

**ECONOMIC
AND
SOCIAL COUNCIL****CONSEIL
ECONOMIQUE
ET SOCIAL**E/CN.1/SR.20
4 February 1947

ORIGINAL: ENGLISH

ECONOMIC AND EMPLOYMENT COMMISSION

FIRST SESSION

SUMMARY RECORD OF THE TWENTIETH MEETING

Held at Lake Success, New York, on Tuesday, 4 February 1947, at 10:30 a.m.

Present:

Chairman:	Mr. R. Frisch	(Norway)
Vice-Chairmen:	Mr. R. Wilson	(Australia)
	Mr. A. P. Morozov	(Union of Soviet Socialist Republics)
Rapporteur:	Mr. I. Lubin	(United States of America)
Members:	Mr. Woulbroun	(Belgium)
	Mr. J. Guimaraes	(Brazil)
	Miss H. D. Burwash	(Canada)
	Mr. T. Y. Wu	(China)
	Mr. E. P. Cisneros	(Cuba)
	Mr. L. Radimsky	(Czechoslovakia)
	Mr. J. Rueff	(France)
	Mr. R. K. Nehru	(India)
	Mr. R. L. Hall	(United Kingdom)

Representatives of Specialized Agencies:

Mr. E. J. Riches	(International Labour Organization)
Mr. F. L. McDougall	(Food and Agriculture Organization)
Mr. Frazer	(UNESCO)
Mr. G. de Fleurieu	(International Bank)
Mr. A. Zaki Saad	(International Monetary Fund)

Secretary of the Commission:

Mr. D. Weintraub

Mr. RUEFF (France) asked whether the Commission could go into private session, since he felt that not enough time had been devoted to the discussion of policy matters. He suggested that Mr. Owen be asked to attend the private session. He indicated that subjects he wished to have discussed in private session concerned a number of items on the agenda which as yet had found no definite solution.

/The CHAIRMAN

The CHAIRMAN said he would try to make arrangements with Mr. Owen later in the day. He then called the Commission's attention to document E/CN.1/W.8.

1. Items 7, 8, 9 of the Agenda

Mr. NEHRU (India) felt the document did not give sufficient emphasis to the fact that methods of composition, as well as the type of individuals who should serve on the Sub-Commissions, had not yet been decided. He suggested adding a brief paragraph to the effect that the Indian member wished to give further consideration to methods of composition in the terms of reference adopted by the Economic and Social Council.

The CHAIRMAN, speaking on behalf of Norway, was of the opinion that by submitting names of candidates, members would automatically express their views on the nature of the composition of Sub-Commissions.

Mr. WILSON (Australia) pointed out that no discussion had as yet taken place on the subject as to whether the Sub-Commissions should be entirely composed of experts, partly composed of experts, or entirely drawn from this Commission. If the document was based on the assumption that all members of the Sub-Commissions should be outside experts, the matter would have to be discussed.

Mr. HALL (United Kingdom) agreed with the member from India that a decision would have to be taken on the matter of composition. He strongly felt that at least some of the members of the Sub-Commissions should also serve on this Commission.

Mr. RUEFF (France) thought two methods were open to the Commission: one to discuss the general principles; two to submit names and subsequently discuss on what principles the selection had to be based. He preferred the latter course, but felt some mention of this matter should be made in the second paragraph of document E/CN.1/W.8.

Mr. MOROZOV (Union of Soviet Socialist Republics) said that the Union of Soviet Socialist Republics member had pointed out previously that in the view of the Government of the Union of Soviet Socialist Republics,

/the composition

the composition of Sub-Commissions should be similar to that of Commissions, since they were all bodies of the United Nations. He regretted that this point of view had not been taken into account, and stated that the current difficulties with which the Commission was faced in this matter, confirmed his point of view. The only correct principle was for members of Sub-Commissions to be representatives of Governments and other United Nations bodies. Equitable, geographical distribution would have to be taken into consideration, even when it came to selecting experts.

The CHAIRMAN pointed out that any member was of course, free to present his reservations, and asked the member from India whether he wished his reservation maintained.

Mr. NEERU (India) felt that in view of divergent opinions, and in view of the fact that the matter would have to come up again for discussion at the next meeting of the Commission, there was little advantage in now attempting to produce a document which tried to reconcile the different points of view.

Mr. WILSON (Australia) stated that several members might wish to express different views, but suggested an amendment to the first paragraph, which, he felt, would in any case permit the Commission to obtain names of possible candidates now, and then decide at the next meeting what proportion of outside experts the Sub-Commissions should have.

Mr. WU (China) agreed with the members from India and the Union of Soviet Socialist Republics that there had not been sufficient time to discuss the matter of principle in general, but that mention should be made of the need for equitable geographical distribution. This view was also supported by Mr. RADINSKY (Czechoslovakia).

Mr. WU added that the Human Rights Commission had recently stated that members of Commissions were not experts, but representatives of Governments - a statement which might lead to a revision of definition by the Economic and Social Council. On the whole, he inclined toward the view expressed by the

member from the Union of Soviet Socialist Republics, that members of Sub-Commissions should be government representatives rather than outside experts.

The CHAIRMAN, speaking on behalf of Norway, suggested an amendment to paragraph 2 to the effect that since there had been no time to discuss the principles of composition or the individuals to be selected, decision on the matter had been deferred to the next meeting of the Commission. This amendment was supported by Mr. RUEFF (France) who suggested that it be adopted and that debate should be closed.

Mr. CISNEROS (Cuba) felt both the Chairman and Mr. Rueff had tried to reconcile different points of view, but he did not believe that the Chairman's amendment to paragraph 2 would meet the situation. It was impossible to say that there had not been sufficient time to discuss principles, especially since there was yet time to continue the debate and to have the paragraph redrafted so as to bring it more into line with the actual discussion. He also supported the view that the principle of geographical distribution needed emphasis.

Mr. HALL (United Kingdom) supported Mr. Rueff and the amendment put forward by the member from Norway which, in his view, covered all opinions expressed without committing any of the members to any given cause, leaving the matter to be settled at the next meeting.

Mr. NEHRU (India) suggested that in deferring the matter to the next meeting, such procedure should not preclude members from reviving their reservations.

Mr. LUBIN (United States of America) supported Mr. Rueff's suggestion to close debate and to adopt the Chairman's amendment to the second paragraph. Since the views of individual members would find expression in the summary record, he felt that a footnote to that effect might be added in the Commission's report.

/Mr. WILSON

Mr. WILSON (Australia) felt that a number of members were not yet certain what views they might hold on further examination of the question of composition, and asked for the deletion of the first two lines of the second paragraph, and for addition of his amendment to the first paragraph.

The CHAIRMAN, speaking on behalf of Norway, supported Mr. Wilson's proposal, adding a further amendment of his own to the third paragraph, third line, after the word "Commission", "the views which he holds on the composition and list of the names..."

Mr. LUBIN (United States of America) felt that the issue of composition could not be discussed by mail, but would have to be discussed at the next meeting of the Commission. Mr. Lubin added that the latter part of the third paragraph, asking members to submit statements regarding individuals they recommended for membership of the Sub-Commissions, covered this point.

Miss BURWASH (Canada), in supporting Mr. Lubin, pointed out that definite statements on methods of composition might lead to crystallization rather than clarification of principles, making future discussions more difficult.

The CHAIRMAN, speaking on behalf of Norway, withdrew his suggestion regarding the third paragraph. The first and second paragraphs were accepted as amended and now read:

"It was the consensus of the Commission that careful consideration should be given to the qualifications of the individuals to be appointed to the Sub-Commissions on Employment and Economic Stability and on Economic Development, and to the principles according to which they would be chosen. It was generally felt that the members of the Sub-Commissions, whether drawn from the membership of this Commission or from other sources, should be qualified experts whose knowledge of their specific fields would enable them to make a definite contribution to the work of the respective Sub-Commissions.

/"It was

"It was agreed that definite conclusions as to the principles on which members of the Sub-Commissions should be selected, and the selection of individuals to serve as members, should be deferred until the next session of this Commission."

The CHAIRMAN stated that Mr. MOROZOV (Union of Soviet Socialist Republics) could feel free to make further changes after receiving the amended text.

Regarding the third paragraph, Mr. NEHRU (India) suggested the deletion of the word "definite", and the word "accordingly", in view of the revisions in paragraphs 1 and 2.

Mr. WILSON (Australia) asked to have "carrying on" replaced by "carrying out". The third paragraph was accepted with these changes.

The CHAIRMAN, speaking on behalf of Norway, regarding paragraph 4, asked to have the term "several times a year" replaced by "once or twice a year", a wording which Mr. HALL (United Kingdom) regarded as too precise, but which Mr. WU (China) approved.

Mr. NEHRU (India) asked to have the word "would" changed to "might" wherever it occurred in the fourth paragraph.

Mr. RJEFF (France) objected to the phrase "once or twice" as well as "two or three months", regarding both as too precise. He suggested that the last sentence of the paragraph should be deleted.

The CHAIRMAN, speaking on behalf of Norway, felt it was important to arrive at the correct meaning or length of sessions, since it constituted a factor which might well determine the type of person willing to serve on the Sub-Commissions.

Mr. WILSON (Australia) suggested the phrase "perhaps twice a year", which was accepted.

Mr. RUBIN (United States of America) suggested an amendment to the last sentence of the paragraph, which was accepted and now read: "under exceptional circumstances longer sessions may be needed".

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The fourth paragraph was accepted in its entirety with the above-mentioned changes.

Mr. WILSON (Australia) proposed to delete the fifth paragraph in its entirety, since it was now covered by the amended second paragraph. This was accepted.

Mr. RADITSKY (Czechoslovakia), regarding the sixth paragraph, asked that the decision regarding the appointment of alternates should be left to the Economic and Social Council, after which the Commission should take the question up again at its next meeting.

Mr. NEHRU (India) supported the view of the member from Czechoslovakia.

Mr. LUBIN (United States of America) pointed out that the matter had been discussed at a previous meeting, when there had been no objection to the provision of not permitting the appointment of alternates.

Mr. MOROZOV (Union of Soviet Socialist Republics) objected to this provision of not permitting the appointment of alternates as he had already previously stated. Moreover, since this was a question of principle, and the Commission had agreed to defer discussion of principles, this debate was out of order. While he personally felt that it was imperative to have alternates, he favoured exclusion of the paragraph from the document.

Mr. CISNEROS (Cuba) supported Mr. Lubin. He was opposed to the appointment of alternates, and considered it proper for the Commission to express its views on the subject without regard to what the Economic and Social Council might decide.

Mr. LUBIN (United States of America) asked for a vote on whether members of Sub-Commissions should be permitted to appoint alternates. He moved that such appointments should not be permitted.

/Mr. MOROZOV

Mr. MOROZOV (Union of Soviet Socialist Republics) thought the appointment of alternates could not be precluded at this time, since it was not the practice of other United Nations organs.

Mr. NEHSU (India) felt the question was bound up with the principles of composition, and could no more be discussed at this meeting than other matters of principle, such as whether members would be representatives of Governments or not.

The CHAIRMAN, speaking on behalf of Norway, stated that members of Sub-Commissions would be appointed by this Commission as individuals, and it was up to this Commission to decide on matters of geographical distribution, government representation, etc., although within the terms of reference such members would finally have to be approved by their Governments. However, he did not see why it was not proper for the Commission to decide on the question of alternates.

Mr. MOROZOV (Union of Soviet Socialist Republics) pointed out that even if the Commission decided to appoint outside experts rather than Government representatives, it could under no circumstances violate the principle of geographical distribution, since this was a vital principle of the United Nations.

The CHAIRMAN called for a vote on the first sentence of the sixth paragraph which now read: "The majority of the Commission was of the opinion that the members of the Sub-Commission should not be permitted to appoint alternates."

The motion was carried.

Mr. MOROZOV (Union of Soviet Socialist Republics) felt it was important to explain that only nine of the fifteen members of the Commission had voted. Since it was impossible to appoint alternates, the others present had no right to vote, which, he felt, proved his point that the prohibition of appointing alternates might easily lead to wrong conclusions.

/Mr. WILSON

Mr. WILSON (Australia) indicated that while he had voted in favour of the motion, he would vote against including the paragraph in the report, since it would magnify the issue out of proportion to other equally important issues. He therefore moved that the paragraph be deleted in its entirety.

Mr. CISNEROS (Cuba), while agreeing that it would be necessary to mention the absence of many members, felt the question of alternates was too important not to be included in the report.

Mr. WILSON (Australia) explained that he had voted for the desirability of the principle of not permitting the appointment of alternates. However, with so many members absent, and no absolute majority, the vote, if included in the report, would require a lengthy explanation. He had asked to have the matter re-opened because, as it stood, it would otherwise receive undue prominence.

Mr. MOROZOV (Union of Soviet Socialist Republics) supported the views of the member from Australia, pointing out the unsatisfactory situation in which this Commission found itself at this very moment. Forty per cent of the members were absent; and since they were not permitted to appoint alternates, they were thus prevented from presenting their points of view. As the matter stood, the possibility of appointing alternates had now been excluded even before discussion of general principles which had been deferred to the next meeting of the Commission.

Mr. NEHRU (India) associated himself with the views expressed by the members from Australia and the Union of Soviet Socialist Republics.

Mr. LUBIN (United States of America) agreed to have the matter re-opened provided it was confined to the issue of whether or not this debate and vote should be included in the report. He pointed out that the summary record of the meeting would reflect the views of all the members and he asked that the report should include a statement to the effect "the majority of the members present were of the opinion" rather than "the majority of the Commission..."

Mr. RUEFF (France) supported the deletion of the first sentence of the sixth paragraph but was opposed to further discussion.

The CHAIRMAN said that if the matter were reopened, the United States proposal would also have to be considered.

Miss BURWASH (Canada) felt that the question of alternates was a matter of principle and should therefore not be discussed now. She favoured deletion of the paragraph.

The CHAIRMAN, speaking on behalf of Norway, disagreed, a view supported by Mr. CISNEROS (Cuba) who felt it was improper not to include it in the report. If the matter were excluded on the basis that only nine voting members had been present, most other decisions of the Commission would be subject to exclusion on the same grounds.

The CHAIRMAN said that there were two motions before the Commission, namely those of the United States and Australian members. He asked that a vote should be taken on the Australian proposal as the one furthest removed.

Mr. LORIN (United States of America) asked whether the previous vote of 7 to 2 stood, and whether the Australian motion referred merely to deleting the paragraph from the Commission's report to the Economic and Social Council.

Mr. WILSON (Australia) replied that the vote naturally stood, but that the matter itself was of no greater importance than many others on which the Commission had either agreed or disagreed. To mention the vote in the report would give it undue prominence. Moreover, the small number of members who had been able to vote might give the Council the very reason for permitting the appointment of alternates. He therefore moved that no reference should be made to this matter in the text of the report nor any recommendations on the subject to the Economic and Social Council.

Mr. CISNEROS (Cuba) said it was his belief that the Commission had already voted on including the matter in the report.

/Mr. WILSON

Mr. WILSON (Australia) pointed out that the vote had been taken on the principle and that if Mr. Lubin was willing to withdraw his motion, he would be willing to withdraw his own, which had, in fact, been an amendment to Mr. Lubin's motion, and introduce an entirely new motion. He proposed to let the vote on the principle stand, and moved that the paragraph should be deleted from the report. This motion was seconded by Mr. MOROZOV (Union of Soviet Socialist Republics), Mr. NEHRU (India) and Mr. RUEFF (France).

The CHAIRMAN asked for a vote on the Australian motion, namely that the vote previously taken should be applied only to the principle without reference to the inclusion in or exclusion from the Commission's report to the Council.

The motion was carried.

The CHAIRMAN then called for a vote on the Australian motion that no reference to this matter (paragraph 6 of document E/CN.1/W.8) should be made in the Commission's report to the Economic and Social Council.

Mr. LUBIN (United States of America) seconded the motion, expressing the hope that discussion on the matter would be covered fully in the summary record.

The motion was carried.

In reference to the seventh paragraph of document E/CN.1/W.8, the CHAIRMAN remarked that Sub-Commissions might have to handle certain matters differently from Commissions by meeting in private.

Mr. LUBIN (United States of America) pointed out that Commissions had the right to go into executive sessions.

Mr. RUEFF (France) agreed with the Chairman. While the Sub-Commissions would be composed of only seven regular members, as many as eleven different organizations might be also represented. Thus the latter would outweigh regular members in number and make it impossible for Sub-Commissions to

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work in small groups.

He therefore suggested that the Secretariat should study the legal aspect of the provision and prepare a different text according to which the Sub-Commission could have closed meetings.

Mr. WEINTRAUB (Secretariat) pointed out that according to the agreements between the United Nations and Specialized Agencies, the latter could be present at any meeting of United Nations bodies. That provision, he felt, would also apply to Sub-Commissions. He did not think, however, that the problem would arise in practice since Sub-Commissions could arrange informal private meetings. Specialized Agencies were composed of member Governments who also belonged to the United Nations; explicit exclusion of specialized agencies would imply secret discussion.

Mr. RUEFF (France) indicated that he could not agree with that view. It was not a question of secrecy or of excluding Specialized Agencies from any meetings but rather a question of efficiency which was more easily achieved by small working groups. Some members of the Commission would be excluded as well. The Specialized Agencies would be informed of the Sub-Commissions work.

The CHAIRMAN supported the French representative's view and suggested that it could be mentioned in the report as follows: "if it is in accordance with the rules of procedure of the Economic and Social Council or the General Assembly, the Commission feels that the Sub-Commissions on Employment and Economic Stability and on Economic Development may go into executive sessions whenever they deem necessary."

Mr. HALL (United Kingdom) felt that the Commission should first find out if it was within its competence to make decisions on the matter.

The CHAIRMAN thought that irrespective of its terms of reference, the Commission was entitled to state that it considered the rules of procedure inefficient. He concluded that the appropriate clause of agreement between

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the United Nations and the International Labour Organization, read out by Mr. LUBIN (United States of America) did not provide for Sub-Commissions since it did not mention them.

Mr. MacDOUGALL (Food and Agriculture Organization) felt that the agreements included Sub-Commissions, even if they did not mention them. In practice, the Sub-Commission could easily make arrangements for meetings at which Specialized Agencies would not be represented. In view of the terms of reference, however, Specialized Agencies would be interested in attending meetings of Sub-Commissions whenever matters of interest to them were discussed.

Mr. RICHES (International Labour Organization) pointed out that the reciprocal representation arrangements had been designed to enable the various organizations to work together effectively and were essential for successful collaboration. While closed informal matters could be arranged, a definite statement excluding the interested specialized agencies from meetings of Sub-Commissions would be objected to.

The CHAIRMAN stressed that his suggestion was only to enable Sub-Commissions to have executive meetings whenever they so desired. As regards the legal status of the question, according to rule 58 of the draft rules of procedure of the Economic and Employment Commission, the Sub-Commissions could determine their own procedure. In any case, the Commission was entitled to request the modification of the rules of procedure.

Mr. LUBIN (United States of America) thought that it was primarily a legal question of interpretation of a contract. He therefore suggested that enquiries should be made of the legal authorities as to whether the Commission had the right to recommend the exclusion of Specialized Agencies from the meetings of Sub-Commissions and the right to decide regarding the latter's executive meetings.

/Mr. RUEFF

Mr. RUEFF (France) and Mr. CISNEROS (Cuba) supported the United States proposal.

Mr. HALL (United Kingdom) also supported the proposal. He pointed out that some Specialized Agencies were intimately concerned with the work of Sub-Commissions. In view of the importance of co-ordinating the activities of policy-making bodies with those of the Specialized Agencies close consultation was necessary. While he agreed with Mr. Rueff that smaller bodies worked more efficiently, he did not believe that the representatives of Specialized Agencies would influence the decisions of Sub-Commissions.

Mr. FRAZER (UNESCO) stated that, as a matter of policy, UNESCO would wish to be represented on any Sub-Commission that might be formed.

The CHAIRMAN also favoured co-operation and co-ordination of the Commission's work with that of the Specialized Agencies. The latter could be present at most meetings of Sub-Commissions; under certain circumstances, however, Sub-Commissions should be able to go into executive meetings.

The Commission decided to postpone the decision, for the time being, on the seventh paragraph, pending advice on the matter by the Legal Counsel.

Referring to the eighth paragraph of document E/CN.1/W.3, Mr. MOROZOV (Union of Soviet Socialist Republics) raised the question of giving technical advice upon request by Governments. He also pointed to the budgetary implications of the proposal. He wished to know whether any provision had been made in the 1947 budget for such contingencies.

Mr. WEINTRAUB (Secretariat) pointed out that there were experts on the Staff whose services could be made available for brief periods of time upon request.

Mr. MOROZOV (Union of Soviet Socialist Republics) replied that as a rule consultation was to be effected through special arrangements between the Governments and the United Nations. If there were no suitable

/provisions

provisions in the budget, such a recommendation might be out of place. He thought that the principle of the provision should be discussed separately.

Mr. LUBIN (United States of America) then proposed that the second part of the eighth paragraph, starting with the words "and to provide" should be deleted.

Mr. Lubin's proposal was accepted as well as the suggestion by Mr. NEHRU (India) to change the word "election" on line 1 of that paragraph to the word "appointment." The word "all" on line 3 of the paragraph was deleted.

Mr. MOROZOV (Union of Soviet Socialist Republics) recalled that the establishment of Sub-Commissions had been postponed and that in the meantime, the Secretariat was to collect data to prepare for the Sub-Commissions work. He failed to see, however, the responsibilities of the Chairman in that connection and suggested that only the first two lines of that paragraph should be retained.

Mr. NEHRU (India) recommended that the last sentence should be retained as well, and that the following phrase should be added: "who will be free to make comments and suggestions".

Mr. LUBIN (United States of America) felt that the Chairman had to act as an intermediary between Commission members and the Secretariat.

Mr. WILSON (Australia) proposed that, starting with the third line, the paragraph should be amended to read: "who will be responsible for advising the Secretariat on all matters within the terms of reference of the two Sub-Commissions. The Chairman will also be responsible for arranging with the Secretariat that such documents as are prepared are communicated to members of this Commission who will be free to make comments and suggestions".

The words "in collaboration", (lines 1 and 2 of the paragraph)

/were changed /

were changed to "after consultation".

After further discussion of the paragraph, the Commission accepted it as amended.

Mr. CIENFROS (Cuba) stated that before approving the document, the Commission should have an idea of the time of its next session. In case no decision on the date of the next session were reached, he would make the reservation that he approved the document with the understanding that the Sub-Commissions would be established before the next session of the Economic and Social Council. It was important to establish the Sub-Commissions as soon as possible in view of the fact that the interim arrangements could only function for a few months.

Mr. LUBIN (United States of America) explained that it had been decided that Sub-Commissions would not be appointed before the Commission's next session; it was not known whether the Commission would meet before the next session of the Economic and Social Council.

After further discussion, the Commission accepted paragraph 8 as well as the entire document E/CN.1/W.8, as amended.

The meeting rose at 1:55 p.m.
