to be accepted or not. But the Soviet Representative asked that a roll call be taken. So we have not to take a vote on sub-paragraph (a).

MR. PAPANEK (Czechoslovakia): Mr. President, there was a proposal by the Soviet Representative and I think we should vote on that.

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The PRESIDENT: But I spoke and explained exactly that this only concerns sub-paragraph (b), and the Soviet Representative proposed that we should put conditions under which the agreement should be concluded with PICAQ.

MR. PENSON (United Kingdom): Mr. President, I have an amendment to move on sub-paragraph (a). Therefore, if we are to take sub-paragraph (a) first, I respectfully request that my amendment be taken next.

The PRESIDENT: It is paragraph (a); we have to vote on paragraph (a). Are there any amendments?

Mr. COLBJORNSEN (Norway): Mr. President, a point of order. The debate is closed, and therefore, according to my mind, no new amendments can now be proposed.

Mr. LEBEAU (Belgium) (Interpretation from French): A point of order, Mr. President.

I respectfully submit that, as far as I know, the debate on (a) was never opened. We proceeded almost immediately to discuss point (b), and then you closed the debate on point (b). However, we had never opened any discussion on point (a). Therefore, Mr. President, I respectfully submit that it would be quite legitimate to authorize the various Representatives who have any amendments to submit on point (a) to make them now.

The PRESIDENT: Now we have to vote on sub-paragraph (a). Now it is clear to me. We can allow amendments to this paragraph. Are there any amendments?

MR. MATES: (Yugoslavia): Mr. President, it is my impression that on sub-paragraph (b) there was one amendment made by the Soviet Representative. The amendment was not to approve the agreement which says, "The Economic and Social Council, having considered...", etc., but to give it back with some instructions to exclude one country--

Mr. Arca PARRO (Peru): (Interrupting): We are voting on (a).

The PRESIDENT: We are voting on (a) now.

Mr. MATES (Yugoslavia): I am sorry.

Mr. PENSON (United Kingdom): My amendment, Mr. President, stands on the order paper as E/219, in which I have three amendments.

The first of them applies to sub-paragraph (a). My Delegation would like the Council to review the decision taken by the Negotiating Committee as

regards the right of FAO, UNESCO and PTCAO to seek advisory opinions from the International Court of Justice. The Committee's decision was taken after a comparatively brief discussion, by a small majority, and my Delegation wished to bring this matter again to the Council.

I would remind the Council that in the agreement with the International Labor Office, provision is made for the International Labor Office to seek advisory opinions on matters within its competence, excepting the question of relationship between the International Labor Office and the Council itself.

This provision was made in the agreement, because it was generally thought to be both reasonable and business-like. My Delegation attached great value to the work of the Specialized Agencies, and it seems to us to be quite wrong that they should be refused by the United Nations the right to seek advisory opinions from the Court on matters within their competence.

This is provided for, as I have said, in the International Labor Office agreement. In the case of the agreement with the FAO, however--and I shall raise the same points with regard to the two other bodies--the clause has been left blank, because the Negotiating Committee did not feel able to agree to the same clause in the case of the FAO as in the case of the International Labor Office. The Committee, however, considered that if the Council should decide to recommend to the General Assembly that the clause contained in the ILO draft be extended to the FAO, a similar recommendation should be allowed in the case of the other two agencies to which I have alluded.

It seems to my Delegation that there is no reason to distinguish between these Specialized Agencies and, therefore, that the clause provided for in the International Labor Office agreement should also be applied to these other organizations.

Mr. WINANT (United States): Mr. President, the United States Delegation would like to second this amendment.

Mr. Fausto SOTO (Chile): Mr. President, the United Kingdom Representative has referred to the fact that this question was discussed thoroughly in the Sub-Committee. As I remember it, as a Member of the Committee on Negotiations with Specialized Agencies, we discussed this question not only for hours, not only for days, in the Committee, but also in the Second Session of the Council. It has probably been one of the most debated questions in the Committee--and this question was already resolved in the Second Session of the Council last June.

Now, the question is raised here again by the FAO, because in their agreement the clause was left blank. The question was taken up in the Committee, and by a majority the Committee decided to insist that it use the clause already accepted by UNESCO, instead of the clause that was put in the agreement with the ILO.

The situation is this: there have been two opinions in the Committee. One is called the "liberal" opinion--that is, that the clause that was inserted in the agreement with the ILO be used; and the other is the "restricted" opinion--that the restricted clause that was inserted in the agreement with UNESCO be used.

The clause inserted in the ILO agreement was inserted for a special reason, in consideration of the special condition of the ILO, which is a long-established organization with many conventions and very many needs for sending for advisory opinions from the International Court of Justice.

That is not the case with the other Organizations - UNESCO, FAO and PICAQ, which are new Organizations and have no reason for asking for such extensive powers as ILO. This question, as I have said, has been much discussed and I don't want to enter into all the details, but the principal reason for taking the position that the Committee of the Council has taken already is that.

The only thing I have to add is that in any case if these new Organizations too have them, even though they are not in the state of perfection - UNESCO and PICAQ are only embryonic Organizations - i.e., during their development, they feel that they need this liberal clause to ask advice or opinion from the International Court of Justice any time directly without passing through this Council, there is a clause in every agreement that permits a revision of the agreement. In that case if, in the future, these new Organizations feel that they need this liberal clause, I think we will be ready to hear the position and perhaps ready to revise the agreement.

For this reason, Mr. President, I cannot agree with the amendment proposed by the United Kingdom Representative, and I ask the Council to accept in the report the Resolution proposed by the Committee to the Council.

The PRESIDENT: Members of the Council, we decided this morning that our Session would be concluded today, and we have only two small items to discuss. Therefore, I propose that we should have dinner now and come back exactly at eight o'clock. The translation will take place after dinner. We shall have dinner in the cafeteria.

MR. FEONOV (Soviet Union): Can we not finish this question, Mr. President? It may take only five minutes more.

The PRESIDENT: I think we can come back.

MR. ZULETA ANGEL (Colombia) (Interpretation from French): According to the rules, the Chairman can close the meeting when he wants to. It is up to the President.

The PRESIDENT: We shall come back at eight o'clock.

(The meeting adjourned at 7:15 pm)