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THE FUTURE ORGANIZATION AND TERMS OF REFERENCE OF THE ECONOMIC
AND EMPLOYMENT COMMISSION AND ITS SUB-COMMISSIONS

1. This document presents the communications received by the Secretary-General from Member Governments in response to resolution 139 (VII) C of the Economic and Social Council concerning "the question of the most effective way to fulfill the purposes for which the Economic and Employment Commission was established, including the future and the terms of reference of the Commission and its Sub-Commissions".
2. On 17 January 1949 the Secretary-General forwarded the above resolution of the Council to all Member Governments inviting their views on this question so that they might be circulated as required by the above resolution to the Committee on Organization of the Economic and Employment Commission and to the members of the Economic and Social Council. For information purposes the Secretary-General also circulated with his memorandum a copy of document E/CN.1/62 on "Establishment and Activities of the Economic and Employment Commission" prepared by the Secretariat at the request of the Committee on Organization of the Commission. As of 8 April 1949 the Governments of Ecuador, Greece, India, Panama, Turkey and the United States of America had communicated their views which are reproduced below. Any further comments will be circulated as addenda to this document.

Communications Received From Member Governments

A. Ecuador. The Government of Ecuador is interested in the future operation of the Economic and Employment Commission. Ecuador would be especially willing to co-operate in drafting the code of investment proposed by the Government of China (document E/CN.1/62).

(Original in Spanish)

B. Greece. As far as the terms of reference of this Commission are concerned, it is the feeling of this delegation that the members who have already served on the Commission have more experience to deal with that question. However, in view of the recent resolutions of the Economic and

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Social Council concerning the technical assistance and the economic development of under-developed countries, it will not only be necessary to take their provisions into account, but, more or less, to revise the method and the purposes of work of the Commission in the light of these resolutions. The general long-term research programme of the Commission would not be affected by such a revision; it would, rather, be promoted and combined to the major economic problems of the present and the future.

As far as the composition of the Commission is concerned, it should be noted that in the light of the new responsibilities of the Commission, a better distribution of geographical representation should be secured allowing the participation in the Commission's work of those countries which have a particular interest in the assistance and development programme of the United Nations.

C. India. (1) A mere change in the scope, or function or terms of reference of the Economic and Employment Commission is not going to make any substantial difference to the practical contribution which that Commission could make to the world's economic progress. The so-called failure of the Commission is not due either to its constitution or to the actual work done by it. Unless politics are separated from the economic development the Commission or any other of the United Nations organization entrusted with the economic side would be of little use. It only means that we have to put the whole thing in its correct perspective and not attribute the apparent shortcomings of the Economic and Employment Commission to its constitution or functions.

(2) First of all, it must be remembered that the Economic and Employment Commission is an advisory body assisting the Economic and Social Council in dealing with technical economic issues. This being so, it follows that the expert character of both the Economic and Employment Commission and the two sub-commissions functioning under it should be retained. It is not therefore advisable to exclude experts from these bodies. If experts are excluded, there will be little difference between the Economic and Employment Commission and the Economic and Social Council, and it will only amount to duplication. Of course, for reasons which have been discussed threadbare in the Economic and Social Council itself, it is necessary that the Governments should nominate these experts rather than that they should be selected by the Secretary-General of the United

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Nations, or by the Economic and Social Council or by the Commissions from amongst a panel of experts of different countries. This condition, in fact, is at present satisfied and experts are actually being nominated mostly by Governments. No change in this procedure should be made.

(3) The terms of reference of the Commission as they stand at present fall into three parts, viz., general functions, particular functions, and special assignments. All the three types of functions seem to be quite appropriate to the Economic and Employment Commission. It is doubted if any change in the terms of reference is at all called for in this respect.

(4) As regards the Sub-Commissions, the dissatisfaction in the Economic and Employment Commission during its third session was due more to the outspoken nature of the report of the Sub-Commission on Economic Development. It is not true to say that the Sub-Commission had become academic in character. In fact, it had focussed attention on the crucial factors and made very useful suggestions in respect of several other matters such as technical assistance, international investment, etc. There appears no reason, therefore, either to wind up these Sub-Commissions or to convert them into mere committees of the Economic and Employment Commission.

(5) There is a strong case for having two sessions of the Economic and Employment Commission instead of one as at present. Otherwise, there is a tendency to generalize in the debates and the actual proceedings of the Commission tend to be more or less a duplication of the proceedings of the Economic and Social Council. On the other hand, there is no case for an increase in the number of members of the Commission, because this is already large, viz., 15. It is not a question of mere representation of various Governments, as is necessary in the Economic and Social Council or the General Assembly. The Economic and Employment Commission is an expert body and mere swelling of members will hardly make it more effective.

(6) As regards the role of the Secretariat, it is felt that the Department of Economic Affairs of the United Nations has been doing an excellent job, and producing quite a large variety of economic documentation from time to time. Of course, there is room for improvement, but that improvement will result mainly after stable political and economic conditions are

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established in the member countries, and economic data are regularly available. The criticism that the Economic and Employment Commission's work is any way hampered by the lack of co-operation or inefficiency on the part of the United Nations Secretariat cannot be agreed to. It may be mentioned that under the rules of procedure it is open to the Economic and Employment Commission to set up study groups or working parties to study a particular subject more intensively than is possible for the Commission as a whole. Broadly speaking, this method is always more fruitful than discussion on a subject in the whole Commission.

(7) Both from Articles 57 and 63 of the United Nations Charter and from the general composition of the specialized agencies, it is clear that the specialized agencies are not subordinate to the United Nations. That being so, the Economic and Social Council, which is the economic wing of the United Nations, cannot issue orders to the specialized agencies, but only "co-ordinate the activities of the specialized agencies through consultation with and recommendations to the General Assembly and to the members of the United Nations". In other words, any decision of the United Nations to be implemented must receive the support of the Governments concerned as members of the United Nations, in the first instance, and as members of the specialized agencies, in the second instance. Indeed the decisions regarding co-ordination have to be taken in the Economic and Social Council, and in this respect the Economic and Employment Commission can advise the Economic and Social Council. For the rest, the modus operandi is and should be as described above. After the Governments concerned have agreed both in the United Nations and in the specialized agencies, all that remains is a question of administrative co-ordination. For this at present there are certain co-ordination committees functioning in the United Nations. Perhaps this existing machinery of administrative co-ordination needs further strengthening, but so far as the Economic and Employment Commission is concerned, this is not a relevant issue. The Economic and Employment Commission is merely to suggest to the Economic and Social Council in what respects any particular specialized agency or group of specialized agencies can take

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useful action to promote the economic development of various countries. But the Economic and Employment Commission is not itself concerned with the direct task of co-ordination. All that it has to do is to make recommendation to the Council with reference to economic questions involving concerted study and/or action by a specialized agency or a commission of the Council.

D. Panama. After having given careful consideration to Resolution 139 (VII) C of the Economic and Social Council, he (the Minister for Foreign Affairs) feels that the Council has outlined the most important points which should be studied by the Economic and Employment Commission, and that any remaining questions are those matters of detail and procedure as undoubtedly will arise when the Commission meets.

(Original in Spanish)

E. Turkey. The Government of the Republic agrees with the opinion expressed in the report of the Economic and Employment Commission, that the organization of the Commission and its Sub-Commissions, as well as their terms of reference, should be reviewed, and notes with satisfaction the decision of the Commission to set up a Sub-Committee with a view to studying the question of the re-organization of its work.

However, since the constitution and terms of reference of the Commission itself may be subjects for discussion, it may be desirable to examine the question at a higher level, that is, to bring it up before the Economic and Social Council. Accordingly, while the report of the Sub-Committee of the Commission on re-organization may contain valuable suggestions on the question, it may still be considered desirable that the Council itself make a thorough study of the question. Such a study may involve a review of the field of activities of a number of Commissions of the Council, a comparative re-examination of their terms of reference and evaluation of their work in general. It is believed that the time at the disposal of the Council while it is in session would not be sufficient to undertake an exhaustive study of all these questions, and it is thought therefore, that the Council could appoint a special committee to sit between its sessions to examine the constitution and the organization of the work of the Economic and Employment Commission and its Sub-Commissions and to report to one of the Council's future sessions.

F. United States of America. The United States Representative has the honour to advise that, in the opinion of the Government of the United States, the resolution adopted by the Economic and Social Council on 4 March 1949 (E/1216) on Technical Assistance for Economic Development, which requests the Secretary-General to prepare a report for the Ninth Session of the Council

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setting forth a comprehensive plan for an expanded programme of technical assistance, and ways of co-ordinating the planning and execution of the programme, has an important bearing on the question of the future organization and terms of reference of the Economic and Employment Commission and its Sub-Commissions.

The United States Representative has the honour to further advise that the Government of the United States will require more time for the formulation of its views concerning the future organization of the Economic and Employment Commission and its Sub-Commissions. It is regretted that it has not been possible to comply with the desire of the Secretary-General that these views be transmitted to him prior to 15 March 1949.
