

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



GENERAL

E/AC.31/J.2
16 July 1951 37

ENGLISH

ORIGINAL: FRENCH

AD HOC COMMITTEE ON THE ORGANIZATION AND OPERATION
OF THE COUNCIL AND THE COMMISSIONS

SUMMARY RECORD OF THE TWENTIETH MEETING

Held at Headquarters, New York,
on Tuesday, 26 June 1951, at 3 p.m.

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11 DEC 1952

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Chairman: Mr. SANTA CRUZ

Chile, President of the Economic
and Social Council

Members: Mr. BRENNAN

Australia

Mr. de ALMEIDA

Brazil

Mr. TSAO

China

Mr. de SEYNES

France

Mr. RAJAN

India

Mr. ZONOV

Union of Soviet Socialist Republics

Mr. OVERTON

United Kingdom of Great Britain and
Northern Ireland

Mr. LUBIN

United States of America

51-14345

Observer: Mr. DUSSAUT Argentina

Representative of a specialized agency:

Mr. ARNALDO United Nations Educational, Scientific and Cultural Organization (UNESCO)

Representative of a non-governmental organization:

Miss KAHN World Federation of Trade Unions (WFTU)

Secretariat:

Mr. CAUSTIN Department of Economic Affairs

Mr. HOGAN Secretary of the Committee

ORGANIZATION AND OPERATION OF THE REGIONAL ECONOMIC COMMISSIONS

Mr. ZONOV (Union of Soviet Socialist Republics), speaking on a point of order, explained that it had been his impression at the previous meeting that suggestions for changes in the terms of reference of ECAFE were simply to be transmitted to the Council. After reading the conference room paper distributed through the United Kingdom delegation, however, he had realized that those changes were to be considered as definitely adopted. The USSR delegation had therefore voted for the proposed changes as a result of purely accidental circumstances; actually, it was convinced that the regional economic commissions themselves, and not the Council, should make decisions in that respect. The USSR delegation objected to several of the proposed changes, particularly those respecting ECAFE's terms of reference. In any case, only after a thorough discussion could the Committee take a decision. Consequently, the USSR delegation wished its statement to appear in the summary record.

The CHAIRMAN asked the Committee to consider the action to be taken on the oral proposal of the United States representative to add a paragraph identical with sub-paragraph 7 (b) of ECLA's terms of reference to the terms of reference of ECAFE and ECE. The paragraph provided that the Commission would act in consequence of consultations with the non-governmental organizations granted consultative status by the Economic and Social Council, in fulfilment of the principles approved by the Council for that purpose.

/Mr. LUBIN

Mr. LUBIN (United States of America) said that some degree of uniformity in the provisions on consultations with the specialized agencies and the non-governmental organizations appeared desirable. Provisions governing that matter might already exist; in the terms of reference of the three regional economic commissions, however, there should be a statement of principle drafted in clear and identical terms.

The CHAIRMAN noted that on page 11 of the English text of conference room paper no. 3, which contained excerpts from the report of ECE, it was stated that the Commission had reached the conclusion that there was no need to alter the rules of procedure on consultations with non-governmental organizations for the existing provisions, as applied in practice, appeared satisfactory to the members.

Mr. LUBIN (United States of America) said that changes might arise in applying the provisions on consultations with the non-governmental organizations. To meet that contingency, his delegation had deemed it necessary to embody the provision contained in ECLA's terms of reference in the terms of reference of ECE and ECAFE.

Mr. ZONOV (Union of Soviet Socialist Republics) found it difficult to understand why the Committee should deal with a problem of that nature. The Commissions themselves should arrange their relations with non-governmental organizations and any interference by the Committee in that field would be all the more uncalled for as the reports of ECE and ECAFE showed that consultations with non-governmental organizations had consistently borne satisfactory results.

The CHAIRMAN put to the vote the proposal of the United States representative.

The proposal was adopted by 6 votes to 1, with one abstention.

/Mr. LUBIN

Mr. LUBIN (United States of America) thought that the Committee should also consider the question of possible changes in the provisions of the rules of procedure of regional economic commissions regarding consultations with non-governmental organizations. Those provisions should be made uniform; at present, there were naturally differences because, under its terms of reference, each commission adopted its own rules or procedure.

He suggested that the Council's Committee on Non-Governmental Organizations, which was to meet before the July 1951 session of the Council, should study the matter of uniformity in the rules of procedure of regional economic commissions on consultations with non-governmental organizations.

The CHAIRMAN recalled that he had pointed out at the previous meeting the importance of making those rules uniform and of referring the matter to the NGO Committee.

Mr. BRENNAN (Australia) had no objection in principle to the United States proposal. He noted however that in paragraph 257 of the report of its seventh session (E/1981), ECAFE had announced several changes in the provisions of its rules of procedure relating to consultations with non-governmental organizations. ECE's report also indicated that the Commission had altered its terms of reference. Mr. Brennan wondered whether the representative of the Secretary-General could give the Committee some information about those changes and say whether they were similar or, on the contrary, different.

Mr. HOGAN (Secretary of the Committee) said that there were substantial differences in the changes made.

Mr. de SEYNES (France) said that just as he could not agree with the USSR representative that the Committee was not competent to suggest changes in the

/terms of

terms of reference of the regional economic commissions, so it seemed clear to him, in the present case, that the Committee could not regulate the procedure to be applied to relations between the regional economic commissions and the non-governmental organizations. It would be too bad if the Ad Hoc Committee were to confuse compatibility and uniformity. He did not think it advisable to try to make the rules of the regional economic commissions uniform because, by their very nature, the commissions had to deal with different problems and interpret similar problems in different ways. He therefore felt that the regional economic commissions should be left entirely free to organize their contacts with the non-governmental organizations.

Mr. ZONOV (Union of Soviet Socialist Republics) said that the Committee was not entitled to modify the rules of procedure of the regional economic commissions; certain delegations had argued in favour of making the rules of procedure of those commissions uniform but that argument did not hold water as the regional economic commissions had been set up to assist different regions and were therefore called upon to deal with essentially different matters.

Mr. LUBIN (United States of America) said that it should not be thought that his proposal would of itself result ⁱⁿ the standardization of the provisions governing relations between the regional economic commissions and the non-governmental organizations. At the same time, in his opinion the question was important enough to justify its being sent for consideration to the Committee on Non-Governmental Organizations which, in due course, would decide whether recommendations on the subject should be submitted to the Council.

The proposal of the United States representative was adopted by 6 votes to 2.

/The CHAIRMAN

The CHAIRMAN invited the Committee to consider the text of the three rules which the United States proposed for inclusion in the rules of procedure of the regional economic commissions and which dealt respectively with the number of sessions, the date and the place of each session (E/AC.34/L.12).

At present the terms of reference of those commissions contained no provision regulating the number of sessions each year; nevertheless, there was a stipulation that each commission should present an annual report to the Council which obviously led to the conclusion that the commissions must hold at least one session each year.

The rules of procedure did not fix the date of sessions; but it was understood that the commission concerned proposed a date, and that the Council took that proposal into consideration in adopting its calendar of meetings.

The provisions of the rules of procedure regarding the place of sessions now varied for each commission: ECLA decided on the meeting place of its session on the advice of the Secretary-General with due consideration for the principle that the various countries of Latin America should be chosen in rotation; ECAFE and ECE generally held their sessions at their headquarters but could in consultation with the Secretary-General decide to meet elsewhere.

Mr. OVERTON (United Kingdom) asked whether, in practice, the commissions themselves did not adopt their own rules of procedure and, if that was the case, how it was proposed to deal with the United States proposals.

The CHAIRMAN stated that the terms of reference of the commissions actually authorized them to adopt their own rules of procedure.

Mr. LUBIN (United States of America) said that the Economic and Social Council was the parent body on which the regional economic commissions were dependent; as the responsibility for studying the budgetary requests of the commissions rested with the Council, it seemed that that body should also have a say in fixing the place, date and the general conduct of the sessions of the commissions.

/He pointed

He pointed out that his proposal stipulated that, prior to fixing the date and place of a commissions session, the Council should take into account any recommendation of the commission and that in exceptional cases the Executive Secretary could alter the date of a session.

The CHAIRMAN, referring to the text of rule 3 proposed by the United States according to which each session should be held at the seat of the United Nations in Europe, (Asia, Latin America) pointed out that while Geneva was the seat of the European office of the United Nations, Santiago and Bangkok were only the seats of the Economic Commission for Latin America and the Economic Commission for Asia and the Far East respectively.

Mr. LUBIN (United States of America) stated that the drafting of rule 3 should be changed to indicate that "Each session shall be held at the seat of the commission...".

Mr. BRENNAN (Australia) pointed out that on the previous day, the Committee had had before it a proposal of the Philippine representative (E/AC.34/L.32) suggesting some changes in the rules of procedure of ECAFE, and in particular proposing Manila as the seat of the Commission. He wondered whether ECAFE had been informed of that proposal and whether the Committee's decision of the preceding day designating Bangkok as the permanent seat of ECAFE had not in a sense been premature.

He could accept the text of rule 3 with the changes which the United States representative had just made. The first two rules merely confirmed principles which were already in application, as ECAFE, for example, which had originally held two sessions a year had, in 1949, decided to hold only one session annually. The Australian delegation could therefore accept those rules if the Committee considered their adoption necessary.

The CHAIRMAN stated that the question raised by the Australian representative regarding the Philippine proposal was now beside the point as the Committee had no intention of changing the location of the permanent seats of commissions but might possibly fix the place of sessions.

/He pointed

He pointed out that the place of meetings of ECIA sessions was fixed by the organization's terms of reference rather than by its rules of procedure, if the United States representative wished to maintain rule 2 as it appeared in the proposed text (E/AC.34/L.12), ECIA's terms of reference rather than its rules of procedure would have to be amended. Actually, article 15 of the terms of reference of ECIA stipulated that "The Commission shall at each session decide upon the place of meeting for its next session, with due consideration for the principle that the countries of Latin America be chosen in rotation" (E/1330/Rev.1). If that question were studied from the point of view of principle rather than procedure, it would certainly be flattering for Chile to have ECIA meet each year in Santiago, but it should be considered that in deciding in favour of the principle of rotation the Council had recognized the advantage of having all Latin American countries profit in turn from the presence of that Commission.

As for the other two regional commissions, ECE had so far met permanently in Geneva because that solution had been recognized as most practical. Nevertheless, it was possible that in future the Commission would find it necessary to meet elsewhere than in Geneva and it seemed somewhat undesirable to oppose its taking a decision of that kind. The case of ECAFE was somewhat different in view of the fact that the Commission had not always met in the same place and that it had not applied the principle of rotation; nevertheless, there seemed to be no reason for imposing on it a fixed place of meeting. In amending the provisions about sessions of the regional economic commissions, the Committee would run the risk of giving the impression that it sought to deny those commissions some of their freedom of action and prevent them from continuing to apply methods which had been recognized as effective. Far from assisting the commissions, the Committee would be placing obstacles in the way of their work.

Mr. de ALMEIDA (Brazil) stated that his delegation could accept the United States proposal regarding the number and the date of sessions of regional economic commissions which made no substantial change in current practices. At the same time, there seemed nothing to be gained by adopting that proposal and it might be dangerous to introduce too much rigidity into the operation of commissions.

/In connexion

In connexion with rule 3, the Brazilian representative noted that his delegation had originally been of the opinion that sessions should be held at the seats of the regional economic commission; it had however changed its view after seeing how much the countries of Latin America had profited from the rotation of the ECIA sessions. It was in order to enable Brazil to benefit in turn from the advantages of the presence of that Commission that Brazil had proposed Rio de Janeiro as the place of meeting of the next ECIA session.

Accordingly, he could vote for the first two rules proposed by the United States representative if the Committee favoured their adoption. For the reasons which he had just indicated, he would find it impossible to vote for rule 3.

Mr. de SEYNES (France) said that his delegation had no serious objections to rules 1 and 2 put forward by the United States because it felt that control should be exercised by the Council at all times. Nevertheless, it did not think it appropriate to have those rules inserted in the rules of procedure of regional economic commissions by an outside authority. Such action would imply that supervision was exercised over the Commissions. Moreover, the Ad Hoc Committee had been established to revise the terms of reference of those Commissions rather than their rules of procedure. The French delegation would, therefore, abstain from voting on the rules 1 and 2 as set out in the United States proposal.

He pointed out in connexion with rule 3 that at least one Commission had in its rules of procedure established a principle which ran counter to the provisions of the proposed rule 3 and that in practice another Commission followed a slightly different principle from that recommended by the United States representative. Thus, by adopting rule 3, the Ad Hoc Committee would seem to be opposing the wishes of two of the regional commissions. The French delegation would therefore vote against rule 3.

The CHAIRMAN declared that the Ad Hoc Committee was competent in the matter; in the case of functional commissions and of the Council itself, the Committee had made recommendations on procedure; there was nothing to prevent the Committee from considering similar questions in connexion with regional economic commissions.

/Mr. de SEYNES

Mr. de SEYNES (France) explained that the terms of reference of regional economic commissions stipulated that they were free to adopt their own rules of procedure and he saw no reason to deprive them of that authority.

Mr. OVERTON (United Kingdom) believed that the United States proposal had aroused criticism because it was drafted rather too rigidly. He considered in connexion with rule 2 of the United States proposal that it was thoroughly desirable for the Council to be able to control the expenditure of regional economic commissions and to intervene in the drafting of their annual programme of work. ECLA had recognized the soundness of such procedure and had consulted the Council as to the date of its next session.

He proposed that rules 1 and 3 of the United States proposal should be deleted, and that rule 2 should be slightly modified to make its provisions more flexible.

Mr. LUBIN (United States of America) agreed to the deletion^{of} paragraphs 1 and 3, as suggested by the United Kingdom representative, and proposed^{that} in paragraph 2, the words "and place" should be added after the words "the date", and that the phrase "shall be subject to the Council's approval" should be substituted for the words "shall be fixed by the Council". Thus the Council would have a voice in fixing the dates of the sessions of its commissions.

Mr. TSAO (China) thought it was the Council's function to establish the terms of reference of the regional economic commissions, rather than to fix their rules of procedure. Nevertheless, the United States proposal seemed acceptable, as it provided for a measure of control by the Council over the decisions of the regional economic commissions, while being sufficiently flexible to allow considerable discretion to the commissions. It provided for certain exceptional cases, by including in each rule a phrase which allowed for broad interpretation of the rule. In rule 3, for example, it was provided that each session should be held at the seat of the regional commission,

/"unless another

"unless another place is designated by the Council taking into account any recommendation of the commission and in consultation with the Secretary-General". He recalled that the Council's own rules of procedure provided that the Council and the functional commissions might meet at a place other than Headquarters. In point of fact, since the seventh session, the Council's summer sessions had not been held at Headquarters. He thought it important to decide whether the question should be the subject of a rule of procedure or whether it should be dealt with in the terms of reference of the regional economic commissions.

After an exchange of views, in which Mr. BRENNAN (Australia) and the CHAIRMAN took part, Mr. LUBIN (United States of America) suggested that the Committee might recommend to the regional economic commissions the addition to their rules of procedure of a rule such as the following: "The date and place of each session of a commission shall be subject to the Council's approval, taking into account...". It was understood, of course, that only the date of a session might be changed by the regional commissions, as a change in the place or the session would entail budgetary implications.

Mr. ZONOV (Union of Soviet Socialist Republics) thought that the procedure being followed by the Committee was inappropriate. Moreover, he could not express an opinion on the matter until the United States proposal in its amended form had been circulated as a document.

The CHAIRMAN said he would put the United States proposal to the vote at the next meeting, after the text had been distributed. He invited the Committee to resume its discussion on the right to vote of non-members of the United Nations participating in an advisory capacity in the work of the ECE. That Commission had not taken a decision on the question, but had referred it back to the Council. The Committee must decide whether or not it would consider the matter.

/Mr. ZONOV

Mr. ZONOV (Union of Soviet Socialist Republics) suggested that the Committee should not consider the question, as it had no information at its disposal on which to take a decision. In his opinion, the Committee should simply refer the resolution to the Council, in accordance with ECE's request. The Council would undoubtedly have all the necessary documentation at its disposal at its thirteenth session and would be able to take a decision.

Mr. de SEYNES (France) shared the view of the USSR representative. The Committee would find it difficult to study that question without going beyond its terms of reference. It might, in fact, find itself dealing with detailed matters which lay within the competence of the commissions, or general questions which were the responsibility of the Council. He failed to see how the Committee could assist the Council on the problem, which was of a political nature.

The CHAIRMAN felt that the Committee's terms of reference authorized it to examine the structure of all the commissions, and to recommend to the Council any change which it thought should be made in the rules of procedure of the regional economic commissions. The Committee could make recommendations in connexion with any of those rules, including those dealing with the right to vote.

Mr. OVERTON (United Kingdom) said that the remarks of the USSR representative had confirmed his own view that it was not advisable for the Committee to consider the question. The ECE had asked for the Council's opinion, not the Committee's.

The CHAIRMAN, after ascertaining the views of the members of the Committee, ruled that the question would not be considered.

He asked whether the members of the Committee were ready to examine the next item on the agenda, which was the financial implications of economic and social projects and programmes.

Mr. LUBIN (United States of America) pointed out that the Committee had not finished its study of the terms of reference of the regional economic commissions. So far, only the recommendations made by the commissions themselves had been examined.

/He recalled

He recalled that at its preceding meeting the Committee had made recommendations concerning the terms of reference of the regional economic commissions. In his opinion, the same date should be set for the review of the work of the regional economic commissions as had been set for the functional commissions.

Mr. de SEYNES (France) recalled that at its preceding meeting the Committee had recommended that the regional economic commissions should themselves conduct a periodic review of their work, whereas now it was proposed that the Council should conduct such a review. The two recommendations did not contradict each other, and the proposal just made did not appear to call for any change in the terms of reference of the regional economic commissions.

Mr. LUBIN (United States of America) thought it desirable that the two reviews should be conducted simultaneously.

The CHAIRMAN thought that the position of the regional economic commissions was very different from that of the functional commissions. Although in the case of the latter the Committee had recommended temporary measures, subject to revision in 1953, there was no reason why similar measures should be adopted as regards the regional economic commissions. The latter had been in existence on a provisional basis for several years, and their maintenance on a permanent basis had been approved. He was afraid that any proposal for a fresh study of the question might prove discouraging to the regional economic commissions, and thus jeopardize the long-term programmes which they were carrying out, in particular in connexion with economic development.

Mr. de ALMEIDA (Brazil) felt that the Committee's task as regards the regional economic commissions was different from the duties it had been given in connexion with the functional commissions. Whereas the Committee had received no directive concerning the work of the functional commissions and of

/the Council

the Council itself, it had received explicit instructions from the General Assembly for the maintenance of the regional economic commissions. He noted, as had the Chairman, that the regional economic commissions had originally been created for a limited period of time only, and that they had now completed the experimental period, which had just been terminated by the unanimous decision of the governments concerned to maintain them on a permanent basis. If the maintenance of those commissions was now questioned, the work envisaged by ECLA and ECAFE in the field of economic development might well be jeopardized.

Consequently, he felt that the Council's consideration of the question should bear solely on the work of the regional economic commissions, not on their terms of reference. There must be no confusion on that point.

Mr. LUBIN (United States of America) pointed out that there had been a misunderstanding. He had never had the slightest intention of querying the advisability of maintaining the existence of the regional economic commissions; he had merely suggested that the first periodic review by the Council of the work of those commissions, provided for in the recommendations adopted the preceding day with respect to ECAFE, should take place in 1953.

He proposed that the Committee should insert in its report a recommendation to the effect that the Council should also review the work of the regional economic commissions in 1953.

The CHAIRMAN thought that the Committee could take a decision on that proposal when it examined its report.

Mr. ZONOV (Union of Soviet Socialist Republics) did not think it advisable for the Committee to recommend any fixed date for the Council's review of the work of the regional economic commissions. The Council was free to set whatever date it desired for that review.

Mr. LUBIN (United States of America) suggested that the regional economic commissions should be asked to submit recommendations concerning amendments which they thought should be made to their terms of reference.

/He further

He further proposed that the Committee's report should state that the work of the regional economic commissions should be made an integral part of the work of the Council. The commissions should conform to the Council's general policy directives, and should obtain the Council's approval before undertaking major programmes. It was the Council's duty, on the other hand, to guide the activities of the commissions.

The Committee should emphasize the importance of the relations between the regional economic commissions and the Council, as well as the fact that it was the latter's function to provide guidance.

He then recalled that when ECE had been created it had been entrusted with certain temporary functions corresponding to the needs of the moment and that it had therefore set up subsidiary bodies. It should be invited to review its structure.

Lastly, he recalled that his delegation had agreed at the preceding meeting to the inclusion of provisions relating to technical assistance in the terms of reference of ECLA and ECAFE. An important part should be played in that field by the regional economic commissions. But the commissions and their secretariats should confine themselves to assisting governments in preparing requests for technical assistance, and they were not entitled to take the initiative in actually administering technical assistance projects. The technical assistance work of the United Nations must be directed from Headquarters and not be split up into a number of autonomous regional programmes. It would therefore be well to transmit to the Technical Assistance Committee, for consultation, the texts of the amendments adopted in connexion with the terms of reference of ECAFE and ECLA.

The CHAIRMAN thought that the view the United States representative had just expressed was merely his own interpretation of the Committee's decision and could not be discussed by the Committee. The views of the United States representative would, however, be given in the summary record of the meeting.

/He declared

He declared closed the debate on the revision of the terms of reference of regional economic commissions, subject to the vote on the United States proposal which would be circulated to the members of the Committee; that vote would be taken at the following meeting.

Mr. de ALMEIDA (Brazil) objected to the United States representative's remark that regional economic commissions had no powers of initiative in the field of technical assistance. At its last session, ECLA had decided that it should help the governments of the region to formulate their requests for technical assistance, which was very important as such requests were difficult to prepare. He hoped that the United States representative would not consider such initiative as exceeding the competence of the regional economic commissions.

Mr. LUBIN (United States of America) agreed with the Brazilian representative that the regional economic commissions should assist not only in the formulation of requests by member countries but also in the preparation of co-ordinated programmes, grouping together countries in the same region.

The CHAIRMAN said that the question raised by the Brazilian representative was outside the Committee's competence.

Mr. ZONOV (Union of Soviet Socialist Republics) wished to know what action would be taken on the United States proposals. It was against the practice of United Nations bodies to consider proposals without having the relevant documents available. He wondered whether the Committee should examine the United States proposals, and^{if} it decided not to do so, whether the inclusion of those proposals in the report would be justified. In his opinion, only questions which had been discussed in a meeting should be included in the report.

The CHAIRMAN welcomed the opportunity offered him by the USSR representative to clarify the situation. The United States representative's last statement had been merely a personal interpretation of a decision taken by the Committee and consequently called for no action. In his other statements he had made certain proposals for inclusion in the report; those proposals would in due time be circulated in writing to the Committee which could then discuss them

He recalled the procedure followed by the Committee at its previous session on the question of functional commissions. It had approved, not only the recommendations, but also the parts of the report dealing with the recommendations. The same procedure should be followed with regard to the recommendations concerning regional economic commissions. The Committee must, however, have proposals on which it could take action. The United Kingdom representative had already submitted written proposals explaining the reasons why the Committee had recommended the continuation of the regional economic commissions. The United States representative had put forward other proposals which would be discussed when the written text had been circulated.

Mr. ZONOV (Union of Soviet Socialist Republics) was satisfied with the Chairman's explanations, but thought that, in view of the importance of the questions under consideration, sufficient time should be allowed to enable the members of the Committee to study and discuss the proposals to be submitted to them.

The meeting rose at 5.35 p.m.

16/7 a.m.