



ECONOMIC AND SOCIAL COUNCIL

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OFFICIAL RECORDS

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President: Mr. Raymond SCHEYVEN (Belgium).

AGENDA ITEM 17

- Non-governmental organizations (continued)* (E/4647, E/4671, E/4685 and Add.1, E/L.1251):
(a) Applications and re-applications for consultative status;
(b) Review of non-governmental organizations in consultative status
Co-ordinating Board of Jewish Organizations (continued)

1. The PRESIDENT pointed out that there was still a great deal of work to be done in the last week of the session. The Council had to complete its discussion of item 17 and consider five agenda items which had not yet been taken up, as well as the reports of the Economic Committee and the Social Committee on other items. He wished to draw attention to rule 52 of the Council's rules of procedure concerning the closing of the list of speakers and to rule 51 concerning the time-limit on speeches; however, he would prefer not to have to apply those two rules and would do so only if circumstances made it necessary. Since the President was continually required to act as arbiter, it would be preferable if he was not obliged to propose the application of rules 51 and 52, which might give the impression that he was taking sides. He therefore appealed for the co-operation of members of the Council and invited them to impose a certain amount of self-discipline so that the Council could complete its work in time, without having to hold night meetings, which were both tiring and costly, or making it necessary for the President to interrupt constantly.

2. As members would recall, it had been decided that consideration of agenda item 17, and in particular the question of the Co-ordinating Board of Jewish Organizations, should be resumed at the present meeting. When the Council had suspended its discussion of the question at its 1587th meeting, the President had been asked to find some solution that might meet with more general agreement. As the situation stood at present the United States delegation, on the one hand, had submitted a proposal (1586th meeting), which it was maintaining; on the other hand, the President

*Resumed from the 1587th meeting.

had had contacts with the representative of the Arab delegations, who had expressed the following view: during the four previous votes regarding four other non-governmental organizations (World Jewish Congress, Consultative Council of Jewish Organizations, Women's International Zionist Organization and Agudas Israel World Organization), the result of the voting had been favourable to the United States position and the Arab delegations had bowed to the decision; the case of the Co-ordinating Board of Jewish Organizations was different, since there had been a proposal by Kuwait and the Council then had been asked to take a decision on the priority of the motions introduced by Kuwait and the United States and had given priority to the Kuwaiti motion, which had subsequently been adopted. The representative of the Arab delegations had asked if a compromise solution could be found that might be accepted by the United States. No proposal had been made to the President apart from that submitted by the United States. It had been suggested that consideration of item 17 should be postponed until the forty-seventh session of the Council, but that did not seem to be an appropriate solution since the agenda for the forty-seventh session would be very heavy and the Council had already postponed consideration of two or three agenda items until that session. Furthermore, the Council had devoted a great deal of time to consideration of item 17 at its present session and it would hardly be reasonable to postpone the discussion until the next session. He therefore proposed that the Council should resume its consideration of the question of the Co-ordinating Board of Jewish Organizations and take a decision on the proposal made by the representative of the United States.

3. Mr. BERRO (Uruguay) said that a number of points needed to be clarified. First of all, the discussion did not pertain to substance, since consideration of the question had been duly referred to the Council Committee on Non-Governmental Organizations as a result of the adjournment motion submitted by Kuwait and adopted by the Council. At the present session, a decision simply had to be taken regarding the provisional status to be accorded to the Co-ordinating Board of Jewish Organizations pending a final decision by the Council. Since the Council had not decided to suspend the consultative status of the organization in question and had simply referred the question to the appropriate Committee, one could only conclude that the Council would be inconsistent if it decided, on the one hand, to postpone consideration of the question—being unable to take a decision in the immediate future—and, on the other hand, to apply a sanction by suspending the status of an organization which it admittedly was unable either to classify or to exclude. It would surely be inconceivable for the Council to decide to consider the question in depth and ask for supplementary informa-

tion while at the same time taking an extremely serious step which would in fact amount to expulsion.

4. It was clear that the adjournment motion adopted by the Council on 21 May (1585th meeting) could not automatically entail suspension of the consultative status of the Co-ordinating Board of Jewish Organizations, since it contained no explicit indication to that effect. However, in order to dispel certain doubts that had arisen from the confusion introduced into the discussion, the United States representative had asked the President if the Kuwaiti motion to be voted upon entailed the suspension of the organization's status, to which the President had categorically replied that that was certainly not the case and the sponsor of the proposal had kept silent. All that had taken place before the voting.

5. It was also clear that the motion presented by the United States was legally beyond criticism and in no way called into question the adjournment motion already adopted by the Council. On the contrary, it supplemented that motion by avoiding the tortuous interpretation that certain parties wished to give it by implicitly construing it as entailing a suspension of status—something it could not do since the President had made it quite clear that the adjournment motion to be voted upon did not imply any suspension of status. The United States proposal was therefore not only legally acceptable but actually necessary since it provided a means of rectifying fallacious interpretations and eliminating the confusion that had been brought into the debate.

6. He also recalled that, when the President had taken a decision under rule 49 of the Council's rules of procedure (1587th meeting), no one had challenged it and consequently the decision must be considered to have been adopted by the Council.

7. His delegation would therefore vote for the United States motion, according the organization in question the provisional status equivalent to that which it possessed at the moment, the only decision adopted by the Committee having been to reject the proposal that the organization should be granted no status at all. It was unthinkable that the mere adjournment of the debate could entail an actual penalty for the organization, contrary to accepted legal principles such as Article 71 of the United Nations Charter, the third preambular paragraph of Council resolution 1225 (XLII) of 6 June 1967 and paragraph 36 of Council resolution 1296 (XLIV) of 23 May 1968.

8. Mr. KHANACHET (Kuwait) said that he had listened with great interest to the statement by the representative of Uruguay and that his delegation had taken into consideration all the legal arguments which had been advanced and all the provisions of the rules of procedure. He was surprised that the Council had had no difficulty in reaching a decision on several non-governmental organizations but that, when certain other organizations came up for discussion, clouds appeared on the horizon. His delegation had no desire to aggravate that state of affairs, but it reserved the right to explain its position and discuss all the views put forward in the Council. The representative of Uruguay had said that the motion adopted by the Council the previous week (1585th meeting) had not involved suspension of the consultative status

of the Co-ordinating Board of Jewish Organizations and he could scarcely be contradicted on that score: the Council had not actually decided on the suspension of the organization's status, since such a suspension was possible only in the case of an organization which was already in consultative status. The Co-ordinating Board of Jewish Organizations had not had any status at the time the Council had decided on its case, and the Council had therefore not been able to suspend its status. The report of the Council Committee on Non-Governmental Organizations (E/4647) clearly stated that the proposal of the Soviet representative that the organization in question should not be placed in any category with consultative status had been rejected; it followed quite logically that the Council Committee had had to take another decision in order to grant status to the organization and to classify it. The Council Committee had rejected two resolutions—one whereby the organization would be given category II status and one whereby it would be placed on the Roster (*ibid.*). The Council Committee had therefore been unable to take a decision, and, so long as no affirmative decision was taken, the organization would have no status. The theory that the organization should retain its status so long as no negative decision was taken in its case was contrary to the resolutions which had originally established a specific relationship between non-governmental organizations and the Economic and Social Council; such a relationship could be created only by an affirmative decision of the Council.

9. The representative of Uruguay had said that the United States proposal was not only admissible but also necessary. As to the admissibility of the proposal, the President had made a ruling which had been accepted by the members of the Council in deference to the President and to his office. On the other hand, he himself felt personally involved when the representative of Uruguay said that the United States proposal was necessary in order to correct certain mistakes and clarify the situation. He had the impression that he was being accused of depriving the organization in question of the status to which it was entitled. That was far from his intention, and he proposed that the Council should take note of the part of the report of its Committee on Non-Governmental Organizations (*ibid.*) relating to the Co-ordinating Board of Jewish Organizations. In that way the Council would endorse its Committee's very clear conclusions: that the Co-ordinating Board of Jewish Organizations had no status and would not have status until an affirmative decision in its case was taken by the Council. The fact that the United States delegation had asked the Council to decide on the status of the organization in question proved that that delegation itself acknowledged that the organization had no status; that was why it had thought it necessary to invite the Council to take a decision on the matter and grant the organization consultative status.

10. He promised to heed the comments made by the President at the beginning of the meeting so as to make the debate as brief as possible, particularly since the question had already been considered by the Council at length, but he hoped that the President would allow him to speak again later if he asked to do so.

11. Mr. EL HADI (Sudan) drew attention to a newspaper article stating that the World Young Women's Christian Association and the League of Red Cross Societies had sent a joint letter to the Chairman of the Council Committee on Non-Governmental Organizations complaining that representatives of B'nai B'rith had been denounced by certain representatives and had not had an opportunity to reply to the accusations made against them. He requested that the text of the letter should be made available to delegations if the Chairman of the Committee on Non-Governmental Organizations had in fact received it.

12. With regard to the subject under discussion, he emphasized that the main concern of the Council should be to take a just decision instead of passing judgement hastily at the expense of truth and justice, and he expressed the hope that the presence of eminent jurists in the Council would ensure against such action. He recalled that his delegation had opposed the resumption of the discussion, believing that the decision adopted by the Council at its 1585th meeting was final and should not be reopened.

13. The Council Committee on Non-Governmental Organizations had considered the case of the Co-ordinating Board of Jewish Organizations on the basis of the criteria set out in Council resolution 1296 (XLIV), as was stated in paragraph 1 of the report under consideration (*ibid.*). The Council Committee clearly stated in its report that it had not been able to grant the Co-ordinating Board of Jewish Organizations category II status or to place it on the Roster. It also stated in its report that the Co-ordinating Board of Jewish Organizations had been "previously in category B", which indicated that it was no longer in that category. Indeed, the categories established in Council resolution 288 B (X) of 27 February 1950 no longer existed, since the Committee on Non-Governmental Organizations had abandoned the criteria set out in that resolution and had adopted instead those set out in Council resolution 1296 (XLIV). The Council was now being asked to consider that the Co-ordinating Board of Jewish Organizations would "continue in consultative status as a non-governmental organization, with the rights and obligations previously exercised by it" (1586th meeting, para. 3). His delegation wondered how a non-governmental organization could exercise such rights and fulfil such obligations without belonging to any category. One might ask to which category the organization concerned would belong if the Council decided to continue its consultative status. Would it belong to category B, which no longer existed, or to category II, in which the Council had refused to place it, having decided to refer its case to the Council Committee on Non-Governmental Organizations? The Council should abide by the decision which it had taken; in other words, the matter should be referred to the Council Committee on Non-Governmental Organizations, which, on the basis of the views expressed at the current session of the Council and of the additional information which it had requested from the organization, would resume consideration of the question.

14. Out of almost 400 non-governmental organizations which had previously enjoyed consultative status with

the Council, the Committee had been able to consider only 166. The majority remained to be considered by the Committee at a later date. Therefore, it was hard to see why special treatment should be given to the Co-ordinating Board of Jewish Organizations, whose attitude, aims and activities ran counter to the values and principles which were common to all Member States.

15. His delegation's position thus remained firm. His delegation did not seek to appear impartial as a judge but would display the partiality of an advocate of freedom and justice. A neutral stance could not be taken between justice and injustice, between good and bad. To take no side was to side with injustice.

16. His delegation had made valid accusations against the Co-ordinating Board of Jewish Organizations; it had quoted from an authentic document released by the Vice-President of the B'nai B'rith, on 2 December 1965, which proved that the organization in question received the money and carried out the orders of an authority for which it was an agent and on whose behalf it committed unwarranted and politically motivated acts against States Members of the United Nations. His delegation's most serious objections, however, were in regard to the role of the South African Board of Jewish Deputies in South Africa. Members of that organization held important positions in the racist South African régime, as members of Parliament, senators, mayors and so on. That organization had collected contributions for Israel amounting to \$14 million which had been made available through the exploitation of the African people. One member of the Board of that organization was a judge and was, as a result, applying the unjust legislation of South Africa, and other board members held high-level positions as advisers on science and education to the South African Government. By participating in that way in the activities of the apartheid régime, that organization was fully associating itself with it. The only comment on that question had been made by the United States representative when he had mentioned that a Jewish lady had introduced in the South African Parliament a law to advance women's rights in South Africa; that person, however, was a member of another organization, a women's organization, in South Africa.

17. It was interesting to note that an article in The New York Times of 25 May 1969 contained comments to the effect that some Members of the United Nations feared that non-governmental organizations might become afraid to call attention to Governments' violations of human rights lest they should be threatened with loss of consultative status. It was not, however, the duty of non-governmental organizations to call attention to such violations. It had also been stated in the same article that developing countries had had little experience with non-governmental organizations and were uncertain about their function. He strongly resented such a paternalistic attitude, which to him was utterly odious. It was always the developing countries which were regarded as lacking experience and not knowing what they were talking about; apparently, they were always supposed to ask for help and to allow themselves to be taken by the hand. The present generation,

however, was fully aware of its duties and responsibilities. He pointed out to the Council that the arbiter of its behaviour was its own conscience, which must serve as the guide in its decision.

18. Mr. KOTSCHNIG (United States of America) said he fully realized that the reason for the emotion shown by certain representatives in the Council's debates was the conflict which brought their countries into opposition with Israel. However, the question which was now before the Council was essentially a legal one. The decision to postpone final action on the Co-ordinating Board of Jewish Organizations had already been taken, and his delegation had no intention of calling it into question. The only purpose of the United States motion was to clarify the consequences of a confused procedural vote. According to the President's own statement, it had given rise to two different interpretations.

19. It should first of all be noted that the Council Committee on Non-Governmental Organizations had been unable to withdraw consultative status from the Co-ordinating Board of Jewish Organizations; such a decision could be taken only by the Council. The Council Committee's report (E/4647) made it unmistakably clear that the proposal not to place the Co-ordinating Board of Jewish Organizations in any consultative status had been rejected by a vote in good and due form. The Council Committee had subsequently been unable to reach agreement on the categorization of that organization or to formulate any recommendation. The Council had therefore decided to refer the matter back to the Committee for more detailed study and to postpone its own decision until a later session. The United States motion (1586th meeting) did not prejudice final action by the Council on the substantive issue of the future of the consultative status of the Co-ordinating Board of Jewish Organizations. It did not give that organization any new status or privileges, but stated it to be the understanding of the Council that, for the interim period, the organization would continue to enjoy consultative status with the rights and obligations previously exercised by it. That implied no judgement on the future status of the organization. At the same time, it made it clear that the organization was not being "punished" or suspended simply because the Council could not reach a final decision at the present session.

20. Any other understanding would create a condition under which the laws of most Member countries would be quite untenable. Any organization under review, just like any individual under investigation, must be considered innocent unless found guilty. It would be unheard of to inflict a punishment on such a person or organization, not because he or it was found guilty on preferred charges but because the jury had been unable to agree and had therefore postponed final action. Yet those opposed to the Co-ordinating Board of Jewish Organizations and to the United States motion appeared determined to inflict such punishment in the absence of final judgement.

21. The defeat of the proposed motion of understanding would entail a serious miscarriage of elementary justice. It was unthinkable that the Council, a principal organ of the United Nations, which stood for law and

orderly procedure, could make such a grievous error. The chief victim of such an error would not be one of some 180 non-governmental organizations. The chief victim would be the United Nations itself.

22. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he regarded the motion introduced by the United States representative (1586th meeting) as a new proposal by which a decision already adopted by the Council at its present session would be altered—and thus as a proposal which, from the legal point of view, was entirely out of order. It would also have the effect of granting the organization concerned a privileged status in relation to the many other organizations on which the Council had not yet taken a decision. The decision adopted by the Council on 21 May (1585th meeting) was perfectly clear: the question of the consultative status to be granted to the Co-ordinating Board of Jewish Organizations must be postponed for more detailed discussion in the Council Committee on Non-Governmental Organizations. That decision did not in any way provide that the Co-ordinating Board of Jewish Organizations should in the meantime be granted some kind of status or be given preferential treatment. The United States proposal had been made after the adoption of that decision and its sole purpose was to induce the Council to reopen the issue.

23. The representatives of Uruguay and the United States had said that to abide by that decision would be tantamount to inflicting a penalty on the organization concerned. That argument was untenable, for the Council's action had been based exclusively on the criteria set out in Council resolution 1296 (XLIV)—and, more specifically, in the first, second and third parts of that resolution. The decision was thus devoid of any punitive content. In any case the Council had considered the question of that organization in the light of criteria which it had itself laid down and which fully justified the refusal to grant the organization any consultative status whatever. Indeed, paragraph 2 of Council resolution 1296 (XLIV) stated that the aims and purposes of the organization should be in conformity with the spirit, purposes and principles of the Charter of the United Nations. On the basis, however, of specific facts which constituted unimpeachable evidence, many delegations had shown that the organization in question was far from acting in accordance with the principles of the Charter.

24. The proposal by the United States delegation was, moreover, far too ambiguous. The Council was supposed to grant the organization consultative status during the period that would elapse before the Council took a decision concerning it. The question, however, was what status it should be granted. That could not be the category B status which it had held before, since that category had been abolished by the adoption of Council resolution 1296 (XLIV). It could likewise not be one of the new categories of status because the Council had, quite rightly, decided not to take any decision on that matter before its next session. Hence, what apparently was being contemplated was to grant the organization a special status and a privilege standing with respect to the other organizations on which the Council had not yet taken a decision. It was hard to see why an exception had to be made for that one organization. There could thus

be no sound legal basis for that argument, and the Council could not accept it. The United States delegation was careful, however, not to indicate what status should be granted to the organization. If there had ever been some question of placing it on the Roster, that proposal would at least have been logical, and even valid from the legal point of view. But that was not the purpose of the motion, which, if adopted, would have the effect of placing the organization concerned and the Council itself in an impossible and absurd position because an unspecified status could not be granted. If the Council adopted the United States proposal, it would subsequently have to take a further decision to clarify that new problem.

25. He stated in conclusion that the delegation of the Soviet Union endorsed the arguments put forward by the representative of the Sudan regarding the substance of the question, and it emphasized once again that if the Council wished to abide by legal principles, it had no choice but to reject the United States motion.

26. The PRESIDENT informed the Council of the work programme drawn up for the week and pointed out that it could only be adhered to if the discussion of agenda item 17 was completed that day. Accordingly, he proposed that he should apply rule 52 of the Council's rules of procedure and declare the list of speakers closed, since two delegations had already spoken in favour of the United States proposal and three against it.

It was so decided.

27. The PRESIDENT also proposed that he should apply rule 51 of the rules of procedure and limit each statement to five minutes.

28. Mr. TARABANOV (Bulgaria) recalled that at the last meeting which the Council had devoted to the discussion of the item (1587th meeting), his delegation had reserved the right to comment further on all aspects of the matter, including the President's decision concerning the admissibility of the motion presented by the United States. He accordingly asked the President not to set a time-limit on speakers' statements.

29. Mr. KHANACHET (Kuwait) said he would like to assure the members of the Council that, in spite of the war between their countries and Israel, the representatives of the Arab States had tried to eliminate all subjective or emotional factors extraneous to the debate. In exchange, they expected the Council to show impartiality and fairness.

30. On behalf of the delegations of Indonesia, Pakistan, Sudan, Libya, Bulgaria and the Soviet Union and of his own delegation, he wished to ask the Secretariat some questions concerning the legality of adopting the United States proposal. First, did the first proposal submitted to the Council by the United States delegation (1585th meeting) conflict, as to substance, with the Kuwaiti proposal which had been adopted by the Council after being amended by Turkey? Secondly, in adopting the proposal of Kuwait as amended, had the Council automatically rejected the first United States proposal? Thirdly, was the second United States proposal (1586th meeting) which was at present before the Council, identical in substance to the first United States proposal? If so, was the Council now being

called upon to vote again on a proposal that it had already rejected? Fourthly, if that was the case, could the Council legally vote on such a proposal and, if so, what was the required majority?

31. He felt that, before a vote was taken, it was essential to have an answer to those questions based on the rules of procedure and on any existing precedents.

32. Mr. HAQUE (Pakistan) said that he fully agreed with the representative of Kuwait that a reply to those questions must be provided before a vote was taken.

33. Since the proposal made by the United States did not have the effect of clarifying the question but, in fact, had the opposite effect, he wished to propose an amendment to it whereby the words "would continue in consultative status as a non-governmental organization, with the rights and obligations previously exercised by it" would be replaced by the words "does not enjoy any status with the Economic and Social Council".

34. Mr. TARABANOV (Bulgaria) recalled that, at the last meeting dealing with the question, his delegation had asked what the President meant by "admissibility"; he regretted that his delegation's question had not been given separately in the summary record of that meeting, because he intended to elaborate on that point.

35. Any delegation had the right to propose a motion on any question examined by the Council and that motion was by right admissible. There was no need for a decision by the President to that effect. However, delegations were now entitled to wonder why the United States representative had felt compelled to invite the President to consider the admissibility of his motion. Apparently, that move was designed solely to exert moral pressure on public opinion and on certain delegations or to prepare the ground for subsequent actions.

36. In any case, even if the motion was admissible, it could not be adopted by the Council because it was in flagrant contradiction with the decisions taken so far and in particular with Council resolution 1296 (XLIV) in which it had approved the arrangements "which supersede those set out in its resolution 288 B (X) of 27 February 1950". Furthermore, on 21 May (1585th meeting) the Council had decided to take note of that part of the report of the Council Committee on Non-Governmental Organizations relating to the Co-ordinating Board of Jewish Organizations. The Committee had "decided that it was unable to make a recommendation to the Council" concerning that organization (see E/4647). That paragraph of the report had been adopted by the Council, and consequently the Co-ordinating Board of Jewish Organizations did not enjoy any consultative status because its former status had been abolished with the entry into force of resolution 1296 (XLIV). It could not be given any new status except through a Council decision to that effect. In fact, the Council had decided on 21 May (1585th meeting) to postpone consideration of that question until its next session.

37. Consequently, his delegation felt that the motion put forward by the United States delegation could not be adopted, for it would contradict a decision already

taken by the Council and would certainly not clarify that decision. On the other hand, the proposal put forward by the Pakistan delegation would make the Council's intentions clear. However, it would be preferable not to try to modify the decision adopted, for that decision did not constitute a sanction against the organization concerned. The Council should therefore adhere to its decision.

38. He reserved the right to speak again to request any clarifications which he might find necessary.

39. Mr. KOTSCHNIG (United States of America) recalled that at the 1586th meeting, the President, as could be seen from the summary record, had himself stated that there were two possible interpretations of the decision taken by the Council to refer the matter at issue to the Council Committee on Non-Governmental Organizations. The President had also stressed that the Council was the sovereign interpreter of its own intentions. According to the first alternative, which was supported by the USSR and the Arab States, the Co-ordinating Board of Jewish Organizations, as from the entry into force of Council resolution 1296 (XLIV) of 23 May 1968, would not have any consultative status until a decision was made by the Council in 1970 on the basis of a further study and further recommendations by its Committee on Non-Governmental Organizations. According to the second alternative, which seemed to have commanded majority support, the Co-ordinating Board of Jewish Organizations would retain its consultative status during the period of the review and, pending the Council's decision in 1970, would continue to enjoy the privileges which had been accorded to it in category B by virtue of Council resolution 288 B (X) of 27 February 1950. It was in support of the second alternative that the United States delegation had submitted its proposal, which was designed not to maintain the organization in question in category B, since that category no longer existed, but to enable it to keep its consultative status as a non-governmental organization, with the rights and obligations previously accorded to it, pending the Council's decision on the recommendations concerning its future status which the Council Committee on Non-Governmental Organizations had been requested to formulate.

40. He was to some extent grateful to the representative of Pakistan for having submitted an amendment along the lines of the first alternative. Delegations could thus choose from two formal proposals, corresponding to two contrary alternatives, and they could take a clear stand one way or the other.

41. Mr. KHANACHET (Kuwait), speaking in exercise of his right of reply, drew the United States representative's attention to the fact that the Arab delegations were not the only ones to have supported the first alternative. Other delegations had joined with them, thus showing a desire to avoid the recurrence in 1969 of situations which were not likely to favour the peaceful solution of the Middle East crisis. If the Council took a stand in favour of the Pakistan amendment, all the legal hypotheses which were involved in the United States proposal would be removed, whereas, if it was rejected, those legal hypotheses remained valid.

42. The PRESIDENT pointed out that the general debate was closed and invited the Council to vote, in accordance with rule 65 of the rules of procedure, on the Pakistan amendment to the United States proposal, and then on that proposal itself.

43. Mr. KOTSCHNIG (United States of America) requested a roll-call vote.

44. Mr. TARABANOV (Bulgaria) said that the representative of Kuwait had actually put forward a procedural motion, since he had requested the Secretariat to clarify a number of specific questions. The replies to those questions would be very useful, indeed essential, for members of the Council; they would enable the Council to vote on the Pakistan amendment and the United States proposal with a full knowledge of the facts. The Council should therefore vote in the first place on the procedural motion submitted by the delegation of Kuwait. He asked the President to state what attitude he proposed to adopt on that subject and to announce the Council's decision.

45. The PRESIDENT pointed out that, as President, he must remain outside the debate, which had taken an emotional and political turn. In any case, he did not wish to take a decision on the request made by the representative of Kuwait for further information from the Secretariat.

46. Mr. KHANACHET (Kuwait) recalled that the previous week the President had accepted a request of the same nature. Moreover, his delegation's request had been addressed not to the President himself, whose role was essentially that of an arbiter, but, through the President, to the Office of Legal Affairs, from which the delegation of Kuwait would like to receive certain clarifications before being able to take a stand on the Pakistan amendment and on the United States proposal. He made it clear that he was making a formal proposal.

47. Mr. KOTSCHNIG (United States of America) said that the vote had begun and that consequently all the proposals put forward at that stage were out of order. He recalled that his own delegation, which the previous week had been in the same position as the Kuwaiti delegation, had had its request rejected by the President.

48. The PRESIDENT confirmed that, under rule 63 of the rules of procedure, after the voting had commenced, no representative could interrupt the voting except on a point of order in connexion with the actual conduct of the voting.

49. Mr. KHANACHET (Kuwait) said that his motion did concern the voting, since it proposed that an authoritative opinion should be sought on whether or not the vote to be taken would be legal. In those circumstances, he hoped that the President would grant his request.

50. The PRESIDENT repeated that, under rule 63, no representative could interrupt the voting once it had commenced.

51. Mr. TARABANOV (Bulgaria) said that the reason why he had waited until the voting had commenced before speaking on the Kuwaiti procedural motion was precisely that the motion was a proposal in connexion with the voting on which the Council should

take a decision before going on to vote on the amendment of the Pakistan delegation and the United States proposal.

52. The PRESIDENT ruled, under rule 63 of the rules of procedure, that the Council would vote first on the amendment proposed by the Pakistan delegation and then on the United States proposal.

At the request of the United States representative, the vote on the amendment of the Pakistan delegation was taken by roll-call.

The Union of Soviet Socialist Republics, having been drawn by lot by the President, was called upon to vote first.

In favour: Union of Soviet Socialist Republics, United Republic of Tanzania, Bulgaria, Congo (Brazzaville), India, Indonesia, Kuwait, Libya, Pakistan, Sudan, Turkey.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Belgium, France, Ireland, Jamaica, Mexico, Norway, Sierra Leone.

Abstaining: Yugoslavia, Chad, Guatemala, Japan.

The amendment of the Pakistan delegation was rejected, 11 votes being cast in favour and 11 against, with 4 abstentions.

At the request of the Kuwaiti representative, the vote on the United States proposal was taken by roll-call.

Libya, having been drawn by lot by the President, was called upon to vote first.

In favour: Mexico, Norway, Sierra Leone, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Argentina, Belgium, France, Ireland, Jamaica.

Against: Libya, Pakistan, Sudan, Union of Soviet Socialist Republics, Bulgaria, Congo (Brazzaville), Indonesia, Kuwait.

Abstaining: Turkey, United Republic of Tanzania, Yugoslavia, Chad, Guatemala, India, Japan.

The United States proposal was adopted by 11 votes to 8, with 7 abstentions.

53. Mr. GALLARDO MORENO (Mexico) said, in explanation of his vote, that his delegation had previously abstained in the vote on the Kuwaiti proposal to refer the question to the Council Committee on Non-Governmental Organizations (1585th meeting), because it had realized—and that had been confirmed by the result of the vote—that a large number of delegations wanted the question to be studied further. In the vote just taken in order to clarify the implications of the decision that had been taken, his delegation had voted for the United States proposal and against the amendment of the Pakistan delegation because it considered that the decision to maintain or withdraw the consultative status of a non-governmental organization was a matter within the exclusive competence of the Council. Since the Council had not yet taken a decision on the matter, the organization should retain its former status, pending the Council's decision.

54. Mr. KHANACHET (Kuwait) said, in explanation of his vote, that his delegation had opposed the United States proposal, which was not only in flagrant contradiction to the very principles of the United Nations and in violation of the resolutions of the Council but was contrary to a decision already taken at the current session. It had voted for the amendment of the Pakistan delegation, a position consistent with the one it had adopted earlier. That position was one of principle, and the Kuwaiti delegation traditionally did not compromise on principles. There were some who unfortunately were ready to sacrifice the basic principles which were the very foundation of the United Nations to passing political interests; he personally was convinced, however, that history would prove them wrong and that the principles they repudiated would hold strong.

55. Mr. EL HADI (Sudan) said he regretted that no delegation had asked to see, in order to verify their authenticity, the documents which he had cited in support of the accusations made by his delegation against the Co-ordinating Board of Jewish Organizations. He pointed out that not only would there have been no danger of the Council departing from the straight and narrow path by refusing that organization any consultative status, but, quite the contrary, a decision having the opposite effect ran counter to the Council's own interests and could seriously jeopardize the whole of the United Nations system.

56. The vote just taken merely confirmed his delegation's opinion.

57. Mr. TARABANOV (Bulgaria), speaking in explanation of his vote, recalled that his delegation had asked that the vote should be deferred to a later meeting, pending receipt of the information requested of the Secretariat by the delegation of Kuwait. Unfortunately, the vote had been taken before the Council had been given the information requested, and his delegation had then voted in favour of the Pakistan amendment and against the United States proposal. Now that the vote had been taken, however, he would like to know the fate of the procedural motion made by the representative of Kuwait. That representative had submitted a formal proposal requesting certain information from the Secretariat, and until that proposal was withdrawn, it remained valid. Moreover, in view of the fact that that motion had been submitted before the vote had taken place, it would appear that the vote should remain null and void so long as the Council, in the event that it decided to accede to the request of the delegation of Kuwait, had not received the information in question from the Secretariat.

58. Mr. BABAA (Libya) explained that he had voted in favour of the Pakistan amendment because it was a compromise solution, and against the United States proposal because he had felt that it was of a legal nature. It was unfortunate that the Council had agreed to grant consultative status, even provisionally, to an organization whose activities were contrary to the provisions of Council resolution 1296 (XLIV), and of its operative paragraph 36 in particular. It was well known that the Co-ordinating Board of Jewish Organizations engaged in subversive activities as well as in virtual blackmail against individuals and States

by accusing anyone who showed opposition to Israel of anti-Semitism.

59. Mr. NASINOVSKY (Union of Soviet Socialist Republics) pointed out that the United States proposal on which a vote had just been taken did not specify which status would be provisionally granted to the organization. His delegation therefore interpreted the result of the vote as meaning that, until the Council Committee on Non-Governmental Organizations had taken a decision on the subject, and until the Council had granted consultative status in accordance with the provisions of its resolution 1296 (XLIV), the organization in question would not have any consultative status.

60. Mr. SKATARETIKO (Yugoslavia), speaking in explanation of his vote, said that his delegation had abstained in the vote on both the Pakistan amendment and the United States proposal in accordance with the position it had taken in the vote at the 1585th meeting.

61. Mr. HAQUE (Pakistan), speaking in explanation of his vote, said that his delegation had voted against the United States proposal since it still believed that the original Kuwaiti proposal had been misinterpreted. Furthermore, the United States proposal did not by any means clarify the situation with regard to the organization in question. It was still not known in what category the organization would be placed during the interim period.

62. Mr. KHANACHET (Kuwait) recalled that the Council had before it a formal proposal by his delegation requesting the Office of Legal Affairs to reply to a number of questions. He wished to know whether his delegation's request had been accepted.

63. The PRESIDENT observed that, in accordance with rule 63 of the Council's rules of procedure, after the voting had been completed, delegations could speak only in explanation of vote.

64. Mr. KHANACHET (Kuwait), pointed out that at a previous meeting (1585th meeting) the President had, after the vote, acceded to a similar request from the United States representative, repeated his request for information from the Office of Legal Affairs.

65. Mr. EL HADI (Sudan) expressed the view that no organization could have consultative status with the Economic and Social Council unless it had been placed in one of the categories or on the Roster. In view of the United States proposal, he would like to know in what category the Co-ordinating Board of Jewish Organizations would be placed.

66. The PRESIDENT recalled that when he had informed the Council at its 1586th meeting of the results of his consultation with the Legal Counsel, he had emphasized that he was not arrogating to himself the right to impose his personal interpretation on the Council and that it was likewise not the function of the Legal Counsel to interpret the intentions of the Council while that body was in session and was still conducting its business. He had also explained on that occasion that the Council was the sovereign interpreter of its own intentions and that it was in that spirit that he was presenting to the Council for its consideration the two alternatives with which it was confronted. Any ambiguity had been dispelled by the vote which had just taken place. The Council had rejected the Pakistan amendment and had accepted the United States proposal.

The meeting rose at 1.35 p.m.