



## ECONOMIC AND SOCIAL COUNCIL

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OFFICIAL RECORDS

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## Agenda item 17:

*Non-governmental organizations (continued):*

(a) *Applications and re-applications for consultative status;*

(b) *Review of non-governmental organizations in consultative status . . . . . 1*

**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*

1. The PRESIDENT invited the Council to continue its discussion of agenda item 17 and to resume consideration of the report of the Council Committee on Non-Governmental Organizations (E/4647) at the point at which discussion had been suspended at the previous meeting, namely at paragraph 12. In addition to paragraphs 13 and 14, that paragraph had given rise to some difficulties and caused a certain amount of confusion in the Council. That was possibly because the Council had undertaken to study the three paragraphs simultaneously, whereas, in his view, it would be preferable to consider them in succession.

2. Summing up the situation, he recalled that paragraph 12 dealt with organizations listed on the Roster because they had consultative status with a specialized agency. Those organizations were specifically mentioned in the second sentence of paragraph 19 of Council resolution 1296 (XLIV) of 23 May 1968. Several members of the Council considered that the organizations in question should be reviewed, whereas others felt that, since they had already been reviewed by a specialized agency and had not actually applied for consultative status with the Council, there was no reason either for the Council or its Committee to undertake a further review. Paragraph 13 referred exclusively to the organizations that had been placed on the Register by the Secretary-General in accordance with Council resolution 288 B (X) of 27 February 1950. The Secretary-General's problem was to ascertain how such organizations should be dealt with in future. He seemed to have found a solution, which was described in his note (E/4671), and it might be advisable for the Council to consider that document when it discussed paragraph 13 of the Committee's report.

3. He invited the Council to consider paragraphs 12, 13 and 14 of the Committee's report (E/4647) in succession.

## Paragraph 12 (continued)

4. Mr. CATES (United States of America) said that paragraph 12 of the Committee's report dealt only with the way in which non-governmental organizations should be classified on the Roster and sought to make a distinction between two types of organizations: first, those which were reviewed by the Council Committee on Non-Governmental Organizations and recommended by the Committee for listing on the Roster; and, second, those which were in consultative status with a specialized agency and which the Committee did not review before placing them on the Roster. Specific provision for the listing of non-governmental organizations on the Roster was contained in paragraph 19 of Council resolution 1296 (XLIV). The problem arose from the fact that the Roster could include organizations which were in consultative status with a specialized agency or with a United Nations body or had established similar relationships with them.

5. A number of organizations in the last-mentioned category had been placed on the Roster by the Committee in application of Council resolution 288 B (X), and the United States delegation construed paragraph 12 of the Committee's report as meaning that the Committee recommended that the Council should keep them on the Roster under the new Council resolution.

6. The USSR delegation was anxious to know if the organizations concerned would remain there, whether or not they had been reviewed. Paragraphs 35 to 38 of resolution 1296 (XLIV) expressly stated the conditions governing the suspension and withdrawal of consultative status. He would also point out that paragraph 40 (b) of the same resolution specified that organizations in consultative status in categories I and II should submit to the Council Committee on Non-Governmental Organizations a brief report of their activities and that the Committee could, in exceptional cases, ask for such a report from an individual organization in category I or II or on the Roster, between the regular reporting dates. It was therefore quite clear that the rights to be listed on the Roster could always be suspended or withdrawn if the Committee considered that an organization had not fulfilled the conditions specified in Council resolution 1296 (XLIV).

7. It should also be pointed out that, under the provisions of paragraph 19 of that resolution, the fact that an organization appeared on the Roster could not be considered a qualification for general or special consultative status, should an organization seek such status.

8. The reservations voiced by the Soviet delegation concerning that recommendation were already given in paragraph 12 of the report, following the Committee's recommendation. The representative of the USSR, feeling that the procedure described was too vague, had also suggested that the Council should amend the actual text of the recommendation so as to provide for a further review of a number of organizations on the Roster. The United States delegation feared that a rewording of the paragraph to that effect might give all the organizations now on the Roster the impression that they would be subjected to a further review, which might discourage them in their efforts to co-operate with the United Nations.

9. Paragraph 12 of the Committee's report should be read in conjunction with the relevant provisions of Council resolution 1296 (XLIV), and the United States delegation wished to assure the Soviet delegation that no one was trying surreptitiously to include any organization on the Roster and that all due precautions had been taken to ensure that no organization listed abused its status.

10. Paragraph 12, in its present form, provided the most satisfactory formula that the Committee had been able to arrive at within the limited time available. Besides, the Committee could always alter the wording at a later stage or change the procedure described. The United States delegation therefore hoped that the Council would accept the Committee's recommendation, as it stood, especially as the reservations of the Soviet delegation were noted in the same paragraph.

11. Mr. NASINOVSKY (Union of Soviet Socialist Republics) recalled that his delegation had been one of the sponsors of the text subsequently adopted by the Council as resolution 1296 (XLIV); it was therefore fully aware of the problems relating to each of the paragraphs and particularly paragraph 19. As regards paragraph 12 of the report (E/4647), the problem mentioned by the United States representative was completely different from that which troubled the Soviet delegation. The United States representative had mentioned the possibilities for further reviewing the status of organizations already on the Roster, basing his arguments on part VIII of resolution 1296 (XLIV), concerning the suspension and withdrawal of consultative status, whereas the problem for the Soviet delegation as regards paragraph 12 was to ascertain not what could be done once an organization had been placed on the Roster but what could be done before its inclusion, and how to ensure beforehand that it fulfilled the conditions specified in Council resolution 1296 (XLIV).

12. The problem therefore arose directly out of part III of the resolution, which concerned the establishment of consultative relationships. The Soviet delegation again wished to protest against the decision mentioned in paragraph 12 of the report to the effect that organizations in consultative status with the specialized agencies should automatically receive Roster status without the Council even knowing their names. The members of the Council and its Committee should be able, if they deemed it necessary, to raise questions concerning any of the organizations whose listing on the Roster was contemplated and it

should be possible, even before there was a question of listing on the Roster, for each organization, where appropriate, to be especially reviewed by the Committee and the Council if it posed a particular problem. That was clear, in any case, from the provisions of paragraph 19 of resolution 1296 (XLIV), which stated that any decision regarding the placing of an organization on the Roster should be taken in consultation with the Council or its Committee on Non-Governmental Organizations.

13. The proposal of the Indian delegation (1594th meeting, para. 50) as amended by the Sudanese delegation (*ibid.*, para. 54) was therefore quite acceptable to the Soviet Union. It would, however, be better if its wording were more in keeping with the provisions of paragraph 19 of Council resolution 1296 (XLIV). If that improvement was made, the Soviet delegation would be able to support it unreservedly.

14. Mr. BERRO (Uruguay) thought that there was no difference of opinion on the actual substance of the question and that agreement need only be reached on the methods to be employed. However, as those could affect the substance, the matter should be approached with considerable caution. To call in question the listing on the Roster of non-governmental organizations included in the Register under Council resolution 288 B (X) might only cause those organizations unnecessary anxiety. Moreover, as the United States representative had rightly pointed out, the Council was entitled, under paragraphs 35 to 38 of resolution 1296 (XLIV), to review the status of organizations on the Roster and, if appropriate, to suspend or withdraw their right to consultative status in certain cases especially provided for in sub-paragraphs (a), (b) and (c) of paragraph 36 of that resolution. He also drew attention to paragraph 40 of the resolution, which provided that the Committee should meet once a year before the first session of the Council to consider applications by non-governmental organizations for consultative status in categories I and II and for listing on the Roster and requests for changes in status, and to make recommendations thereon to the Council. Those various provisions thus took account of all possible contingencies and the Council, if necessary, could always remove an organization from the Roster or revise its status. To subscribe to the view of the Soviet delegation would be tantamount to calling for a review of some 200 organizations at present on the Roster.

15. Following the long and difficult discussions in the Committee, it had been thought sufficient to note, in paragraph 12 of the report (E/4647), the reservations expressed by the Soviet delegation and supported by the Bulgarian delegation. The Council should adopt the same approach as the Committee and confine itself to noting the reservations, without, however, regarding them as principles and altering its procedure accordingly. That would be going too far, since the question was essentially one of organization and not of substance. Moreover, the reservations expressed by the Soviet delegation seemed unwarranted in view of all the means available to the Council, under resolution 1296 (XLIV), for the purpose of ensuring strict application of the criteria set out in that resolution.

16. Mr. TODOROV (Bulgaria) said that the problem arose from the fact that some delegations felt that non-governmental organizations in consultative status with a specialized agency should be placed on the Roster automatically, while other delegations, including his own, thought that they should not be placed on the Roster until there had been consultations with the Council or with the Committee on Non-Governmental Organizations in accordance with paragraph 19 of Council resolution 1296 (XLIV). The Council was now in a difficult position which resulted from the wording of paragraph 12 of the Committee's report. The paragraph in question had been included in spite of the fact that the Committee was not competent to consider the position of organizations which were in consultative status with specialized agencies. His delegation felt that the Committee had thus exceeded its mandate, which explicitly called for it to consider non-governmental organizations to which the Council had granted consultative status, and he had therefore submitted a proposal to omit paragraphs 11, 12 and 13 from the Committee's report. Most of the delegations which had taken part in the debate had acknowledged that the wording of paragraph 12, in particular, left much to be desired. His delegation could not agree that organizations in consultative status with a specialized agency should be placed on the Roster automatically, without consultation with either the Council or the Committee. It was also very difficult for him to agree to a procedure involving the inclusion on the Roster of organizations about which the Council knew nothing (name, field of activity, the specialized agencies with which they were in consultative status, etc.). Moreover, paragraph 19 of Council resolution 1296 (XLIV) required that organizations on the Roster should be available for consultation at the request of the Council or its subsidiary bodies. If organizations in consultative status with specialized agencies were placed on the Roster automatically, how would it be possible to determine the extent to which they could exercise their consultative functions?

17. Finally, it was essential that the Council should have the right to consider at least those organizations concerning which its members might wish to raise objections, particularly since some members of the Council did not belong to all the specialized agencies and might hold a particular view with regard to certain organizations. His delegation had prepared a text, reflecting the views he had just stated, to replace paragraph 12 of the report. He was prepared to submit it to the Council, provided that the Indian delegation did not introduce a new version of the proposal it had made at the previous meeting.

18. The PRESIDENT after briefly indicating how matters now stood, read out the Indian representative's original proposal, together with the amendments proposed by the Sudanese representative; he asked the Indian delegation whether it was prepared to submit a new version of its proposal in the light of the suggestions made and amendments proposed by various delegations.

19. Mr. JHA (India) said that, in order to take account of the observations made by various delegations, he was proposing the following new text:

"The Council decides that, notwithstanding the provisions of paragraph 12 of the report of the

Council Committee on Non-Governmental Organizations (E/4647), delegations will have the right to call for a review of any individual organization placed on the Roster due to its consultative status with a specialized agency, and by the Secretary-General, in accordance with paragraph 19 of Council resolution 1296 (XLIV)".

The Sudanese representative had agreed to the retention of the words "by the Secretary-General" in order to give broader scope to the provision, which thus covered all the organizations envisaged in paragraph 19 of Council resolution 1296 (XLIV).

20. Mr. NASINOVSKY (Union of Soviet Socialist Republics) thanked the Indian representative for preparing the compromise text, which was acceptable to his delegation.

21. Mr. JHA (India), replying to a question by the Bulgarian representative, said that the paragraph which he had just read out should logically be inserted after paragraphs 12 and 13 of the Committee's report and would thus become paragraph 14; the subsequent paragraphs should be renumbered accordingly.

22. Mr. BERRO (Uruguay) said that, in a spirit of compromise, he proposed the addition, at the end of paragraph 12, of a sentence in which the Committee would specify that the organizations referred to in that paragraph could be reconsidered in accordance with the provisions of paragraphs 36 and 40 of Council resolution 1296 (XLIV); that would eliminate the automatic nature of inclusion on the Roster to which the Soviet representative objected. It should be borne in mind that the organizations in question rendered an important service to the United Nations, and there could be no question of reconsidering them all; provision should simply be made for them to be subject to consideration if the need arose.

23. Mr. CATES (United States of America) said that he supported the text submitted by the Indian representative; it was wholly in keeping with the spirit of Council resolution 1296 (XLIV) and appeared to cover all the organizations referred to in paragraph 17 (a), (b) and (c) of Council resolution 288 B (X).

24. Mr. HAQUE (Pakistan) said that he also supported the Indian representative's text; by way of improving it, however, he proposed that the word "and" in the phrase "and by the Secretary-General" should be replaced by "and/or" so as to take account of organizations not in general consultative status. He also objected to the fact that the text proposed by the Indian representative begun with the words "The Council decides" although it was to be inserted in the Committee's report. That seemed to be inconsistent.

25. Mrs. CHITTY (United Kingdom) said that her delegation supported the Indian representative's proposal, on the understanding that it was consistent with the recommendation made by the Secretary-General in his note (E/4671) dealing with the eight organizations placed by him on the Register.

26. Mr. JHA (India) said that he was happy to accept the Pakistan representative's proposal calling for the replacement of the word "and" by "and/or", which would improve the text. Furthermore, in order to meet the Pakistan representative's objection, he

was prepared to delete the phrase "The Council decides that" at the beginning of the text, which could then be inserted in the Committee's report. He felt that it would be much more convenient from everyone's standpoint to have all the texts in a single document.

27. Referring to the United Kingdom representative's comment, he observed that his proposal did indeed cover both categories of organizations: those in consultative status with a specialized agency or a United Nations body as well as those placed on the Roster by the Secretary-General.

28. Lastly, he assured the United States representative that the text prepared by his delegation in co-operation with the Sudanese delegation was intended to cover all the organizations envisaged in paragraph 17 of Council resolution 288 B (X).

29. The PRESIDENT suggested that, if the words "The Council decides that" were deleted, it should be indicated in a foot-note or in brackets that a Council decision was involved.

30. Mr. KASSUM (Secretary of the Council) said that when the Council Committee on Non-Governmental Organizations had considered the various non-governmental organizations included in the Register under Council resolution 288 B (X), it had not considered cases of organizations included in the Register by the Secretary-General pursuant to that resolution. The Secretary-General had therefore proposed in his note (E/4671) that the eight organizations mentioned in it should be placed on the Roster on a provisional basis. If the Indian representative's proposal was adopted by the Council, those organizations would, like the others, be covered by the Council's decision; however, the Council could still adopt the Secretary-General's recommendation, since the two proposals were not incompatible.

31. Mr. CATES (United States of America) said that the problem seemed to be one of drafting. The text proposed by the Indian representative appeared acceptable to all delegations, but it would be difficult to insert after paragraph 12, which began with the words "The Committee recommends that...", a further paragraph containing a Council decision. It should therefore be left to the Secretariat to solve the problem.

32. Mr. KASSUM (Secretary of the Council) said that it was not the Council's practice to amend in any way the reports submitted to it by its committees. Any decisions taken by the Council with regard to such reports were indicated in the Council's own report, but, as a general rule, a report by a committee should not be made the basis for a new document taking account of all the decisions adopted by the Council during its session.

33. The PRESIDENT proposed that, such being the case, the phrase "The Council decides that" in the text proposed by the Indian representative should be retained. If there was no objection, he would take it that the text was (see para. 19 above), with the amendment proposed by the Pakistan representative (see para. 24 above), was unanimously approved.

*It was so decided.*

#### *Paragraph 13 (continued)*

34. The PRESIDENT pointed out that, in his note (E/4671), the Secretary-General had recommended that the Council give its concurrence to retaining on the Roster the organizations listed by him until they had had time to make a direct application to the Committee and the Council had taken a decision concerning them.

35. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that the Council Committee on Non-Governmental Organizations had not been in possession of the Secretary-General's note when it had considered the matter; paragraph 13 of its report (E/4647) no longer served any purpose since the Council now had the Secretary-General's recommendation before it. He proposed that the Council should take note of document E/4671, approve the Secretary-General's proposal contained therein and delete paragraph 13 of the Committee's report.

36. Mr. CATES (United States of America) said that the Secretary-General's note could be approved without referring to paragraph 13.

37. Mr. BERRO (Uruguay) pointed out that the report of the Council Committee on Non-Governmental Organizations which was before the Council (E/4647) was a document of the Committee, not of the Council. The latter could take any decision it thought proper, either adopting or rejecting the report. However, it was not for the Council to amend the report, to delete a paragraph or to replace one paragraph by another.

38. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said he saw no reason why paragraph 13 of the Committee's report should be retained. The paragraph was now superfluous and should be regarded as having been replaced by the Secretary-General's note.

39. Mr. CATES (United States of America) proposed that the Council should take note of paragraph 13 and approve the Secretary-General's note.

40. Mr. BERRO (Uruguay), supporting the United States proposal, said that he wished to point out once again that the Council had no alternative but to act on paragraph 13 by taking some sort of decision, but it could not amend a text submitted to it by one of its committees which had itself already adopted the text in question. The views of the various delegations could be noted in the Council's report.

41. The PRESIDENT suggested that the members of the Council should accept the United States proposal calling for the Council to take note of paragraph 13 of the Committee's report (E/4647) and approve document E/4671 together with the Secretary-General's recommendation contained therein. If there was no objection, he would take it that the proposal was adopted.

*It was so decided.*

#### *Paragraph 14 (continued)*

42. The PRESIDENT pointed out that the Council Committee on Non-Governmental Organizations had made no recommendation with regard to the Soviet proposal which was referred to in paragraph 14 of the report and reproduced in annex III (E/4647). He

suggested that the matter should be referred back to the Committee with a request for its reconsideration and the eventual submission of recommendations to the Council in that connexion.

43. Mr. NASINOVSKY (Union of Soviet Socialist Republics) observed that his delegation's proposal was fully consonant with that just made by the President. It has never been his delegation's intention to place before the Council at the present stage specific proposals regarding the grouping of the organizations; it had merely intended that the Council should be invited to request the Committee on Non-Governmental Organizations to consider the matter in the light of paragraph 4 of resolution 1296 (XLIV) and to submit its recommendations to the Council at the latter's forty-eighth session.

44. Mr. KOTSCHNIG (United States of America) said that he also supported the proposal to refer the question back to the Council Committee on Non-Governmental Organizations since it was clear that the Council did not have time to settle the matter at its current session. His delegation, however, wished to point out that, in proposing in the Council Committee the penultimate sentence of paragraph 4 of the text subsequently adopted by the Council as resolution 1296 (XLIV), it had never intended—and had so stated—that organizations should be compelled to form groups before they were granted consultative status. Paragraph 4 of the resolution was concerned only with the actual arrangements for consultation, and its purpose was to invite non-governmental organizations with similar objectives and interests to designate a spokesman to make their views known to the Council.

45. Mr. BABAA (Libya) said that he also supported the proposal and recalled that, during the Committee's consideration of the matter, his delegation had endorsed the Soviet delegation's proposals for the grouping of non-governmental organizations. In particular, the suggestion concerning the grouping of Zionist or Jewish organizations certainly seemed essential. Indeed, the Zionists themselves granted that point, for one of their newspapers published in London had asked whether it was really necessary for them to be represented in international bodies by eight organizations in consultative status.

46. The PRESIDENT said that, if there was no objection, he would regard as adopted the proposal to refer back to the Committee on Non-Governmental Organizations for more thorough study the question raised in paragraph 14 of that Committee's report (E/4647) and to invite the Committee to submit its recommendations to the Council at the latter's forty-eighth session.

*It was so decided.*

47. Mr. BERRO (Uruguay) wished to stress that, while his delegation accepted the decision which had just been taken, it still adhered entirely to the views which it had expressed in the Committee and which were stated in annex III of the report (*ibid.*).

#### *Paragraph 15*

48. The PRESIDENT said that, if there was no objection, he would assume that the Council wished

to take note of paragraph 15 of the report of its Committee on Non-Governmental Organizations (*ibid.*) and to express its appreciation of the work of the Committee and its Chairman.

*It was so decided.*

49. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that once the Economic and Social Council had adopted the Committee's report, the provisions of resolution 1296 (XLIV) would enter fully into force, and the Council would be required to make the necessary amendments to the rules relating to organizations in consultative status. However, the Council should forthwith state its opinion that resolution 1296 (XLIV), including part VIII thereof, had entered into force; and to that end, it should adopt a decision instructing the Committee to study systematically the activities of non-governmental organizations and, if any of them violated the provisions of resolution 1296 (XLIV), to suspend or withdraw its consultative status and submit appropriate recommendations to the Council.

50. Mr. KOTSCHNIG (United States of America) said that that proposal required very careful consideration and that, in any case, his delegation could not agree that it should be put to the vote unless a written text was provided.

51. Moreover, he felt obliged to point out that part VIII of Council resolution 1296 (XLIV) was perfectly clear regarding the suspension or withdrawal of consultative status. He could not see any purpose in adopting a proposal which repeated the provisions of the resolution, and, indeed, went beyond them.

52. The PRESIDENT drew the Soviet representative's attention to the fact that the substance of the proposal he had just made was already included in part VIII of resolution 1296 (XLIV), which had been adopted by the Council and thus constituted a decision.

53. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that it was true that his proposal in no way departed from Council resolution 1296 (XLIV) and introduced no new element. The Soviet delegation merely wished to remind the Council Committee on Non-Governmental Organizations that the provisions of the resolution should now be implemented, and it wanted the Council to state unambiguously that those provisions took effect forthwith. Nevertheless, if his delegation's views were reflected in the summary record of the meeting, he would not insist on his proposal.

54. Mr. BERRO (Uruguay) pointed out that, in accordance with the decision taken by the Council at its forty-fourth session (1520th meeting), its resolution 1296 (XLIV) would enter into force as soon as the Council had adopted a decision on the report of its Committee (E/4647). As that was clear beyond any doubt, there did not seem to be any need to repeat the decision. Moreover, he did not think that there was any reason to call the attention of the Council Committee to the fact that a particular part of the resolution had entered into force. It was the resolution as a whole which was now entering into force, and not merely one particular part of it.

55. The PRESIDENT assured the representative of the Soviet Union that his delegation's viewpoint would be

reflected in the summary record of the meeting. He then invited the Council to consider the report of the Working Group established at its 1580th meeting (E/4685 and Add.1) to examine the questions raised in the note by the Secretary-General (E/L.1251).

56. Mr. V. P. MARAMIS (Indonesia), speaking as Chairman of the Working Group, introduced the Group's report (E/4685) on the note by the Secretary-General (E/L.1251) concerning amendments to the rules of procedure of the Economic and Social Council consequent upon the entry into force of

Council resolution 1296 (XLIV). He also introduced the draft resolutions prepared by the Working Group (E/4685/Add.1).

57. The PRESIDENT congratulated the Chairman and members of the Working Group on the excellent work they had done and said that, if there was no objection, he would take it that the draft resolutions contained in document E/4685/Add.1 were adopted unanimously.

*It was so decided.*

*The meeting rose at 12.55 p.m.*