

be higher once actual expenditure and revised and supplementary estimates were taken into account.

64. Mrs. DERRE (France) said that if CPC participated in the preparation of the medium-term plan it

would be a joint document of the Secretariat and CPC and would be submitted to the Economic and Social Council for consideration, not to CPC.

The meeting rose at 6 p.m.

1944th meeting

Thursday, 24 April 1975, at 3.35 p.m.

President: Mr. Iqbal AKHUND (Pakistan).

E/SR.1944

Organization of work

1. The PRESIDENT suggested that Monday, 28 April 1975, be set as the deadline for the submission of draft resolutions under item 2, concerning a system-wide attack on the drought problems, under item 3, on the programme budget, and under item 4, on the rationalization of the work of the Council, and that the Council should consider the draft resolutions submitted under items 3 and 4 on Tuesday, 29 April. It was suggested that 29 April be set as the deadline for the submission of nominations for elections, which would be held on Thursday, 1 May. On Wednesday, 3 April, the informal consultations relating to the rules of procedure should be pursued throughout the day. On 1 May, the Council would take up any pending questions under items 3 and 4, the reports of the Economic Committee and the elections. On 2 May, the Council would complete its discussion of item 2 and the reports of the Social Committee.

2. Mr. G. A. SMIRNOV (Union of Soviet Socialist Republics) said that as 1 May was International Labour Day, he proposed that no meetings should be held that day.

3. Mr. BRITO (Brazil) said that, while he appreciated the efforts to speed up the work of the Council in order to complete the session early, he supported the proposal of the representative of the Soviet Union.

4. In view of the fact that the Council was awaiting information from the Secretary-General concerning the programme budget on science and technology, he would appreciate it if the draft resolution on that subject could be submitted on Monday.

5. The PRESIDENT said that in view of the above remarks, he would take it, if he heard no objection, that the Council agreed to his suggestions on the understanding that Tuesday would be the deadline for the submission of draft resolutions on item 3; that no meeting would be held on 1 May, International Labour Day; and that the Council would meet on 2 May instead, when it would consider the items it would have considered on 1 May plus, time permitting, item 2.

It was so decided.

AGENDA ITEM 6

Non-governmental organizations (E/5631 and Corr.1, E/5635, chap. I, draft resolution II; E/L.1636 and Add.1 and 2, E/L.1640 and 1644, E/NGO/31)

6. The President drew the attention of the Council to chapter I of the report of the Committee on Non-

Governmental Organizations (E/5631 and Corr.1), to draft resolution II contained in chapter I of the report of the Commission on Human Rights on its thirty-first session (E/5635) and the amendments thereto (E/L.1644), and to decision 67 (ORG-75) taken by the Council at its organizational session, requesting the Secretary-General to submit to its fifty-eighth session the list of non-governmental organizations which might be invited to the World Conference of the International Women's Year, to be held in Mexico City from 23 June to 4 July 1975. In response to that request, the Council had before it a note by the Secretariat (E/L.1636 and Add.1 and 2). In accordance with the decision of the Council, the question would be discussed under item 6 at the same time as the letter dated 1 April 1975 from the Chargé d'Affaires a.i. of Australia to the President of the Council (E/L.1640).

It was so decided.

REPORT OF THE COUNCIL COMMITTEE ON NON-GOVERNMENTAL ORGANIZATIONS (E/5631 AND CORR.1)

7. Mr. WU Miao-fa (China) said that, consistent with earlier statements, his delegation was opposed to the Economic and Social Council's establishing or maintaining consultative relations with non-governmental organizations which still comprised elements of the Chiang Kai-shek clique. It was three years since the General Assembly had adopted resolution 2758 (XXVI) and the maintenance of a situation suggesting that there were two Chinas was intolerable. He called on the Council to implement General Assembly resolution 2758 (XXVI) and to sever relations with non-governmental organizations in which elements of the Chiang Kai-shek clique participated.

8. Mr. KAUFMANN (Netherlands) welcomed the studies outlined in the report of the Committee (E/5631 and Corr.1) for strengthening the relationship between the United Nations and non-governmental organizations. His delegation had repeatedly stressed the importance of the role of non-governmental organizations in the work of the United Nations, and the relationship between those organizations and the United Nations could be further developed in the light of the experience of the last 30 years. Consultative status had primarily been sought by non-governmental organizations because of their interest in promoting the ideas and ideals of the United Nations. However, there was an increasing concern on their part also about the wide range of issues facing the international community.

The United Nations should take steps to ensure a more clearly defined policy and adequate machinery to administer the relationship between non-governmental organizations and the United Nations. Moreover, the valuable contributions of the community of non-governmental organizations should be fully recognized by Governments as well. His delegation welcomed the initiatives taken recently to strengthen relations between the United Nations Development Programme (UNDP) and non-governmental organizations in the field. He hoped that the Secretary-General would pursue his initiatives in strengthening the Secretariat both in New York and Geneva in order to achieve a United Nations system more responsive to non-governmental organizations. He welcomed the suggestions on making the membership of the Committee on Non-Governmental Organizations more representative of United Nations membership. The Committee should become a focal point for the relationship between non-governmental organizations and the United Nations. His delegation supported the recommendations of the Committee regarding the requests for reclassification and new applications for consultative status contained in the report of the Committee.

9. While not wishing to introduce the amendments contained in document E/L.1644, he wished to explain why his and other delegations felt that the Council should give serious consideration to draft resolution II in the report of the Commission on Human Rights on its thirty-first session (E/5635), which the Council had agreed to discuss together with the report of the Committee on Non-Governmental Organizations. Draft resolution II of the Commission on Human Rights had been introduced, debated and decided upon in a closed meeting of the Commission. The consideration of the draft had taken place in the context of the Commission's confidential discussions relating to the study of situations which revealed a consistent pattern of gross violations of human rights, on the basis of Economic and Social Council resolution 1503 (XLVIII). While his delegation recognized that the protection of human rights in individual countries was a delicate matter, particularly when discussions took place on the basis of information submitted by private individuals and organizations, it could not agree that confidentiality had been necessary in the situation referred to in draft resolution II, because it did not deal with specific situations. In conformity with the view expressed by the representative of the Netherlands at the thirty-first session of the Commission, his delegation submitted that the issue dealt with in draft resolution II was not a proper one to be discussed in closed session. Moreover, draft resolution II did not limit itself to the role of non-governmental organizations with respect to Council resolution 1503 (XLVIII) but had been extended to include oral as well as written submissions. The Commission had erred by so doing. Furthermore, the Commission had misinterpreted the confidentiality of the proceedings covered by resolution 1503 (XLVIII). Such confidentiality applied to all who had direct knowledge of or were involved in work being done by subsidiary organs of the Council under that resolution. The submissions of non-governmental organizations were made under Council resolution 728 F (XXVIII), while the selection process from those communications and government replies were entrusted to a subsidiary organ of the Council. The selection process fell outside the purview of the organizations

submitting the communications and therefore to impose on such organizations the confidentiality established under paragraph 8 of Council resolution 1503 (XLVIII) was tantamount to asking them to remain silent about their communications submitted under Council resolution 728 F (XXVIII). While recognizing that indiscretions had occurred in the past, his delegation shared the preoccupation of many delegations about such incidents, and believed that non-governmental organizations, which were directly concerned with the success of United Nations action in the field of protection of human rights and fundamental freedoms, should exercise great care in the use of information concerning confidential procedures.

10. Mr. KEILAU (German Democratic Republic) said that his delegation had taken note of the report of the Committee on Non-Governmental Organizations (E/5631 and Corr.1) and in principle regarded it as acceptable. His Government appreciated the activities of non-governmental organizations and they occupied an important place in the social life of his country. He stressed the contribution of non-governmental organizations in implementing the purposes and principles of the Charter of the United Nations. However, the United Nations was an organization of States. Co-operation between the Council and non-governmental organizations was necessary to promote the activities of States in fulfilling the tasks facing the United Nations and in supporting non-governmental organizations which had specific possibilities. Non-governmental organizations could not play the role of States or representatives of States. There was a growing number of non-governmental organizations asking for consultative status, which would be a positive step as long as an effective contribution was thereby made towards fulfilling the main tasks of the United Nations. However, a growing number of organizations with consultative status meant that the Secretariat and the Council were responsible for co-ordinating the activities of such organizations. The problem was important in the light of discussions on the rationalization of the work of the Council and on making it more effective. Any solutions to that problem should not consist of measures which would lead to a devaluation of non-governmental organization status because of over-subscription and bring additional burdens on the regular budget of the United Nations.

11. For example, 103 non-governmental organizations had so far expressed interest in participating in the World Conference of the International Women's Year (E/L.1636 and Add.1 and 2). Such wide interest should be welcomed since it could contribute to the success of the Conference. However, among the organizations were some whose tasks and purposes were not suited to contributing to the cause of the International Women's Year or the World Conference to be held in Mexico City in June 1975. Participation should be limited to such organizations as were in a position to make a direct contribution to the work of the Conference. Furthermore, an additional financial burden might result for the Secretariat from an unlimited participation in the World Conference of all non-governmental organizations having consultative status. His delegation could not therefore agree with all the points made in chapter III of the report of the Committee concerning future co-operation between the Council and non-governmental organizations. In accordance with Council resolution 1296 (XLIV), co-operation between the United Nations and non-governmental organizations

should be based on the following principles: the number of non-governmental organizations having consultative status should be limited by careful selection, according to the organization's potential to render an effective contribution to the work of the United Nations and the broad geographical representation of their membership. The criteria set by Council resolution 1296 (XLIV) for the grouping of such organizations in various categories should be strictly observed. Non-governmental organizations should be encouraged to improve the co-ordination of their activities among themselves since that would further serve to develop co-operation with the Council. United Nations organs, including the Secretariat, should rationalize their work with non-governmental organizations and concentrate on examples where such co-operation was expressly recommended by General Assembly and Council decisions. The Secretariat should not be responsible for co-ordination among non-governmental organizations themselves in the material, organizational and financial fields. By considering such principles, the Council could help to make co-operation more effective, more practical and more rational.

12. Mr. G. A. SMIRNOV (Union of Soviet Socialist Republics) said that, as a member of the Committee on Non-Governmental Organizations, his delegation had already given detailed views on all the issues arising at the previous session of the Committee. However, with reference to the report, he wished to point out that at its 367th meeting, the Committee had adopted its report with amendments proposed by the representative of Ghana to paragraphs 4 to 10. Those amendments had been supported and adopted. His delegation was therefore dismayed to see that they had been inaccurately reproduced in document E/5631 and Corr.1. In particular, paragraph 6 (c) should end with the words "with non-governmental organizations" at the end of the second line, and the final three lines should be deleted. In paragraph 6 (d), the first sentence should end after the words "Office of Public Information", and the rest of the sentence should be deleted. The Secretariat, which serviced the meetings of United Nations bodies, and the Rapporteurs must pay attention to detail in preparing reports and must not make changes, particularly where the reports had already been adopted by the body in question. The Secretariat should correct document E/5631 accordingly.

13. Non-governmental organizations could participate in the work of the Council in accordance with the Charter of the United Nations and with Council resolution 1296 (XLIV). Many non-governmental organizations made a substantial contribution to the work of United Nations bodies within the limits of their competence, but the activities of some specific organizations were not in conformity with the Charter. He regretted that such organizations could not promote the effective work of the United Nations or improve co-operation between the Council and the non-governmental organizations.

14. He supported the remarks of the representative of the German Democratic Republic concerning chapter III of the report of the Committee and stressed that the report of the Secretary-General, which was the subject of that chapter, had not been considered for lack of time and that the Committee had not been able to make final recommendations, as was mentioned in paragraph 13 of document E/5631. That was why his delegation considered that the matter of non-govern-

mental organization consultative status required comprehensive study so that decisions could be taken in the future.

15. Mr. BADAWI (Egypt) said that non-governmental organizations were important in furthering the goals and principles of the Charter of the United Nations and in promoting the establishment of a new order based on social and economic justice for all. The peoples of the United Nations had therefore been keen to provide arrangements with non-governmental organizations under Article 71 of the Charter and resolutions such as Council resolution 1296 (XLIV). However, non-governmental organizations could be helpful only as long as they contributed to the goals of the United Nations and as long as their activities were conducted within the framework established by the Council in accordance with Article 71 of the Charter. That criterion must be borne in mind when considering the consultative role of non-governmental organizations and the report of the Committee on Non-Governmental Organizations. He thanked the Secretary-General for the comprehensive report that he had submitted to the Committee (E/5631 and Corr.1, chap. III).

16. With regard to the recommendations contained in the report of the Secretary-General, which were designed to achieve a more constructive relationship with non-governmental organizations, the Council should seek to ensure that the activities of non-governmental organizations were concerned more with action and less with rhetoric. His delegation shared the view set out in paragraph 19 of the report of the Committee that those organizations should contribute to the implementation of the Declaration and the Programme of Action on the Establishment of a New International Economic Order (General Assembly resolutions 3201 (S-VI) and 3202 (S-VI)) and should increase their contribution to the implementation of the International Development Strategy and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

17. The Economic and Social Council and the General Assembly were the bodies authorized to take final decisions concerning the participation of non-governmental organizations in the work of the United Nations. The Council should circulate the report of the Secretary-General to member Governments for comment before it took any decision on it. There were some differences of opinion regarding the Secretary-General's recommendations, notably the four alternatives set out in paragraph 6 of the report of the Committee. The restructuring of the Non-Governmental Organizations Section of the Secretariat was a matter solely for the Secretary-General, but it would be sensible to establish whether the non-governmental organizations themselves were in a position to respond to any restructuring.

18. His delegation thought that some of the suggestions and proposals contained in the report, notably the proposal referred to in paragraph 29, might not be consistent with resolution 1296 (XLIV).

19. The PRESIDENT said that if there was no objection, he would take it that the Council approved the requests for reclassification and new applications for consultative status, as recommended by the Committee on Non-Governmental Organizations in chapter I of its report (E/5631 and Corr.1).

It was so decided [decision 72 (LVIII), paras. 1 and 2].

20. The PRESIDENT said that he would also take it that the Council decided to take note of the report of the Committee on Non-Governmental Organizations.

21. Mr. G. A. SMIRNOV (Union of Soviet Socialist Republics) said that the Council should take note of the report only on the understanding that the inaccuracies in paragraphs 6 (c) and 6 (d), to which his delegation had drawn attention, were to be corrected.

22. Mr. MACRAE (United Kingdom) said that it would be difficult for his delegation to accept the deletions requested by the Soviet delegation. Paragraph 6 dealt with a statement by the Under-Secretary-General who had presumably said what he wished to say.

23. Mr. WIGGINS (United States of America) supported the United Kingdom. The Soviet delegation had had ample opportunity to comment on the content of the report during the meeting at which the Council had discussed the changes which had subsequently been issued in the corrigendum to the report.

24. Mr. G. A. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had not itself requested any changes; it had merely requested that the changes proposed by Ghana in the Committee on Non-Governmental Organizations and approved by that Committee should be accurately reflected in the report.

25. The PRESIDENT said that the Chairman of the Committee on Non-Governmental Organizations had undertaken to review paragraph 6 with the Rapporteur and to check the records in order to ensure that the Committee's decisions were accurately reflected. On that understanding, he would take it the Council took note of the report.

It was so decided [decision 72 (LVIII), para. 3].

DRAFT RESOLUTION II CONTAINED IN CHAPTER I OF THE REPORT OF THE COMMISSION ON HUMAN RIGHTS (E/5635, E/L.1644).

26. Mr. MACRAE (United Kingdom) introduced, on behalf of the sponsors, the amendments (E/L.1644) to draft resolution II contained in chapter I of the report of the Commission on Human Rights (E/5635). The precise function of the Economic and Social Council remained a subject of debate, but there had never been any disagreement about the Council's role in assessing the resolutions passed to it by functional commissions for their accuracy, fairness and relevance. Draft resolution II had defects which the Council could rectify without detracting from the resolution's considerable merits. Member States voluntarily submitted to the procedure set forth in Council resolution 1503 (XLVIII), subject to the condition contained in paragraph 8 of the resolution that all actions envisaged in the implementation of the resolution by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities or the Commission on Human Rights should remain confidential until such time as the Commission might decide to make recommendations to the Economic and Social Council. Without that condition it would be unrealistic to expect Governments to accept the provisions of the resolution. The principle of confidentiality must be observed because it was the rule and because its neglect would jeopardize the very procedure which the Council had set up.

27. Some people thought, however, that paragraph 8 meant it was not only actions in the Commission and

the Sub-Commission which must be confidential but also communications from non-governmental organizations. That was not so. In that connexion, he commended to the Council's attention the United Nations publication *United Nations Action in the Field of Human Rights*,¹ which described, on pages 175-178, the evolution of the communications procedure. In particular, the procedure was governed by resolution 728 F (XXVIII), in accordance with which the Secretary-General compiled confidential and non-confidential lists of communications; it was quite clear that the initiative for revealing the authorship of communications included in the lists rested with the person or organization submitting them.

28. His delegation regretted the breaches of confidentiality which had occurred. It was the Council's duty to prevent such leaks, but leaks could happen even in the most effective system. The important thing was the will to keep proceedings confidential, and it was there that a very few non-governmental organizations were culpable. The Council must warn the small number of representatives of non-governmental organizations who aggressively sought out information on the proceedings of confidential meetings, who leaked information to the press and who published confidential information under their own names that they were neither abiding by the spirit of paragraph 8 of resolution 1503 (XLVIII) nor serving the cause of the procedure to which they contributed. His delegation appealed to the non-governmental organizations concerned to abide by the spirit of resolution 1503 (XLVIII) even when it taxed their patience and the strong feelings which they held on a particular situation.

29. He wished to stress that his delegation, and the other sponsors of the amendments, in no way undervalued the support which the non-governmental organizations gave the United Nations. The amendments were designed to cover the essential point of confidentiality without curtailing the ability of non-governmental organizations to make their vital contribution. Amendment 1 in document E/L.1644 substituted an accurate quotation from resolution 454 (XIV) for the existing inaccurate one. Amendment 2 placed on record that, whatever breaches of confidentiality a minute number of non-governmental organizations might have committed, their general record was one of positive achievement. Amendment 3 sought to establish that it would be unbecoming of the Council to single out non-governmental organizations for exclusive blame when they were not privy to the confidential information; responsibility for breaches of confidentiality must rest primarily with those present at the confidential meetings who had leaked the information to non-governmental organizations. Amendment 4 deleted the references to oral statements and proper discretion, which were irrelevant to resolution 1503 (XLVIII) but were covered by rule 86 of the Council's rules of procedure. Amendment 5 stated squarely that the draft resolution was based on the principle set out in paragraph 8 of resolution 1503 (XLVIII), while amendment 6 made it clear that the principle should apply to non-governmental organizations, and amendment 7 explained the details of the participation of non-governmental organizations in the procedure. The sponsors had proposed the deletion of the existing operative paragraph 2 because it added nothing to the draft

¹ United Nations publication, Sales No. E.74.XIV.2.

resolution and was an inaccurate quotation from paragraph 36 of resolution 1296 (XLIV).

30. The aim of the sponsors was to remove the inaccuracies from the draft resolution and introduce a balanced and effective response to the real problem of confidentiality. They thought that the amendments would strengthen the present text of the draft resolution and render it generally acceptable.

31. Mr. VRAALSEN (Norway) said that his Government had repeatedly emphasized the need to strengthen the capacity of the world community to put an end to violations of human rights, in order to alleviate the suffering of a great number of people and improve the mutual trust and understanding essential to a positive development of international relations. Any matters affecting human rights, including draft resolution II, must be seen in that light. At present the United Nations did not have the capacity to fulfil its special responsibility for promoting and safeguarding human rights, but even with improved machinery of its own it could not succeed without the co-operation of member Governments and governmental and non-governmental organizations. His own Government valued highly the contribution of non-governmental organizations to the work of the United Nations.

32. His delegation had sponsored the amendments (E/L.1644) to draft resolution II because, as it stood, the draft resolution was inaccurate and lacked balance. The sponsors' aim was to strengthen the co-operation between the United Nations and non-governmental organizations and they expected non-governmental organizations to observe scrupulously the established rules and procedures. His delegation regretted any breach of the principle of confidentiality set out in resolution 1503 (XLVIII); the non-governmental organizations concerned should be warned that they were neither abiding by the rules nor serving the cause of the procedure to which they contributed. The general record of non-governmental organizations was one of positive achievement, and very few of their number had committed breaches of confidentiality. The Council should not take any action which might curtail the ability of non-governmental organizations to make their contribution to the United Nations and to the promotion of human rights. The draft resolution in its present form might have that effect, and it was therefore vital to incorporate the proposed amendments in it.

33. Mr. G. A. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had supported draft resolution II when it had been discussed in the Commission on Human Rights because it was appropriate for the Council to draw the attention of non-governmental organizations to the need to observe resolutions 1503 (XLVIII) and 1296 (XLIV). His delegation gave due recognition to the support which non-governmental organizations rendered to the Council and its subsidiary bodies, but it considered that some non-governmental organizations tried to use the rostrum of the United Nations for unseemly purposes. That point was made rather gently in the draft resolution with a reference to "disregard for proper discretion"; it might be better to use the language of paragraph 66 of the Commission's report, which referred to "unfounded and slanderous accusations against Member States". Some non-governmental organizations had criticized the decisions and methods of work of certain United Nations bodies, attempting to dictate

the direction which United Nations activities should take and interpreting United Nations resolutions. Such interference violated resolution 1296 (XLIV) and was not conducive to fruitful co-operation. All non-governmental organizations should adhere strictly to resolution 1296 (XLIV) in their written and oral statements. Draft resolution II quite rightly stressed the need for proper discretion in such statements.

34. His delegation did not think that the adoption of the draft resolution would hinder the activities of non-governmental organizations. On the contrary, it would enhance their contribution, provided that they respected their obligations. The amendments introduced by the representative of the United Kingdom were essentially repetitions of proposals already considered and rejected by the Commission on Human Rights. They amounted to a thorough revision of the draft resolution, shifting its emphasis and changing its essential content. In particular, his delegation could not accept the substitution of the word "persons" for the term "non-governmental organizations" in the proposed new operative paragraph 1. But the amendments as a whole were unacceptable, and his delegation would vote against them.

35. Mr. VON KYAW (Federal Republic of Germany) said that draft resolution II was an attempt to give expression to a concern which had prevailed during the thirty-first session of the Commission on Human Rights as to how to safeguard the confidentiality of procedures established by Council resolution 1503 (XLVIII) and how to induce non-governmental organizations to pursue their valuable activities within certain limits in order not to touch on the susceptibilities of sovereign Member States.

36. Owing to a few regrettable incidents which had occurred during or prior to its thirty-first session, an unfavourable atmosphere had existed during the Commission's debate on draft resolution II; that had led to the adoption of a draft resolution which, as it now stood, would bring about a curtailment of the activities of non-governmental organizations within the United Nations system.

37. Many delegations, including his own, had felt at one time or another that their countries had been unjustifiably accused by one or another of the many non-governmental organizations in consultative status. It was important, however, not to over-react to that situation. It should be kept in mind that non-governmental organizations played not only a useful, but an essential, role in the promotion of human rights. To threaten to curtail their rights if they did not use "proper discretion" did injustice to the many non-governmental organizations which, with great dedication, tried to live up to the high ideals and principles of the Charter.

38. His delegation was attempting to strike a balanced position on a delicate subject, as it had tried unsuccessfully to do in the Commission on Human Rights. It believed that paragraph 8 of Council resolution 1503 (XLVIII) regarding confidentiality was also applicable to non-governmental organizations, and that paragraph 36 of Council resolution 1296 (XLIV) established valid and applicable limitations for their activities. There was perhaps reason for the Council to remind some of the non-governmental organizations of those facts, but it should not go beyond a mere reminder, certainly not without a very careful prior study of the over-all context and possible consequences. The

Council could not expect to be able to do that properly at its current session. It might, however, inflict serious harm on the United Nations system for the protection of human rights.

39. The Council should, to use the expression contained in paragraph 2 of draft resolution II "show proper discretion" in dealing with the subject before it. The amendments contained in document E/L.1644 received the full support of his delegation because they re-established the necessary balance while maintaining what was essential both with regard to the question of confidentiality and the content of communications from non-governmental organizations. Resolution I (XXIV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities was extremely explicit in that regard.

40. Mr. BADAWI (Egypt) said that the United Nations had made significant advances in its efforts to protect human rights and fundamental freedoms. The successful operation of the procedure established by Council resolution 728 F (XXVIII) for the reception of communications concerning violations of human rights depended upon the co-operation of all parties concerned. Parties submitting complaints should observe the requirement of confidentiality laid down by Council resolution 1503 (XLVIII). Failure to do so would render the communication inadmissible. Confidentiality was necessary for fairness and to ensure the voluntary contribution of the States involved with the Commission.

41. His delegation was anxious to ensure the strengthening of the machinery and procedures for examining communications regarding violations of human rights. That could not be done, however, without ensuring compliance with Council resolutions 728 F (XXVIII) and 1503 (XLVIII). His delegation was convinced that the majority of non-governmental organizations did comply with those resolutions and a warning from the Council was in order for those which did not. Draft resolution II, which was not aimed at all non-governmental organizations, constituted precisely such a warning.

42. If a non-governmental organization took advantage of its consultative status to engage in politically motivated activities against States Members of the United Nations, it was acting in violation of the Charter of the United Nations and its consultative status should therefore be suspended. A number of non-governmental organizations had circulated a statement in document E/NGO/31 stating that they had been troubled by the substance and tenor of Commission resolution 7 (XXXI). His delegation believed that it would be more appropriate for them to have been troubled by the violation by some non-governmental organizations of the prescribed rules and procedures.

43. Commenting on the amendments introduced by the United Kingdom (E/L.1644), he said his delegation acknowledged the worthy motives of the sponsors of those amendments, but did not see how they would serve to promote the continuation of harmonious relations between non-governmental organizations and the Council.

44. In considering draft resolution II, the Council should take into account the context in which it had been approved by the Commission on Human Rights. The draft resolution did not propose to deal with a

generalized situation, but rather with specific violations by certain non-governmental organizations. The amendments contained in document E/L.1644 reversed the situation by making draft resolution II applicable to what the draft amendments term "all persons". Therefore, his delegation could not support those amendments because of the totally different emphasis they imparted to draft resolution II.

45. His delegation would suggest that, in the interests of ensuring harmony and dispelling any misunderstanding between the non-governmental organizations and the Council, a new paragraph might be added to draft resolution II reaffirming the role and contributions of non-governmental organizations in the work of the Council.

46. His delegation had cordial relations with many non-governmental organizations and appreciated their efforts to contribute to the work of the Commission on Human Rights. It was necessary, however, to ensure strict compliance with the requirement of confidentiality. His delegation hoped therefore that further consultations on draft resolution II might produce a solution which best served the protection of human rights.

47. Mr. CAMPBELL (Australia) said that, in view of the proposal just made by the representative of Egypt, it would be appropriate to adjourn the discussion on draft resolution II to allow the sponsors of the amendments (E/L.1644) and other interested delegations to hold informal consultations.

48. Mr. MACRAE (United Kingdom) supported the proposal made by the representative of Australia and observed that the motives of the sponsors of the amendments were not substantially different from those of representatives who preferred the existing wording of draft resolution II. He was confident, therefore, that an agreement could be reached through consultations.

49. The PRESIDENT suggested that, pending the informal consultations, in which all interested delegations would be given the opportunity to participate, the Council should take up the question of participation by non-governmental organizations in the World Conference of the International Women's Year.

PARTICIPATION OF NON-GOVERNMENTAL ORGANIZATIONS IN THE WORLD CONFERENCE OF THE INTERNATIONAL WOMEN'S YEAR (E/L.1636 AND ADD.1 AND 2)

50. Mr. WU Miao-fa (China) said that General Assembly resolution 3276 (XXIX) reflected the decision to invite "all States" to participate in the World Conference of the International Women's Year. However, the names of the countries to be invited to the Conference included some who had long been repudiated by the people and should not be invited, as such an invitation would run counter to the Charter of the United Nations. He reiterated that the liberation of Phnom Penh and the victory of the Cambodian people in their just war for national salvation demonstrated that the Cambodian people, rallying round the National United Front of Cambodia and the Royal Government of National Union of Cambodia, had despised the enemy and won a final victory against the United States aggressors and their lackeys.

51. Those who represented progress and justice had boundless strength. To achieve genuine independence and strive for complete liberation, it was essential to have a militant people's armed force and to persevere in the people's war. The great victory of Cambodia

was another important event in Asia since the Second World War. It would be an encouragement to the revolutionary struggle of the oppressed nations the world over. The victory was a common victory of the peoples of the third world and of the whole world in their cause of unity against imperialism. His Government and people would continue to support the Cambodian people in striving for greater victories on the road to safeguarding national independence, healing the wounds of war and building their fatherland. The just struggle of the Cambodian people had won the sympathy and support of all the people and countries of the world who loved justice. The Lon Nol clique which had been overthrown had been illegal from the beginning as a puppet régime fostered by a super-Power. The invitation to it to attend the World Conference of the International Women's Year should be nullified and a formal invitation should be immediately extended to the representatives of the Royal Government of National Union of Cambodia.

52. The representative of the Provincial Revolutionary Government of South Viet-Nam, as the true representative of South Viet-Nam, should be invited to the Conference. The Saigon clique was not qualified to represent the people of South Viet-Nam at the Conference. He reiterated the remarks he had made earlier in the meeting and said that the Chinese delegation would not participate in a vote if the note by the Secretariat (E/L.1636 and Add.1 and 2) was put to the vote.

53. The PRESIDENT observed that the item under discussion was the participation of non-governmental organizations in the World Conference of the International Women's Year.

54. Mr. S. N. SMIRNOV (Union of Soviet Socialist Republics) recalled that at its twenty-ninth session the General Assembly had decided that all States should be invited to the Conference and that recognized national liberation movements should be invited as observers. His delegation therefore requested the Secretary-General to send an invitation to the Provisional Revolutionary Government of South Viet-Nam and if he had not yet done so, it wished to receive an explanation.

55. His delegation noted that approximately 150 non-governmental organizations were listed in document E/L.1636 and Add.1 and 2 and wondered whether the list was final or whether the Secretariat intended to add other non-governmental organizations to it. In determining which non-governmental organizations should be invited to the Conference, the Council should be guided by the criterion of the possible contribution each non-governmental organization could make.

56. Mr. WIGGINS (United States of America) said that the point raised by the representative of China went to the heart of the relationship between the United Nations and non-governmental organizations. There seemed to be a misunderstanding as to what a non-governmental organization really was. A non-governmental organization was not part of, nor was it financed by, any Government. In the United States there were many non-governmental organizations which were opposed to the policy of the Government and worked actively against it. The fact that a non-governmental organization was active in a particular country or had affiliates or members there did not mean it was a creature of the Government. It was, therefore, not appropriate, indeed it was disruptive of the relationship

between the United Nations and non-governmental organizations, to deny full privileges to any non-governmental organization merely because it held an opinion or had affiliations which displeased a particular Member State.

57. Mr. BALDÉ (Guinea) supported the statement made by the representative of China concerning the participation of the Royal Government of National Union of Cambodia and the Provisional Revolutionary Government of South Viet-Nam in the World Conference of the International Women's Year.

58. Mr. FALL (Senegal), endorsing the statement made by the representative of China, said that the situation in Indo-China had changed since the question of participation in the Conference had been decided. If the representative of China had gone into the question of invitations to States, it had been because no other opportunity to do so had arisen.

59. Referring to the statement made by the representative of the United States, he said that care should be taken to prevent States which had been excluded from the United Nations from insinuating themselves into its activities under the cover of non-governmental organizations. The non-governmental organizations alluded to by the representative of China were satellites of the Formosa régime and should therefore not be allowed to participate in the World Conference of the International Women's Year.

60. Mr. MACRAE (United Kingdom) recalled that the question of the participation of all States in the Conference had been decided without objection at the twenty-ninth session of the General Assembly.

61. Mr. CEAUSU (Romania) said his delegation endorsed the opinions which had been expressed concerning the invitation to the Provisional Revolutionary Government of South Viet-Nam. The situation with regard to Cambodia also seemed quite clear. The Royal Government of National Union was the sole legitimate representative of that country. If the Secretariat had not yet sent an invitation to it, it should do so forthwith.

62. Mr. KEMAL (Pakistan) said that the issue was not so much whether non-governmental organizations had policies which differed from those of a particular Member State, but rather whether they came from a territory which, while claiming to be a State, was not recognized by the United Nations. Specifically, his delegation was opposed to the participation in the World Conference of the International Women's Year of non-governmental organizations from the province of Taiwan, which was an integral part of China. On the other hand, his delegation agreed to the participation of the Royal Government of National Union of Cambodia.

63. Miss ILIĆ (Yugoslavia) supported the statement made by the representative of China concerning the representation of the Royal Government of National Union of Cambodia and the Provisional Revolutionary Government of South Viet-Nam in the World Conference of the International Women's Year. It would like to receive clarification from the Secretariat with regard to invitations.

64. The competent body should consider the question of non-governmental organizations which had connexions with régimes expelled from the United Nations. In the meantime, their consultative status should be suspended.

65. Mr. LEHTIHET (Algeria) said his delegation fully agreed with the views expressed by the representatives of China and Senegal with regard to the invitation to the legitimate Governments of Cambodia and South Viet-Nam.

66. Mr. AL-SHARAFI (Yemen) endorsed the view expressed by the representative of Algeria. His delegation wished to know whether the Secretariat had received any communications concerning the representation of Cambodia in the United Nations and whether the delegation of the Khmer Republic was still representing that State.

67. Mr. NGALLI-MARSALA (Congo) expressed his delegation's support for the statement made by the representative of China.

68. The PRESIDENT suggested that it would perhaps be more appropriate to leave it to the Secretariat to take note of the discussion which had taken place and not to press the point excessively.

69. Mr. FALL (Senegal) said that, in view of recent developments in Indo-China, the Council, as the body most competent to take decisions regarding participation in the World Conference of the International Women's Year, should discharge its responsibility and rectify the invitation to the Cambodian Government.

70. The PRESIDENT said that the Council was free to take any decision which it deemed appropriate. He had simply assumed that, for the moment, no action was required. The representative of China had not called for a decision in drawing the Council's attention to the situation with regard to Cambodia, a situation of which all, including the Secretary-General, were cognizant.

71. Mr. WIGGINS (United States of America), referring to the question which had been put by the representative of the Soviet Union on the participation of non-governmental organizations in the World Conference of the International Women's Year, said that, if the Secretariat intended to make a reply at the current meeting, his delegation anticipated that the debate would be prolonged considerably. It therefore would prefer that the Secretariat postpone its reply until a subsequent meeting.

72. Mr. FALL (Senegal), speaking on a point of order, said that his delegation had made a formal proposal requiring the Council to take a decision. If an

invitation had already been sent to the Khmer Republic, it should be withdrawn and an invitation to the Royal Government of National Union be sent. If invitations had not yet been sent, the Council should instruct the Secretariat to invite the Royal Government of National Union.

73. The PRESIDENT said he had intended to ask the Secretary of the Council to provide the necessary information concerning invitations and would do so at the conclusion of the discussion.

74. Mr. WU Miao-fa (China) thanked those delegations which had endorsed his earlier statement. His delegation considered the remarks made by the representative of the United States on the subject of non-governmental organizations to be completely unreasonable, unfounded and untenable. It was completely contrary to resolution 2758 (XXVI) of the General Assembly to invite non-governmental organizations which were connected with the Chiang Kai-shek clique to participate in a United Nations conference.

75. It was necessary, in order to abide by the spirit and principles of the Charter of the United Nations, to invite the Royal Government of National Union to the World Conference of the International Women's Year and withdraw any invitation which might have been sent to the Lon Nol clique.

76. Mr. CORDOVEZ (Secretary of the Council), replying to the question put by the representative of the Soviet Union on the manner in which the lists of non-governmental organizations had been drawn up, said that the Secretariat had acted in strict compliance with the decision taken by the Council at its organizational session for 1975 requesting the Secretary-General to ascertain which non-governmental organizations would be interested in receiving an invitation to the Conference. Pursuant to that request, a letter had been sent on 29 January 1975 to non-governmental organizations in consultative status with the Council. The lists which had been drawn up on the basis of replies did not, therefore, represent a recommendation as to which non-governmental organizations should be invited. With regard to the other questions put regarding invitations to States, he said he would find out from the proper authorities what actions had been taken and inform the Council as soon as possible.

The meeting rose at 6.25 p.m.

1945th meeting

Monday, 28 April 1975, at 3.15 p.m.

President: Mr. Iqbal AKHUND (Pakistan).

E/SR.1945

AGENDA ITEM 6

Non-governmental organizations (*continued*) (E/5635, chap. I, draft resolution II; E/L.1636 and Add.1 and 2, E/L.1640 and 1644, E/NGO/31)

PARTICIPATION OF NON-GOVERNMENTAL ORGANIZATIONS IN THE WORLD CONFERENCE OF THE INTERNATIONAL WOMEN'S YEAR (*concluded*) (E/L.1636 AND ADD.1 AND 2)

1. The PRESIDENT invited the Council to resume consideration of the note by the Secretariat (E/L.1636

and Add.1 and 2) concerning the participation of non-governmental organizations in the World Conference of the International Women's Year in Mexico City. In that connexion, he announced that the names of the following organizations should be added to the list in document E/L.1636/Add.2: the World Federation of Trade Unions (non-governmental organization in category I) and the Socialist International Association (non-governmental organization in category II).

2. Mr. CORDOVEZ (Secretary of the Council), replying to the questions which had been put to him