

NINETY-SIXTH MEETING

Held at Lake Success, New York, on Thursday, 13 October 1949, at 11 a.m.

Chairman: Mr. Hernán SANTA CRUZ (Chile).

Economic development of under-developed countries: (A/972) (continued)

FIRST DRAFT RESOLUTION ON TECHNICAL ASSISTANCE SUBMITTED BY THE ECONOMIC AND SOCIAL COUNCIL (continued)

1. The CHAIRMAN pointed out that three draft amendments to the draft resolution of the Economic and Social Council concerning the expanded programme of technical assistance as given in annex II of resolution 222 A (IX) had been submitted by the Polish, Mexican and Australian delegations and were contained in document (A/C.2/L.5). He suggested that the Committee should study the three amendments and vote on them successively.

2. He pointed out to the Committee that the Philippine and Saudi Arabian delegations had considered putting forward an amendment relating to the participation by interested non-members in the proceedings of the Technical Assistance Committee (TAC), in connexion with the grant of technical assistance. Those delegations had later decided not to press their proposed amendment in order to lighten the Committee's work, but had reserved the right to resubmit it when the interpretation of the provisions for the granting of technical assistance came up for discussion in the study of the report of the Committee to the General Assembly.

3. Accordingly he would, when the report came up for discussion, invite discussion on the interpretation to be placed on those provisions and would ask the Committee to vote on the interpretation suggested by the delegation of the Philippines and of Saudi Arabia.

4. Mr. KARMARKAR (India) asked whether an authoritative explanation could be given of sub-paragraph 6 (a) of Council resolution 222 A (IX), especially with reference to the right of the TAC to make comments and recommendations concerning applications for technical assistance which were being considered by the Technical Assistance Board (TAB). The view of his delegation was that the TAC had such a right.

5. The CHAIRMAN replied that although he had no authority to interpret the Council's resolution, it was his personal view that the interpretation of the Indian delegation was correct and he wondered whether any delegation had any different views.

6. No further comment being offered, the Chairman drew attention to that fact, and gave it as his view that that might be considered as consent by the Committee.

7. Mr. KARMARKAR (India) took note thereof.

8. The CHAIRMAN then opened the discussion on the Polish draft amendment (A/C.2/L.5) to the Economic and Social Council's draft resolution on the expanded programme of technical assistance, which is given in annex II of resolution 222 A (IX).

9. Mr. KATZ-SUCHY (Poland), introducing his delegation's draft amendment, said that other amendments in similar terms had been submitted to the Economic and Social Council and its com-

mittees at the previous session.¹ They had been rejected by only the narrowest of majorities; in one case there had even been a tie.

10. The purpose of the Polish draft amendment was to increase the powers of the TAC, which was made up of representatives of States on the Council and was a body set up to "examine each year's programme presented to it by the TAB and report to the Council concerning it, making such recommendations as it may deem necessary" after the "critical examination of activities undertaken and results achieved under the expanded programme of technical assistance". Hence it was the function of the TAC to lay down guiding principles to be observed by the TAB in carrying out its terms of reference. Under the Council's resolution, however, the TAC was merely to review the work of the TAB *ex post facto*. There was thus a danger that the views expressed by the TAC might come too late, when the TAB had already taken unalterable decisions. As the TAC was made up of government representatives and represented the Council, it was only right that it should be given wider powers for a more thorough study of the programmes, and that it should be able to put forward recommendations before there was any risk of the TAB's acting against the wishes of the Council.

11. The amendment put forward by his delegation did not require the TAB to consult the TAC on everything, but it made it clear that, if the TAC should wish to make recommendations on any given question, it had the power to do so. Then TAB thus would be able to take action without awaiting a TAC decision, but, when the TAC saw cause to intervene, it would be able to do so in time.

12. Several delegations had argued, in opposing the amendments submitted to the Council with the aim aforesaid, that the TAC already possessed the powers to which the Polish amendment related. The Polish delegation so interpreted the resolution adopted by the Economic and Social Council, but it considered it advisable to be explicit on the point, in order to avoid any possible ambiguity on the interpretation of the powers of the TAB as regards action, and of the TAC as regards expression of opinion.

13. Mr. DE OLIVEIRA CAMPOS (Brazil) said that he could not support the Polish draft amendment, since it would do more harm than good. The Economic and Social Council had sought to define the terms of reference of the TAC and of the TAB, by making the TAC responsible for laying down guiding principles of action and the TAB for all administrative undertakings and decisions. By the terms of sub-paragraph 6 (a) of resolution 222 A (IX) of the Council, TAC might make "critical examinations of activities undertaken and results achieved". That constituted its *ex post facto* supervisory function. By the terms of sub-paragraph (b) it might make recommendations on each year's programme. It thus shared in deciding general policy. It was

¹ See *Official Records of the Economic and Social Council*, Fourth Year, Ninth Session, 342nd meeting.

not, however, its function to intervene in day-to-day administrative questions, nor to consider every application for assistance. The provisions were perfectly logical, since the United Nations was so constituted that every one of its administrative organs was responsible to its legislative organs: in the particular case, the Economic and Social Council would be represented by the TAC. It was, however, vital that the responsibility for dealing impartially and purely professionally with all administrative questions should be left to the TAB. If that responsibility were left to a body such as TAC, however competent, its members who, though experts, were government representatives could not help following the instructions of their Governments, which might be issued for political reasons. Mr. de Oliveira Campos felt that the resolution, in the form put forward by the Council, established a satisfactory balance, since the function of the TAC was clearly enough laid down and if Governments disagreed with the TAB's decisions it was within their power to appeal to the Council or to the TAC. The Polish draft amendment, on the other hand, might hamper technical action through political intervention.

14. For those reasons, the delegation of Brazil could not accept the Polish draft amendment.

15. Mr. PLIMSOLL (Australia) recalled that, at the ninth session of the Economic and Social Council, his delegation's attitude had been similar to that adopted by the Polish delegation. It had felt then, that primary responsibility for technical assistance should be assumed by a body made up of representatives of Governments and not of technicians. That conception had had repercussions on decisions to be taken in several respects; thus, his delegation had considered that the question of allocation of funds was more within the competence of the TAC or the Council than within that of the TAB. It would have been preferable if the percentages had not been fixed in advance but had been decided upon by the TAC as and when the need arose. The majority had, however, rejected that view, and his delegation therefore thought that it would be preferable, for the first year at least, to accept the resolution in its existing form. Moreover, the situation now was no longer that which had confronted the Council. At that time the Council had had a great number of draft amendments before it, based on the same idea, whereas only one draft amendment, on a specific point, was now before the Committee.

16. If the Polish draft were adopted, the TAC could intervene at any time in order to supervise the activity of the TAB. There was no question of preventing the TAC from intervening in regard for specific projects. It could, for example, do so in the case of large-scale programmes covering an entire area or programmes which involved heavy expenditures. Not only the TAC but also the Council or even the General Assembly itself might wish to discuss such programmes. The TAC could intervene also if a new plan required the application of fresh guiding principles. Such a need might frequently arise during the first year of the programme's execution. His delegation, however, agreed with the Brazilian delegation, that it should not be the function of the TAC to be concerned with the application of a particular technical assistance programme; its function was to give general guidance to its subsidiary bodies,

to supervise their activities, solve their difficulties and to make recommendations to its superior bodies.

17. The Polish draft amendment did not give the TAC any powers it did not already possess, but it encouraged the TAC to exercise a power which it should indeed possess, but which it should only rarely apply, the power to intervene in decisions affecting specific projects.

18. That was why his delegation would not, at least for the moment, be able to support the Polish proposal.

19. Mr. DE FREITAS (United Kingdom) said he was pleased to note that most of the representatives were prepared to accept the draft resolution recommended by the Economic and Social Council; in particular, he wished to thank the Australian representative for his attitude to the Polish amendment, and for not restating the Australian delegation's objections raised in the Economic and Social Council.

20. The Polish draft amendment was remarkable in that it attempted to impose on the Economic and Social Council prerogatives which the Council had voluntarily foregone. Similar amendments, submitted during the ninth session of the Economic and Social Council, had been rightly rejected and technical assistance, as provided for in the draft resolution, was soundly organized. Decisions of the TAB, which was a council of qualified officials, would be subject to review by the Governments concerned, control councils, the specialized agencies represented in the TAB, the TAC, the Economic and Social Council and the General Assembly itself. It was, therefore, incorrect to say that the TAB could act without instructions or supervision. The sense of responsibility of international officials had to be developed. Accordingly, the activities of officials must not be restricted by Government interference in the execution of their daily duties. The Economic and Social Council had had that aim in view, and at the same time had meant to prevent excessive political interference in a function which should be purely technical. He would, therefore, vote against the Polish draft amendment.

21. Mr. COMPTON (United States of America) said that his delegation would vote against the Polish draft amendment, which changed the entire structure of the organization of technical assistance provided for in the Economic and Social Council's resolution. That draft amendment was presented as a simple interpretation of the resolution, though in fact it changed the substance of it. If adopted, the result would be to subject the daily activities of the TAB, which was composed of officials from international organizations, to constant supervision. That would involve a complete reversal of the relations between the two bodies provided for in the draft resolution; the TAC, instead of being a body which would meet periodically, probably before each Economic and Social Council session, would develop into a permanent body which would not only be responsible for determining general policy and for supervising the results of the work, but also for direct administration itself.

22. The adoption of that amendment would lead to duplication of work and to additional delays in the consideration and granting of requests for assistance. It would be impossible to take a decision without the approval of the majority of the TAC.

Moreover, the Polish draft amendment would have the regrettable result of giving the right of decision to a political body, instead of to an impartial technical body composed of international officials. There could be only two reasons for such a substitution: either a lack of confidence in those in charge of the international organizations—even though they had been chosen by the Member States—or a desire to enable Governments to influence decisions on technical assistance, which would be in conflict with the language used in the Economic and Social Council's resolution with the object of eliminating all political considerations. Hence, the draft amendment submitted by the Polish representative would seem to be in conflict with the attitude which the Polish representative himself had adopted on that matter both in the Economic and Social Council and in the Committee. Technical assistance programmes should be administered by international officials and not by political representatives.

23. Mr. TEJERA (Uruguay) agreed with the preceding speakers and especially with the United Kingdom and United States representatives. As several representatives had said, the draft resolution recommended by the Economic and Social Council was a compromise solution. If the Polish draft amendment were adopted, the effect would only be to disturb the desired balance. It was inadvisable to transfer the right of decision in matters of technical assistance to a political body.

24. Mr. KARMARKAR (India) did not think that the Polish draft amendment was inconsistent with the resolution adopted by the Economic and Social Council. Under that resolution, the TAC had the right to make such recommendations as it might deem necessary. That was specifically stated in paragraph 6, sub-paragraph (b) of Council resolution 222 A (IX), which set forth the powers of the TAC. Furthermore, paragraph 3, sub-paragraphs (e) and (f), which defined the terms of reference of the TAB, laid down that "the TAB should inform the TAC of any requests for technical assistance for economic development as soon as they had reached the TAB, so that the TAC should always be in possession of a list of projects being discussed or reviewed by the TAB or participating organizations". Furthermore, "periodic reports would be made by the TAB to the TAC: those reports would include an examination of activities undertaken and results achieved, and a statement on funds received and committed under that expanded programme". It followed that the function of the TAC would be to supervise the activities of the TAB. The TAC, therefore, had powers of inspection in accordance with actual constitutions of international organizations. It should not interfere with the daily work of the TAB.

25. In view of those considerations, the Indian delegation could not agree with the delegations which maintained that the Polish draft amendment would radically change the implementation of the programme as contemplated by the Economic and Social Council. It should be emphasized that the Polish draft amendment provided for intervention by the TAC only if that was deemed necessary by the majority of its members. Nothing in the Polish proposal was inconsistent with the powers already conferred on the TAC by the resolution of the Council.

26. In those circumstances, the Indian delegation would vote for the Polish draft amendment,

but its vote should not be interpreted as opposition to any part of the resolution itself.

27. Mr. SUTCH (New Zealand) fully agreed with the representative of India. He stressed the different nature of the TAB, composed of international officials, and the TAC, composed of members of the Economic and Social Council to which the TAB was responsible within the limits specified in the Council's resolution. When it had been necessary to define the respective functions of the TAB and of the TAC at the time the resolution was drafted, some members of the Economic and Social Council had moved amendments proposing that greater authority should be conferred on the TAC and that it should, in particular, be asked to supervise the distribution of funds. Those amendments had not, however, been adopted, either because of equal votes or because of rejection by a very small majority.

28. The Polish proposal partially reproduced one of the most moderate of those amendments. The real question raised by the Polish draft amendment was not whether the TAC had the right to express its opinion, for, as the Australian and Indian representatives had already pointed out, it enjoyed that right under the resolution, but whether it should be authorized to do so "even before final decision of the TAB".

29. The United Kingdom and United States representatives had said that the adopting of the Polish draft amendment might mean subjecting a technical organ to political influences. The New Zealand delegation could not agree with that point of view. The power of decision in matters of general policy rested with the Governments. The TAC, on which Governments were represented, had the power to examine and criticize; the powers conferred by the Council on the TAB were not excessive.

30. The United States representative had also said that under existing provisions the TAC would probably have to meet twice a year. Mr. Sutch felt that in order to carry out its functions under the resolution the TAC might have to meet more frequently; it would be for the TAC itself, however, to take a decision on the procedure it would adopt and the number of sessions it would hold.

31. The New Zealand delegation was prepared to accept the draft resolution as it stood; it had no objection of principle to the Polish draft amendment, but felt that it was restrictive in character. He therefore wondered whether the Polish representative would agree as a conciliatory gesture to withdraw his draft amendment.

32. Mr. PIERCE (Canada) agreed with the representative of the United States that the Polish draft amendment radically altered the organization of technical assistance as set forth in the resolution of the Council. That resolution provided that the Economic and Social Council, through the intermediary of the TAC, should determine the main outlines of the technical assistance programme and that the technical organ, the TAB, should be responsible for the implementation of that programme. The Polish draft amendment, which laid down that requests for technical assistance transmitted by the participating organizations should be submitted to both the TAC and the TAB, would result in a useless,

indeed a harmful overlapping of the functions of the two organs.

33. Furthermore, if the Polish draft amendment were adopted, the members of the TAC would have to call upon the services of experts competent in all the fields where technical assistance might have to play a part, for instance, agriculture, industry and public health. The Economic and Social Council was not, however, exclusively composed of representatives of the great Powers; it also included a certain number of representatives of small countries for which that obligation would entail heavy financial burdens.

34. Another factor which had to be taken into account was that it had been agreed unanimously that technical assistance to meet the needs of under-developed countries should involve as few administrative formalities as possible. The Polish draft amendment, however, might have the opposite effect. That was another reason why the Canadian delegation had voted against the adoption of the draft amendment.

35. IBRAHIM Pasha (Syria) thought that, if the procedure recommended in the Polish draft amendment were adopted, the TAC and the TAB would be constantly referring the same matters to each other; in addition, the amendment might involve administrative difficulties which could only delay the implementation of the programme.

36. The Syrian delegation would not, therefore, support the Polish draft amendment.

37. Mr. CHAUDHURY (Pakistan) stated that, in principle, his delegation did not object to the Polish draft amendment, but that it would not vote for the draft amendment, since it thought that nothing would thereby be added to the Economic and Social Council's resolution.

38. The resolution provided that the TAC should consider the programme submitted to it by the TAB and would also receive reports on the results achieved. The right of the TAC to express its opinions was already recognized in the resolution.

39. Mr. HAKIM (Lebanon) thought that the discussion on the Polish draft amendment had been most useful. In view of the difference of opinion on the division of functions in the programme of technical assistance, it was absolutely necessary to find an unequivocal interpretation.

40. He approved of the views expressed by the representatives of Australia, India and New Zealand on the powers of the TAC. Under the draft resolution, the TAC had the right to express its opinion on the requests for assistance submitted to the TAB. In certain cases, therefore, it had greater powers than those which the Polish draft amendment proposed to give it. The expression of opinions on requests for assistance might involve considerations of general policy. In that event, the views of the TAC might be necessary to guide the TAB in considering requests for assistance.

41. Under the Economic and Social Council resolution, the TAB was the administrative and technical body called upon to consider and to take decisions on requests for assistance on the implementation of plans and on general co-ordination; the TAC, on the other hand, was the political body, consisting of members of the Economic and

Social Council, which had to lay down the general policy.

42. The procedure to be followed consisted in first of all transmitting the request to the international organization concerned, for instance, to the United Nations Food and Agriculture Organization (FAO) if assistance in the agricultural sphere was required; that organization would transmit the request to the TAB, which would study it and take a decision informing the organization concerned whether or not it should grant the assistance requested. The TAB had to inform the TAC of the requests submitted to it, but it could take its own decision without awaiting the opinion of the TAC.

43. Since the TAB was thus responsible for the implementation of the programme, it was for the TAC to draw up the programme of technical assistance to be applied in the future, subject to the approval of the Economic and Social Council and the General Assembly. The TAC had to give general guidance to the TAB and keep a critical watch on its activities.

44. Thus, the TAC already possessed the necessary powers and the Polish draft amendment would not serve to increase them. Indeed, under the Council's resolution the TAC had greater powers in some cases than it would have under the terms of the Polish draft amendment, especially with regard to views on general policy expressed in connexion with requests for assistance.

45. The draft amendment submitted by Poland therefore seemed to be superfluous and even dangerous, since it might give rise to confusion with regard to the powers of the TAC. Thus, although the Lebanese delegation in the Economic and Social Council had supported views similar to those expressed in the Polish draft amendment, it did not think it necessary to do so at the moment. It would vote against the Polish draft amendment, which had no place in the resolution to be adopted by the General Assembly. Such detailed explanations could have been included in the Economic and Social Council resolution.

46. Mr. PATIJN (Netherlands) thought that the draft amendment submitted by Poland was dangerous, since it might result in the annulment of technical decisions for political reasons. It was obvious that the TAB had to be supervised, but the supervision should not be constant; it should be of a disciplinary and not of a preventive nature, in order not to constitute political interference. Only technical decisions should be taken. He recalled that, according to resolution 222 A (IX), paragraph 3, sub-paragraph (h), the TAB had to take "all decisions other than those on procedural matters by general agreement and, when agreement could not be reached, the issue in dispute should be referred for decision to the TAC". If general agreement could be reached in the TAB, it would be advisable to avoid the intervention of the TAC. He would therefore vote against the Polish draft amendment.

47. Mr. ZOLOTAS (Greece) did not agree with the Australian representative's views, and pointed out that although under the Economic and Social Council's resolution the TAC was free to express its opinion, that opinion was not binding upon the TAB. The adoption of the Polish draft amendment would only serve to emphasize the right of the TAC to express its opinion on requests for

assistance; nevertheless, by stressing that aspect of the question, greater importance would be attached to the opinions of the TAC, and those opinions would become binding at least morally. The amendment might, therefore, give rise to delays and political complications that had no place in technical problems. He would, therefore, vote against the Polish draft amendment.

48. Mr. LAURENTIE (France) was against the Polish draft amendment because, as the Lebanese representative had said, it was out of place in the resolution, because it was imprecise inasmuch as the nature of the right of intervention to be given to the TAC was not defined, and, finally, because it was superfluous. The French delegation, therefore, shared the views expressed by the representatives of Australia, India, Lebanon and New Zealand.

49. The provisions in the Council resolution concerning the division of functions in the programme of technical assistance seemed to be clear and judicious: the TAB, which was a governmental body consisting of international experts, was to be supervised by the TAC. He would, therefore, vote against the Polish draft amendment.

50. Mr. HALIA (Saudi Arabia) recalled that his delegation, fearing political interference in programmes of technical assistance, had submitted, jointly with the Philippine delegation, a draft amendment proposing that countries which were not Members of the United Nations should be represented on the TAC, without the right to vote, when their requests were considered. Nevertheless, he had agreed to postpone his proposal. In principle, he was in favour of the Polish draft amendment, but would not support it for the same reasons as those given by previous speakers. The countries of the Near East had not had a very fortunate experience with international officials; indeed, there had been unfortunate political and private interference. The Saudi Arabian delegation did not, therefore, wish to take sides and would abstain from voting on the Polish draft amendment.

51. Baron VAN DER STRAETEN-WAILLET (Belgium) thought that the discussion in progress proved how correct had been the request that no amendments should be submitted to the draft resolution; in the debate on the Polish draft amendment, the arguments already voiced in the Economic and Social Council had merely been repeated. The division of functions provided for in the draft resolution was a rational one; if a request for assistance had a political aspect, it was probable that no agreement could be reached in the TAB and that the question would, therefore, be referred to the TAC. The Belgian delegation would, therefore, vote against the Polish draft amendment.

52. Mr. KATZ-SUCHY (Poland) thought that the discussion on the Polish draft amendment had been extremely useful, since it had made it possible to clarify the respective functions of the TAB and TAC. He endorsed the views of delegations which had considered the Polish draft amendment to be an explanatory one; it made no substantial addition to the powers of the TAC as

they were defined in paragraph 6 of the resolution. Those powers were very wide and could not be interpreted, as the representatives of the United Kingdom and the United States had done, as mere confirmations of the decisions of the TAB, which was a body of qualified experts empowered to take decisions.

53. If the Economic and Social Council or the General Assembly were to give such powers of decision to experts, that would be tantamount to annulling a whole part of the Charter and abolishing certain organs of the United Nations. The Charter had given extensive powers to the Economic and Social Council, and the Council had provided for the establishment of the TAC with a view to using those powers in the field of technical assistance. It would be possible, of course, as the United States representative seemed to wish, to replace that organ of the Economic and Social Council by a few preferably United States experts, and some other United States experts might also be appointed to replace the Economic and Social Council itself and the Economic Commissions for Europe and the Far East amongst others.

54. At the beginning of the discussion, some representatives, including the United States representative, had seemed to wish to impose strict limitations on the functions of the TAC and to confine its functions merely to making one or two annual reports to the Council.

55. The attitude of the Polish delegation, as reflected in its amendments, many of which had been adopted by the Economic and Social Council, was in no way incompatible with the wish to prevent any political interference. It was essential to invest certain prerogatives in political bodies, since there was a danger that experts, who were allegedly independent—although of whom was not clear—might use technical assistance for purposes at variance with the Council's intentions. The TAC was a kind of watch-dog responsible for preventing the experts in the TAB from using their powers for purposes contrary to the resolution.

56. It was true, as the representative of India and New Zealand had pointed out, that the Polish draft amendment did not confer any new powers upon the TAC. The amendment was merely an appeal to that body to exercise its powers in the spirit of the resolution. Some delegations had asked the Polish delegation to withdraw that draft amendment, although they approved of it in principle, in order that unanimity might be reached in the vote on the proposed programme. The Polish delegation was satisfied with the interpretation that had been given to the resolution and withdrew its draft amendment in the interests of unanimity.

57. The CHAIRMAN paid a tribute to the spirit of co-operation prevailing in the Committee and stated that the summary record of the meeting would include the views expressed by the various representatives; the information contained in the record would be extremely useful to the TAC and to the Economic and Social Council.

The meeting rose at 1 p.m.