

Dual Distribution for Council Members

SEVENTH SESSION

COMMITTEE ON ARRANGEMENTS FOR CONSULTATION WITH
NON-GOVERNMENTAL ORGANIZATIONS.

SUMMARY RECORD OF THE FIFTIETH MEETING

Held at the Palais des Nations, Geneva,
on Friday, 13 August, 1948, at 3 p.m.

Contents:

1. REQUEST FROM THE CATHOLIC INTERNATIONAL UNION
FOR SOCIAL SERVICE and the INTERNATIONAL UNION
OF CATHOLIC WOMEN'S LEAGUES FOR A HEARING
BEFORE THE COUNCIL NGO COMMITTEE.....pages 3 - 4
2. CONSULTATIONS OF COMMITTEES OF THE WHOLE
WITH NON-GOVERNMENTAL ORGANIZATIONS IN
CATEGORY "A".....pages 4 - 11
3. DRAFT PART V OF THE REPORT OF THE COMMITTEE -
APPLICATIONS OF NON-GOVERNMENTAL ORGANIZATIONS
RELATING TO CONSULTATIVE STATUS.....pages 11 - 12
4. DRAFT PART IV OF THE REPORT OF THE COMMITTEE -
FUNCTIONING OF CONSULTATIVE ARRANGEMENTS pages 12 - 14

N.B. Will delegates who wish to have corrections made
to this Summary Record, please submit such
corrections in writing to the Secretariat, Room
C-436 within twenty-four hours of distribution of
the Summary Record.

Present:

CHAIRMAN	Mr. ALEXANDER (United Kingdom)
China	Mr. WU
France	Mr. LAMARLE Mr. de FOLIN
Union of Soviet Socialist Republics	Mr. KOBUSHKO Mr. ROSTOWSKY
United States of America	Mr. KOTSCHNIG Miss BELL

Secretariat:

Mr. Lyman White	Secretary of the Committee
-----------------	----------------------------

REQUEST FROM THE CATHOLIC INTERNATIONAL UNION FOR
SOCIAL SERVICE and the INTERNATIONAL UNION OF CATHOLIC
WOMEN'S LEAGUES FOR A HEARING BEFORE THE COUNCIL NGO
COMMITTEE

The CHAIRMAN, informed the Committee that a letter had been received by the President of the Council from the Catholic International Union for Social Service and the International Union of Catholic Women's Leagues requesting that those organizations be permitted to send a representative to be heard on or after 19 August 1948, by the Council NGO Committee.

He pointed out, that it was for the Committee to decide whether or not a representative of the two organizations should be allowed to speak.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) recalled to the Committee its decision of 4 August 1948 not to recommend to the Council that it hear certain organizations. In view of the heavy burden of work before the Council, he stressed that it was the task of the Committee to complete its agenda. The Committee should not encourage organizations to submit their requests to be heard at such a late date. He proposed, therefore, that the request of the Catholic International Union for Social Service and the International Union of Catholic Women's Leagues to send a representative to speak before the Committee be rejected.

Mr. LAMARLE (France) observed that from the point of view of methods of work and of the discipline to which the Committee wished to subject itself, the reasons put forward by the representative of the Union of Soviet Socialist Republics were very apposite and merited consideration. Further, he was surprised that the organization in question had sent in its request at so late a date. However, the

French delegation, which, in connection with other organizations, had been in favour of a generous interpretation of the rule, did not see why it should be necessary to be stricter with regard to organizations whose work in the social, intellectual and religious fields had a high reputation.

However, he hoped very much that the Committee would not be forced to relax too frequently the discipline it was its duty to enforce. In the case before it, as in the other cases previously examined, the requests of the organizations should not be met with a blunt refusal, but might be accepted without any guarantee that the Council would subsequently take action upon them.

On being put to the vote, the proposal of the representative of the Soviet Union that the request to be heard be rejected was adopted by 1 vote to none - with 2 abstentions.

2. CONSULTATIONS OF COMMITTEES OF THE WHOLE WITH NON-GOVERNMENTAL ORGANIZATIONS IN CATEGORY A (Documents E/C.2/119/Rev.1, E/C.2/W.18)

The CHAIRMAN said that the problem before the Committee was what procedure should be followed regarding hearings of Category A organizations when the Council referred items on its Agenda directly to Committees of the Whole. Council Resolution No. 95(V) did not now fully apply. He recalled that the Committee had already given some consideration to possible amendments to Resolution No.95 (V), and proposed that it should first discuss the new proposal of the United States delegation, replacing that contained in document E/C.2/W.18, and then the proposal of the United Kingdom delegation.

Mr. KOTSCHNIG (United States of America) presented the new United States proposal, which read as follows:-

"In order to meet the problem put before the Council NGO Committee, by the President of the Council (document E/C.2/119/Rev.1), the United States proposes that the following paragraphs be added as the last two paragraphs of Council Resolution No.95 (V) as amended by resolution No.133 (VI) G.

"THAT whenever an item proposed by a non-governmental organization in Category A has been placed on the agenda of the Council and is referred, in the first instance, to a Committee of the Whole of the Council, non-governmental organizations in Category A will have the right to choose to be heard by the appropriate Committee of the Whole, rather than by the Council, it being understood that in such a case they will not also have the right to a hearing before the Council on the same item.

"Similarly, in the case of an item on the agenda not proposed by one of the organizations in Category A, the organization shall have the right to request a hearing by the Committee of the Whole and not by the Council."

He wished to stress that in the first instance the non-governmental organizations would have a choice as to whether they wished to be heard by the appropriate Committee of the Whole or by the Council.

The CHAIRMAN speaking as United Kingdom representative presented the United Kingdom proposal which was as follows:

"In order to meet the problem put before the Council NGO Committee by the President of the Council (document E/C.2/119/Rev.1), it is proposed that the following paragraphs be added as the last three paragraphs of Council resolution No.95 (V), as amended by resolution No.133 (VI) G, and that the whole resolution be then recommended by the Council

NGO Committee for adoption by the Council:

"THAT whenever an item proposed by a non-governmental organization in Category A has been accepted by the Council on its agenda and is referred, in the first instance, to a Committee of the Whole, non-governmental organizations in Category A will have the right to be heard by the appropriate Committee of the Whole, it being understood that the organization may on the invitation of the Chairman of the Committee or the President of the Council make a statement in clarification according to paragraph 2 above either in the Committee or in the Council or in both.

"THAT whenever an item not proposed by a non-governmental organization in Category A is on the agenda of the Council and is referred, in the first instance, to a Committee of the Whole of the Council, non-governmental organizations in Category A which wish to be heard by the Committee of the Whole shall present their request to the Council NGO Committee within the time limit prescribed above. The Council NGO Committee may then, having heard their views, recommend that the appropriate Committee of the Whole invite the organization to present an oral statement to it instead of before the Council, and

"THAT this resolution shall replace that part of resolution No.95(V) entitled III. Consultation with Non-Governmental Organizations in Category A as amended by resolution No.133 (VI) G.*

* Resolution No.95 (V) in Resolutions adopted by the Economic and Social Council during its Fifth Session, 19 July - 16 August 1947, document E/573, 2 September 1947, pages 86-90 and resolution No.133 (VI) G in Resolutions adopted by the Economic and Social Council during its Sixth Session, 2 February to 11 March 1948, document E.777, 12 March 1948, pages 39-44.

He asked if the representative of the United States would consider accepting the preamble and the second paragraph of the United Kingdom delegation's proposal as an amendment to his own proposal.

Mr. KOTSCHNIG (United States) felt that there was some inconsistency between the preamble and the final paragraph. He suggested that the Committee might ask the Committee on Procedure to take the necessary steps to incorporate all the amendments in the Rules of Procedure of the Council.

The CHAIRMAN speaking as the representative of the United Kingdom formally withdrew his suggestion to move the preamble and the final paragraph of the United Kingdom proposal as amendments to the United States Resolution and moved the adoption of the United Kingdom Resolution.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) said that he wished to simplify matters. He was in favour of granting non-governmental organizations the privilege of speaking before the Committees of the Whole and the Council. If the United States amendment were adopted it would restrict the right of non-governmental organizations in category A by permitting them to speak only before the Committees, and by depriving them of the right to speak before the Council.

He proposed to amend the United States proposal to read as follows:

"THAT whenever an item proposed by a non-governmental organization in Category A has been placed on the agenda of the Council and is referred, in the first instance, to a Committee of the Whole of the Council, non-governmental organizations in Category A will have the right to be heard by the appropriate Committee of the Whole and then by the Council, if they decide it is necessary.

"Similarly in the case of an item on the agenda not proposed by one of the organizations in Category A, the organizations shall have the right to request a hearing by the Committee of the Whole and then by the Council, if they decide it necessary."

He said that the text as amended by the Soviet Union proposal would not restrict the rights of non-governmental organizations. If the United States draft were accepted, the position would be quite otherwise; the non-governmental organizations would be entitled to ask why the rights accorded them by the Council had been modified.

Mr. WU (China) proposed that the problem be referred to the Committee on Procedure, the present Committee was meeting too often, and none of its drafts were very satisfactory. He pointed out that the last sentence of the United States Draft did not indicate where the "request" was to be made.

He suggested that the French delegation, which had done so much work with the Committee on Procedure, might submit the problem to that Committee.

The CHAIRMAN pointed out that the Committee on Procedure would wish to be seized of the views of the Council NGO Committee and would be certain to refer the matter back to the latter for a decision on the substance of the question before it could include rules to implement the decision.

Mr. LAMARLE (France) thought the Chinese proposal was excellent, and the French delegation supported it all the more willingly because it could delegate to the Council's Committee on Procedure one of its own members who was very well acquainted with the work of the Council NGO Committee. As for the Chairman's objections, they did not appear to be such as to cause him to change his opinion. He

thought it important that the Council's Committee on Procedure should have before it the summary records of the Council NGO Committee's meetings, which would show what the trend of opinion in the Committee had been and would serve as a useful guide. He fully associated himself with the very appropriate remarks of the representative of the Union of Soviet Socialist Republics, and would merely make a reservation with regard to the drafting of the French text of the resolution, which he had so far seen only in the English version.

The CHAIRMAN summarized the papers before the Committee on which a vote would be taken. They were: the new United States Proposal; that proposal as amended by the Union of Soviet Socialist Republics; the United Kingdom proposal and the Chinese proposal to refer the problem to the Committee on Procedure.

Mr. WU (China) said he had already spoken on the United States proposal and the United Kingdom proposal. It was not clear to him how many times the non-governmental organizations would be able to speak. The Committee should acquaint the Committee on Procedure with its views but in the meantime, it should postpone taking a decision of its own.

The CHAIRMAN pointed out that resolution No.95 (V) provided that the President of the Council had the right, with the consent of the Council, to invite the organizations to make an additional statement for purposes of clarification, and that organizations did not make the additional statement as of right.

Mr. LAMARLE (France) expressed his willingness to vote for the Chinese proposal, which he had already supported. On the other hand, if the Chinese proposal were rejected, he would be unable to vote on the other proposals. He asked the

Committee not to interpret his attitude as a desire to obstruct the proceedings, and explained that the results of the Committee's laborious discussions had not enabled him to obtain a sufficiently clear idea of the position.

Mr. KOTSCHNIG (United States of America) believed that the Chinese proposal was the best. He asked that the records should include the three texts proposed, those of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics, so that the Committee which would finally deal with them would have a clear idea of the proposals and of the discussions.

He said he was impressed by the remarks of the representative of the Union of Soviet Socialist Republics and that he now wished to make the last words of the United States draft read "rather than the Council."

The CHAIRMAN said he did not see how such matters could be referred directly by the NGO Committee to the Committee on Procedure. The channel clearly was through the Economic and Social Council.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) suggested replacing the last words of the United States draft by "either by the Committee of the Whole or by the Council."

Mr. WU (China) said he would agree if the Council set up an interim committee on procedure. The problem before the Council NGO Committee might be referred back to the Council, and by the Council to its Committee on Procedure.

The CHAIRMAN, calling for a vote, explained that the Chinese proposal meant that the document E/C.2/119/Rev.1 would be referred back to the Council with the recommendation

that it be referred to its Committee on Procedure, with the summary records of the NGO Committee's deliberations.

Mr. WU (China) pointed out that it was not usual to talk of referring back to the Council and so it was not necessary to state that. He would like to state that he meant refer to the Committee on Procedure.

The Chinese proposal that the problem put to the Committee in E/C.2/119/Rev.1 be sent back to the President with the suggestion that it be referred to the Committee on Procedure, together with the Summary Records of the Council NGO Committee, was put to the vote, and accepted by 4 votes to none, with 1 abstention.

Mr. WU (China) made it clear that if the question were to come before the Council, the Chinese delegation was in favour of the Non-Governmental Organizations speaking before the Committees of the Whole, and also before the Council.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) said that it would be appropriate to say that the majority of the Committee had given their opinion in favour of this proposal. He asked that this should be shown on the record.

Mr. WU (China) explained that he was referring only to organizations which had proposed items on the Agenda.

3. DRAFT PART V OF THE REPORT OF THE COMMITTEE - APPLICATIONS OF NON-GOVERNMENTAL ORGANIZATIONS RELATING TO CONSULTATIVE STATUS. (E/C.2/W.17)

Mr. KOTSCHNIG (United States of America) seconded, by Mr. WU (China) moved that document E/C.2/W.17 be accepted.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) said he would like to see action taken on the remarks of the representative of France in the last line of Annex I. He said that the Committee should take some action about the

Pax Romana Organizations and ask for additional information.

The CHAIRMAN said he was doubtful about the propriety of re-opening the question at this moment, when decisions had been taken and, therefore, only matters of fact or form were open to discussion.

Mr. de FOLIN (France) said that the sentence "He thought that the question deserved careful consideration" did not mean that it was necessary to go back on the decision which had been taken, and still less that the question had been inadequately considered. The French delegation had only introduced the sentence in answer to the U.S.S.R. representative's observations, and to show that the question was an important one, which deserved serious consideration by the Council.

Mr. KOTSCHNIG (United States of America) said that the only job of the Committee was to see if the Report was correct and corresponded to what happened. He said it was obvious that the question could be re-opened in the Council.

The vote being taken on the United States proposal to accept document E/C.2/W.17, it was adopted by 3 votes to 1, with 1 abstention.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) said he would like to emphasize that the Soviet Union delegation had submitted additional material on the Pax Romana organizations and continued to believe that they were Fascist and should not be allowed consultative status.

4. DRAFT PART IV OF THE REPORT OF THE COMMITTEE -
FUNCTIONING OF CONSULTATIVE ARRANGEMENTS (document
E/C.2/W.19)

The CHAIRMAN asked the Committee to pass to consideration of Part IV of the Report.

Mr.-KOTSCHNIG (United States of America) complained that the draft contained material which had already appeared in other documents and that even so the text was not correct. He proposed to delete from it Points C, D and E and leave Point F regarding consultations of Category A organizations with Committees of the Whole for final wording by the Chairman and the representative of China. He moved the acceptance of Part IV with the exception of Points C, D and E.

The CHAIRMAN asked the Secretary to explain the document and pointed out that the United States delegation had had the document, since it was circulated at the meeting of 9 August and, therefore, had had several days in which to send in their views. These might then have been taken into account in re-drafting the text before them.

Mr. LYMAN WHITE (Secretariat) said that the document was based on the summary records. The text was only a draft for the approval of the Committee. It was true that material had been included in it which had appeared in another part of the report but it was thought that the Committee might consider it convenient to group in one place all the decisions relating to the "Functioning of Consultative Arrangements." This, of course, was for the Committee to decide. He drew attention to the footnote to Point C and expressed his regrets for any errors in the document.

Mr. KOBUSHKO (Union of Soviet Socialist Republics) said he wished to point out that he had not received the document within the 24 hours time limit, but only at the present meeting. He said he could not, therefore, express any opinion on it.

Mr. KOTSCHNIG (United States of America) said that

the Committee appeared to have slid into poor procedure. Usual procedure was discussion in committee, after which the Secretariat prepared a draft report. Such reports were never distributed beforehand to the delegations in typescript, but at once as a document. He hoped that such procedure could be applied and that documents could be supplied which could be passed upon at the meeting and transmitted to the Council.

He repeated his motion for the acceptance of the document with the omission of Points C, D and E. He suggested that the Chairman and the representative of China be asked to complete the Report by adding a paragraph on the decision taken at the meeting on the question of hearings of organizations in Category A by Committees of the Whole.

The CHAIRMAN said that the Secretariat could issue a corrected document and if the Committee now wished it they could consider it at a later meeting.

Mr. KOTSCHNIG (United States of America) pointed out that since he had moved that the report be accepted as regards Points A and B, omitting the other Points and adding a final paragraph regarding Committees of the Whole, the Committee could then omit any further meeting on this subject.

Mr. KOBUSEKO (Union of Soviet Socialist Republics) said that he would have to abstain from voting because he had received the document only that day.

A vote was taken on the United States motion that Points A and B be accepted and a final paragraph regarding Committees of the Whole be added. This was accepted by 3 votes to none, with 2 abstentions.

The meeting rose at 6 p.m.