

UNITED NATIONS



ECONOMIC AND SOCIAL COUNCIL
OFFICIAL RECORDS : SEVENTEENTH SESSION

30 MARCH - 30 APRIL 1954

RESOLUTIONS

SUPPLEMENT No. 1

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

E/2596
May 1954

TABLE OF CONTENTS
Resolutions 512 (XVII) to 530 (XVII)

<i>Resolution No. *</i>	<i>Title</i>	<i>Page</i>	<i>Resolution No. *</i>	<i>Title</i>	<i>Page</i>
512 (XVII).	Economic development of under-developed countries:			B. System of allocation of funds under the Expanded Programme of Technical Assistance	
	A. International price relations			C. Reports of the Technical Assistance Board to the Technical Assistance Committee Resolutions of 5 April 1954	6
	B. International flow of private capital for the economic development of under-developed countries		522 (XVII).	Freedom of information:	
	C. I. Land reform			A. Reports and studies on freedom of information	
	II. Co-operatives			B. Transmission of outgoing news dispatches	
	Resolutions of 30 April 1954.	1		C. Status and movement of foreign correspondents	
513 (XVII).	Report of the International Monetary Fund			D. Copyright	
	Resolution of 12 April 1954	4		E. Independence of information personnel	
514 (XVII).	Report of the International Bank for Reconstruction and Development			F. Professional training	
	Resolution of 21 April 1954	4		G. Press rates and priorities	
515 (XVII).	Annual report of the Economic Commission for Latin America			H. International broadcasting	
	Resolutions A and B of 30 April 1954	4		I. Tariff and trade practices	
516 (XVII).	Annual report of the Economic Commission for Asia and the Far East			J. Technical assistance in freedom of information	
	Resolutions A and B of 20 April 1954	4		K. Encouragement and development of independent domestic information enterprises	
517 (XVII).	Question of admission to membership in the regional economic commissions of States not Members of the United Nations			L. Production and distribution of newsprint Resolutions of 29 April 1954	7
	Resolutions A and B of 22 April 1954	4	523 (XVII).	Allegations regarding infringements of trade union rights	
518 (XVII).	Transport and communications:			Resolutions A and B of 29 April 1954	10
	A. Uniform system of road signs and signals		524 (XVII).	Forced labour: reports of the <i>Ad Hoc</i> Committee on Forced Labour	
	B. Pollution of sea-water			Resolution of 27 April 1954	11
	C. Situation with respect to ratification of the Convention on the Inter-Governmental Maritime Consultative Organization		525 (XVII).	Slavery	
	Resolutions of 31 March 1954	5		Resolutions A and B of 29 April 1954	11
519 (XVII).	Report of the Interim Co-ordinating Committee for International Commodity Arrangements on the question of a study group on steel		526 (XVII).	Statelessness:	
	Resolution of 30 April 1954	6		A. Draft Protocol relating to the Status of Stateless Persons	
520 (XVII).	Draft convention on the enforcement of international arbitral awards			B. Problem of statelessness	
	Resolution of 6 April 1954	6		Resolutions of 26 April 1954	12
521 (XVII).	Expanded Programme of Technical Assistance:		527 (XVII).	Recognition and enforcement abroad of maintenance obligations	
	A. Financial procedures for the Expanded Programme of Technical Assistance			Annex: Model Convention on the Enforcement Abroad of Maintenance Orders	
				Resolution of 26 April 1954	13
			528 (XVII).	Form of reports of specialized agencies	
				Resolution of 1 April 1954	15

* (XVII) denotes the seventeenth session.

<i>Resolution No. *</i>	<i>Title</i>	<i>Page</i>	<i>Resolution No. *</i>	<i>Title</i>	<i>Page</i>
529 (XVII).	Non-governmental organizations:			B. Review of non-governmental organiza- tions	
	A. Applications and re-applications for con- sultative status			Resolution of 6 April 1954	16
	I. International non-governmental orga- nizations		530 (XVII).	Election of members of the Council Committee on Non-Governmental Organi- zations	
	II. National non-governmental organiza- tions			Resolution of 31 March 1954	16
	Resolutions of 1 April 1954	16			

Other decisions taken by the Council at its seventeenth session

Election of the President and Vice-Presidents for 1954	17	Reference of the question of studies on internal migration to the Population Commission	17
Confirmation of members of functional commissions of the Council	17	Provisional agenda for the eighteenth session of the Council	17

Appendix. — Agenda for the seventeenth session of the Council	18
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* (XVII) denotes the seventeenth session.

RESOLUTIONS

adopted by the ECONOMIC AND SOCIAL COUNCIL

during its seventeenth session from 30 March to 30 April 1954

512 (XVII). Economic development of under-developed countries

A

INTERNATIONAL PRICE RELATIONS

The Economic and Social Council,

Having regard to the report¹ entitled *Commodity Trade and Economic Development*, submitted by the group of experts appointed under General Assembly resolution 623 (VII), and the reports² prepared by the Secretary-General in response to that General Assembly resolution and Council resolution 427 (XIV), paragraph 7,

Considering:

That all the reports emphasize the need for devising effective measures of international co-operation to solve the grave problems of the inadequacy and instability of the proceeds of primary commodity exports which affect the majority of the countries in process of development,

That, in order to facilitate the adoption of measures to solve these problems on a just and equitable basis, it is necessary to establish specialized machinery, within the framework of the United Nations, permanently concerned with the examination of proposals capable of offering satisfactory solutions,

That, as is noted in the report, *Commodity Trade and Economic Development*, there is at present no effective international procedure for the study of such problems,

That it is urgent and essential, both for the under-developed countries and for the international economy as a whole, to find a solution of the grave and persistent problem of the instability of primary commodity markets and the secular deterioration of the terms of trade between primary commodities and manufactured goods in international trade,

Bearing in mind the need for adopting all measures likely to create the conditions of stability and well-being which are necessary for peaceful and friendly relations among nations,

1. Resolves that:

(a) There shall be established an Advisory Commission to the Economic and Social Council, to be known as the Permanent Advisory Commission on International Commodity Trade;

(b) The main task of the Commission shall be to examine measures designed to avoid excessive fluctuations in the prices of and the volume of trade in primary commodities, including measures aiming at the maintenance of a just and equitable relationship between the prices of primary commodities and the prices of manufactured goods in international trade, and to make recommendations. Any Member of the United Nations not represented on the Commission may bring to the Commission's attention any aspects of the above problems affecting it and may take part in the Commission's discussion of the problem;

(c) The Commission shall also have the following functions:

(i) To keep constantly under review the movement of world primary commodity markets by the assembly and analysis of appropriate data;

(ii) To submit periodic reports to the Council on its work and to propose without delay measures for the solution of problems within its terms of reference;

(iii) To publish studies and statistical reports on prices, terms of trade and other matters relating to international trade in primary commodities;

2. Decides to postpone the organization and establishment of the Permanent Advisory Commission on International Commodity Trade until the eighteenth session, and to deal with it in connexion with consideration of the organization of the Council and its commissions at that session;³

3. Invites the governments of the Member States to transmit to the Council before its eighteenth session any relevant comments on the Advisory Commission and their views concerning their participation in the Commission.

791st plenary meeting,
30 April 1954.

B

INTERNATIONAL FLOW OF PRIVATE CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

The Economic and Social Council

Recommends that the General Assembly adopt the following resolution:

"The General Assembly,

"Taking note of the reports⁴ on the international flow of private capital prepared by the Secretary-

¹ See United Nations Publication, Sales No.: 1954.II.B.1.

² See documents E/2438, E/2455, E/2456 and Add.1.

³ Item 29 of the provisional agenda (E/2600).

⁴ See documents E/2531 and E/2546.

General pursuant to its resolution 622 C (VII) of 21 December 1952,

" *Recognizing* that the international flow of private investment for productive activities contributes to the raising of living standards by assisting in the development of natural resources, the expansion and diversification of agricultural and industrial production, and the growth of technical skills,

" *Recognizing* that the flow of private investment has not been commensurate with the needs in those areas where rapid development is essential for economic progress,

" *Recognizing* that expanding international trade and continued progress towards wider convertibility of currencies will be conducive to a greater flow of such investment,

" *Recognizing* the necessity for measures designed to remove the impediments to such a flow and to attract private investment,

" 1. *Recommends* continuing efforts by countries seeking to attract private foreign capital to:

" (a) Re-examine, wherever necessary, domestic policies, legislation and administrative practices with a view to improving the investment climate; avoid unduly burdensome taxation; avoid discrimination against foreign investments; facilitate the import by investors of capital goods, machinery and component materials needed for new investment; make adequate provision for the remission of earnings and repatriation of capital;

" (b) Develop domestic and foreign information services and other means for informing potential foreign investors of business opportunities in their countries and of the relevant laws and regulations governing foreign enterprise;

" (c) Consider supplementing their efforts to attract foreign private investment by including in their requests for technical advice and assistance from the United Nations and its specialized agencies as well as from the countries well-advanced technically, such matters as:

" (i) Economic surveys to determine the sectors most likely to be of interest to private investors and to identify specific opportunities within those sectors;

" (ii) The preparation of material regarding specific projects in a manner which will command the attention of private investors;

" (iii) The establishment of channels for the presentation of specific projects to potential investors in capital-exporting countries;

" 2. *Recommends* continuing efforts by countries able to export capital to:

" (a) Re-examine, wherever necessary, domestic policies, legislation and administrative practices with a view to encouraging the flow of private capital to capital-importing countries;

" (b) Ensure to potential investors the availability of the fullest possible information on foreign investment opportunities and on the conditions and outlook for investment in individual foreign countries;

" (c) Ensure to capital-importing countries (including firms and individuals therein) the availability of information on the investment desires of firms and individuals in the capital-exporting countries;

" (d) Impress on investors the importance of endeavouring to secure local capital participation in their foreign enterprises whenever feasible and appropriate;

" (e) Adopt, within the framework of their institutions, measures on taxation that will progressively reduce international double taxation with a view to its final elimination;

" 3. *Recommends* continuing efforts by the capital-exporting and capital-importing countries, where appropriate, to take such other steps as may be feasible and mutually acceptable to stimulate the flow of capital to under-developed countries and more especially to:

" (a) Negotiate appropriate treaties, agreements, or other arrangements;

" (b) Negotiate treaties, on double taxation;

" (c) Negotiate agreements, if consistent with national laws, providing for the insurability of certain non-business risks;

" 4. *Recommends* further that capital-importing and capital-exporting countries consider the desirability and feasibility of establishing investment corporations in individual countries designed to encourage the participation of private investors;

" 5. *Declares* that, in order for new foreign investments to be an effective contribution to the economic development of the under-developed countries, it is advisable to take into account, among other things, the situation with regard to previously established enterprises so as not to affect their normal development, provided that this is in harmony with the national interest;

" 6. *Requests* the Secretary-General to prepare annually a report on the international flow of private capital and its contribution to economic development, and on the measures taken by governments affecting such flow. In preparing this report account should be taken of the discussions on this subject in the Council and of suggestions which may be communicated by governments for promoting the international flow of private capital."

*791st plenary meeting,
30 April 1954.*

C

I

LAND REFORM

The Economic and Social Council,

Taking note of the report⁵ of the Secretary-General entitled *Progress in Land Reform*, prepared in co-operation with the Food and Agriculture Organization and the International Labour Organisation, and of the information contained therein, and

⁵ See United Nations Publication, Sales No.: 1954.II.B.3.

Taking note of the activities of the Food and Agriculture Organization and the International Labour Organisation and the other specialized agencies in the field of land reform,

Further taking note of the fact that, though considerable progress has already been made in a number of countries, there still exist an urgent need and further opportunities for action in respect of institutional reforms and measures of agricultural development in terms of the recommendations contained in Council resolution 370 (XIII) and General Assembly resolution 625 (VII), as is evident from the reports submitted by the governments,

Bearing in mind that the implementation of the recommendations of Council resolution 370 (XIII) and General Assembly resolution 625 (VII) are important for the promotion of social progress and better standards of life,

Bearing in mind also that in many countries plans and programmes of economic development have been launched which require an integrated approach, detailed quantitative and qualitative assessment of the results of economic measures taken and large financial outlays,

Recognizing that information concerning experiences of individual countries with national measures of land reform may be helpful to a number of other countries in charting their future course of action in this field,

Further recognizing that in many cases development projects designed to implement programmes of agrarian reform may require a substantial amount of financing,

1. *Urges* governments to continue their efforts to implement Council resolution 370 (XIII) and General Assembly resolution 625 (VII) as expeditiously as possible;

2. *Recommends* that the International Bank for Reconstruction and Development, in accordance with General Assembly resolutions 524 (VI) and 625 (VII), give sympathetic consideration to loan applications from under-developed countries for development projects which are designed to implement their programmes of agrarian reform, including projects designed to bring new lands under agricultural cultivation, and invites the Bank, consistent with its maintenance as a self-supporting entity, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries;

3. *Requests* the Secretary-General:

(a) To prepare a report, in collaboration with the Food and Agriculture Organization and the International Labour Organisation, for submission to the Council at its twenty-second session, indicating the impact of the measures of land reform already undertaken on agricultural employment and output, on the pattern of production in the rural economy, on standards of living of the rural population and on economic development in general;

(b) To include in the periodic reports provided for in paragraph 8 of Council resolution 370 (XIII) information on work in this field by the United Nations and the specialized agencies concerned;

(c) To collaborate as appropriate with the Food and Agriculture Organization in maintaining and strengthen-

ing the central repository of information relating to land reforms and land policy established pursuant to resolution No. 8⁶ of the sixth session of the Conference of the Food and Agriculture Organization;

4. *Recommends* that the Food and Agriculture Organization and other specialized agencies concerned, in consultation with the Secretary-General, take further steps to:

(a) Set up working parties for making on-the-spot studies of special problems;

(b) Arrange conferences for the pooling and exchange of information;

5. *Requests* the General Assembly to continue its interest in land reform in all its aspects, giving particular attention to the problem of financing.

791st plenary meeting,
30 April 1954.

II

CO-OPERATIVES

The Economic and Social Council,

Taking note of the report⁷ entitled *Rural Progress Through Co-operatives*, and of the activities of the specialized agencies in this field,

Considering that measures of economic development in general and land reform in particular disclose increasing scope for further formation and development of co-operatives,

Bearing in mind that co-operatives provide a combination of initiative, mutual benefit and social purpose and in this way contribute to the process of agricultural development,

Recognizing that achievement of the full potentialities of co-operatives requires various types of help from governments and other bodies,

Recognizing further that, particularly in under-developed countries, the division of functions between co-operative and other groups merits further study,

1. *Invites* governments to extend all appropriate assistance towards the formation and development of co-operatives;

2. *Requests* the Secretary-General to prepare, in collaboration with the Food and Agriculture Organization and the International Labour Organisation, for submission to the twenty-second session of the Council, a report embodying further studies and conclusions regarding:

(a) The various forms of help that governments and other bodies could provide for the achievement of the full potentialities of co-operatives;

(b) The demarcation of sectors in which co-operative organization may be considered suitable.

791st plenary meeting,
30 April 1954.

⁶ See *Food and Agriculture Organization of the United Nations: Report of the 6th Session of the Conference*, 19 November-6 December 1951, p. 27.

⁷ See United Nations Publication, Sales No.: 1954.II.B.2.

513 (XVII). Report of the International Monetary Fund

The Economic and Social Council,
Takes note of the report⁸ of the International Monetary Fund.

*772nd plenary meeting,
12 April 1954.*

514 (XVII). Report of the International Bank for Reconstruction and Development

The Economic and Social Council,
Takes note of the report⁹ of the International Bank for Reconstruction and Development.

*779th plenary meeting,
21 April 1954.*

515 (XVII). Annual report of the Economic Commission for Latin America

A

The Economic and Social Council,

1. Takes note of the annual report¹⁰ of the Economic Commission for Latin America;

2. Considers that the work programme of the Commission as established at the Committee of the Whole of the Economic Commission for Latin America at its meeting held in Santiago from 8 to 10 February 1954 is of primary importance for the economic development of Latin America;

3. Endorses the order of priorities allocated by the Committee of the Whole to the individual work projects.

*791st plenary meeting,
30 April 1954.*

B

The Economic and Social Council,

Considering that Italy has expressed interest in attending the sixth session of the Economic Commission for Latin America to be held at Bogotá in 1955,

Requests the Secretary-General to authorize the Executive Secretary of the Economic Commission for Latin America to invite Italy to attend sessions of the Commission on a basis similar to that provided in paragraph 6¹¹ of the terms of reference of the Commission for Members of the United Nations not members of the Commission.

*791st plenary meeting,
30 April 1954.*

⁸ See documents E/2496 and Add.1.

⁹ See documents E/2511 and Add.1.

¹⁰ See *Official Records of the Economic and Social Council, Seventeenth Session, Supplement No. 2.*

¹¹ See *Official Records of the Economic and Social Council, Thirteenth Session, Supplement No. 1, p. 102.*

516 (XVII). Annual report of the Economic Commission for Asia and the Far East

A

The Economic and Social Council,
Takes note of the annual report¹² of the Economic Commission for Asia and the Far East for the period 15 February 1953 to 18 February 1954 and of the programme of work and priorities contained therein.

*777th plenary meeting,
20 April 1954.*

B

The Economic and Social Council,
Noting that Afghanistan has expressed a desire to be included within the geographical scope of the Economic Commission for Asia and the Far East,¹³
Decides to amend paragraph 2¹⁴ of the Commission's terms of reference by adding Afghanistan to the list of territories given in that paragraph.

*777th plenary meeting,
20 April 1954.*

517 (XVII). Question of admission to membership in the regional economic commissions of States not Members of the United Nations

A

The Economic and Social Council,

Noting section B of the draft resolution¹⁵ contained in the ninth report of the Economic Commission for Asia and the Far East and resolution 12 (X)¹⁶ contained in the tenth report of the Economic Commission for Asia and the Far East with regard to the amendment of the terms of reference of the Commission,

Noting further that the General Assembly has determined¹⁷ that the following associate members of the Economic Commission for Asia and the Far East: Cambodia, Ceylon, Republic of Korea, Japan, Laos, Nepal and Viet-Nam are eligible for membership in the United Nations,

1. Decides

(a) To amend paragraph 3¹⁸ of the terms of reference of the Economic Commission for Asia and the Far East to include the countries mentioned in the second pre-ambular paragraph above as members of the Commission, provided that in each case the States apply for such membership and agree to contribute annually such equitable amounts as the General Assembly shall

¹² See *Official Records of the Economic and Social Council, Seventeenth Session, Supplement No. 3.*

¹³ *Ibid.*, paragraph 212.

¹⁴ *Ibid.*, *Fifteenth Session, Supplement No. 6*, p. 33.

¹⁵ *Ibid.*, *Fifteenth Session, Supplement No. 6*, p. 22.

¹⁶ *Ibid.*, *Seventeenth Session, Supplement No. 3*, p. 23.

¹⁷ See General Assembly resolutions 620 D (VII), 296 B (IV), 296 G (IV), 620 B (VII), 620 E (VII), 296 I (IV) and 620 C (VII).

¹⁸ See *Official Records of the Economic and Social Council, Fifteenth Session, Supplement No. 6*, p. 33.

assess from time to time in accordance with procedures established by the General Assembly in similar cases;

(b) To amend paragraph 4¹⁹ of the terms of reference of the Economic Commission for Asia and the Far East to delete the above-mentioned countries therefrom as and when each of them becomes a full member of the Commission;

2. *Requests* the Secretary-General to undertake such consultations and further steps as may be required to obtain the agreement of the above non-member States and the General Assembly to appropriate contributions by these States to the United Nations budget.

*781st plenary meeting,
22 April 1954.*

B

The Economic and Social Council,

Noting that the General Assembly has determined²⁰ that Austria, Finland, Ireland, Italy and Portugal are eligible for membership in the United Nations,

1. *Decides* to amend paragraph 7²¹ of the terms of reference of the Economic Commission for Europe to include the countries mentioned in the preambular paragraph above as members of the Commission, provided that in each case the States apply for such membership and agree to contribute annually such equitable amounts as the General Assembly shall assess from time to time in accordance with procedures established by the General Assembly in similar cases;

2. *Requests* the Secretary-General to undertake such consultations and further steps as may be required to obtain the agreement of the above non-members States and the General Assembly to appropriate contributions by these States to the United Nations budget.

*781st plenary meeting,
22 April 1954.*

518 (XVII). Transport and communications

A

UNIFORM SYSTEM OF ROAD SIGNS AND SIGNALS

The Economic and Social Council,

Having examined the communications²² from the Secretary-General setting forth the results of his consultations made in pursuance of Council resolution 468 D (XV) of 15 April 1953 concerning the preparation of the Protocol on a Uniform System of Road Signs and Signals,

Noting that many governments have not yet submitted their observations on the Protocol and that a considerable divergence of views is shown by those observations which have been received,

¹⁹ *Ibid.*

²⁰ See General Assembly resolutions 296 A (IV), 296 C (IV), 296 D (IV), 296 E (IV) and 296 H (IV).

²¹ See *Official Records of the Economic and Social Council, Thirteenth Session, Supplement No. 1*, p. 98.

²² See *Official Records of the Economic and Social Council, Seventeenth Session, Annexes*, agenda item 10, documents E/2523 and Add.1.

1. *Requests* the Transport and Communications Commission to place this matter upon the agenda of its next session with a view to the preparation of appropriate recommendations as to any further action which may be deemed desirable;

2. *Further requests* all governments which have not already done so to submit their observations to the Secretary-General as promptly as possible.

*757th plenary meeting,
31 March 1954.*

B

POLLUTION OF SEA-WATER

The Economic and Social Council,

Recalling its resolution 468 B (XV) on pollution of sea-water,

Taking note of the report²³ of the Secretary-General which informs the Council that the United Kingdom Government has convened an *ad hoc* diplomatic conference in London for 26 April next on this subject, and that any convention which might be agreed upon at this conference would be brought within the scope of the Inter-Governmental Maritime Consultative Organization if and when it is set up,

Noting furthermore that the Secretary-General has been invited to be represented at this conference,

Instructs the Secretary-General:

(a) To postpone further action with respect to the convening of the committee of experts foreseen in resolution 468 B (XV), pending the outcome of the conference;

(b) To report to the Council at its eighteenth session on the results of the conference to enable the Council to decide whether it is any longer necessary to establish a committee of experts for this purpose.

*757th plenary meeting,
31 March 1954.*

C

SITUATION WITH RESPECT TO RATIFICATION OF THE CONVENTION ON THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

The Economic and Social Council,

Recalling its resolution 468 C (XV) on the situation with respect to ratification of the Convention on the Inter-Governmental Maritime Consultative Organization,

Taking note with appreciation of the report²⁴ to the United Nations Organization by the fourteen governments which have accepted the Convention on the Inter-Governmental Maritime Consultative Organization, which was annexed to the report by the Secretary-General on this subject,

Invites the Secretary-General to pursue his consultations with the governments of those eligible States which have not so far ratified the Convention with a view:

²³ *Ibid.*, document E/2522.

²⁴ *Ibid.*, document E/2520, annex II.

(a) To ascertaining from each of them how far they have advanced with ratification measures;

(b) To hastening, in so far as it is possible, the entry into force of the above Convention.

757th plenary meeting,
31 March 1954.

519 (XVII). Report of the Interim Co-ordinating Committee for International Commodity Arrangements on the question of a study group on steel

The Economic and Social Council,

Takes note of the report ²⁵ of the Interim Co-ordinating Committee for International Commodity Arrangements on the question of a study group on steel.

791st plenary meeting,
30 April 1954.

520 (XVII). Draft convention on the enforcement of international arbitral awards

The Economic and Social Council,

Taking note of the draft convention ²⁶ on the enforcement of international arbitral awards submitted by the International Chamber of Commerce,

1. Establishes an *Ad Hoc* Committee composed of representatives of eight Member States, to be designated by the President of the Council;

2. Invites each of the governments represented on the *Ad Hoc* Committee to designate as its representative a person having special qualifications in that field;

3. Instructs the *Ad Hoc* Committee to study the matter raised by the International Chamber of Commerce in the light of all the relevant considerations and to report its conclusions to the Council, submitting such proposals as it may deem appropriate, including, if it sees fit, a draft convention.

763rd plenary meeting,
6 April 1954.

521 (XVII). Expanded Programme of Technical Assistance

A

FINANCIAL PROCEDURES FOR THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

The Economic and Social Council,

Having noted the report ²⁷ of the Technical Assistance Committee, relating to the financial procedures for the Expanded Programme of Technical Assistance,

1. Notes that the Technical Assistance Committee, in pursuance of the authority contained in Council resolution 400 (XIII), has decided to increase the Special Reserve Fund by adding thereto an additional amount of \$3,000,000 from contributions paid during 1954;

²⁵ See *Official Records of the Economic and Social Council, Seventeenth Session, Annexes*, agenda item 9, document E/2537.

²⁶ See document E/C.2/373.

²⁷ See *Official Records of the Economic and Social Council, Seventeenth Session, Annexes*, agenda item 11, documents E/2558 and Corr.1.

2. Notes that the Technical Assistance Committee has recommended that the Special Reserve Fund should be reconstituted as a Working Capital and Reserve Fund, that it should be increased to a normal level of 50 per cent of total pledges for the preceding year and that the necessary funds should be retained for this purpose from contributions to be received in 1955 and 1956 towards a target level provisionally fixed at \$12,000,000;

3. Notes that the Technical Assistance Committee has approved the following measures to increase the financial stability of the programme:

(a) Each participating organization shall keep its obligations at all times within the limit of funds earmarked for it by the Technical Assistance Board;

(b) In each financial period, earmarkings shall initially be based on the most conservative estimates of contributions likely to be available during the programme year in order that withdrawal of programme authorizations shall not become necessary because of shortage of funds. Supplementary earmarkings shall be made as and when the receipt of contributions justifies them;

(c) Each participating organization shall limit its forward contractual commitments and residual liquidating liabilities to its *pro rata* share of the Working Capital and Reserve Fund when that Fund is fully established;

(d) Pending the full establishment of the Working Capital and Reserve Fund, each participating organization shall limit its forward contractual commitments and residual liquidating liabilities to its *pro rata* share of \$12,000,000;

4. Notes also that the Technical Assistance Board intends to keep under notice and examine in the light of experience the possibility of introducing a rule that contracts (whether falling due for payment in the current, or in future, financial periods) would not be entered into until such time as sufficient income has been received to cover in full the liabilities arising from such contracts;

5. Recommends to the General Assembly that it give approval to the following arrangements:

(a) The Special Reserve Fund shall be reconstituted as a Working Capital and Reserve Fund, which will serve as a continuing operating reserve and which may be used for the following purposes:

(i) To make advances to participating organizations pending the receipt of contributions from governments, for the purpose of initiating or continuing approved programmes within an organization's approved earmarkings;

(ii) To improve and facilitate currency management, by making currencies available for exchange with organizations' allocated currencies, for the purchase of needed currencies pending collection of particular contributions, and for advances of currencies which would otherwise have to be purchased by organizations with dollars;

(iii) For such other purposes as may be approved by the Technical Assistance Committee from time to time;

(b) The size of the Working Capital and Reserve Fund shall be determined from time to time by the Technical Assistance Committee;

(c) Withdrawals from the Working Capital and Reserve Fund shall be replaced before the end of the financial period in which they are made.

761st plenary meeting,
5 April 1954.

B

SYSTEM OF ALLOCATION OF FUNDS UNDER THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

The Economic and Social Council,

Having considered the report²⁸ of the Technical Assistance Committee,

Bearing in mind the opinion of the Secretary-General and of the Technical Assistance Committee that the Administrative Committee on Co-ordination should be given the opportunity to consider and comment on the questions relating to the basis for the allocation of funds before a final decision is taken in that respect,

1. Considers that in the further examination of this question the following possible alternatives should be taken into account:

Alternative (a): Automatic allocations would be eliminated altogether and the programmes submitted by the Technical Assistance Board would be approved each year by the Technical Assistance Committee;

Alternative (b): The Technical Assistance Committee would determine each year, on the basis of comprehensive country plans and a careful review of existing and proposed programmes, the percentage of available funds to be allocated for the following year to each of the participating organizations, as well as the percentage to be reserved for allocation by the Technical Assistance Board;

Alternative (c): The present system of automatic allocations would be gradually modified in order to reduce the proportion which, at the date of the present resolution, is distributed among the participating organizations under the system of automatic allocations by 25 per cent each year until completely eliminated;

Alternative (d): The present system of automatic allocations would be retained in some such form as the following:

(i) Twenty-five per cent of the available funds would be in fact at the disposal of the Executive Chairman and of the Technical Assistance Board, for allocation by them at their discretion in accordance with the principles established by the Technical Assistance Committee and more particularly with that of the drawing up of technical assistance programmes at the country level;

(ii) A substantial percentage of up to 50 per cent of the available funds would be put at the disposal of the Executive Chairman and of the Technical Assistance Board, for allocation among the participating organizations in accordance with the principles established by the Technical Assistance Committee and more particularly with that of the drawing up of technical assistance programmes at the country level;

2. Invites the Technical Assistance Committee to resume the consideration of the question of the allocation

²⁸ *Ibid.*

of funds in the light of the debates of the Council on the matter, with a view to formulating proposals which the Council could consider at its eighteenth session.

761st plenary meeting,
5 April 1954.

C

REPORTS OF THE TECHNICAL ASSISTANCE BOARD TO THE TECHNICAL ASSISTANCE COMMITTEE

The Economic and Social Council,

Having noted the report²⁹ of the Technical Assistance Committee approving, subject to appropriate action by the Council, the modifications³⁰ suggested by the Technical Assistance Board in the system of regular reports of the Board to the Committee,

Decides to amend its resolution 222 A (IX) by deleting sub-paragraph 3 (e) thereof.

761st plenary meeting,
5 April 1954.

522 (XVII). Freedom of information

A

REPORTS AND STUDIES ON FREEDOM OF INFORMATION

The Economic and Social Council,

Taking note with appreciation of the report³¹ on freedom of information submitted by the Rapporteur, Mr. Salvador P. López, who was appointed in his personal capacity at the fourteenth session of the Council for an experimental period of one year;

1. Requests the Secretary-General, in conjunction with the specialized agencies concerned, particularly the United Nations Educational, Scientific and Cultural Organization and the International Telecommunication Union, and in consultation with professional associations and information enterprises, to prepare for submission to the Council at its nineteenth session:

(a) A concrete programme of action to promote among news personnel everywhere a wider knowledge of the work of the United Nations, of foreign countries and of international affairs, with a view to promoting friendly relations among nations based on the Purposes and Principles of the Charter;

(b) A world-wide survey of current principles and practices involved in the censorship of outgoing news dispatches;

(c) A study of the legal aspects of the rights and responsibilities of the media of information;

(d) A study of the problem of the protection of sources of information of news personnel, taking into account the preliminary report³² already prepared by the Secretary-General on the subject;

²⁹ *Ibid.*

³⁰ See document E/TAC/33.

³¹ See *Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 12.*

³² See document E/CN.4/Sub.1/146.

(e) A study of public and private information monopolies and their effects on freedom of information;

2. *Requests* Member States to collaborate with the Secretary-General and the specialized agencies concerned.

*788th plenary meeting,
29 April 1954.*

B

TRANSMISSION OF OUTGOING NEWS DISPATCHES

The Economic and Social Council,

Taking note of the recommendation³³ adopted at the Plenipotentiary Conference of the International Telecommunication Union, Buenos Aires, 1952, recommending members and associate members of the Union to facilitate the unrestricted transmission of news by telecommunication services,

Invites the International Telecommunication Union to report to the Council at its nineteenth session on action taken by Governments in response to the above-mentioned recommendation.

*788th plenary meeting,
29th April 1954.*

C

STATUS AND MOVEMENT OF FOREIGN CORRESPONDENTS

The Economic and Social Council,

Requests the Secretary-General to transmit to member and non-member States the following two studies:³⁴ "Study of the Law and Practice Governing the Status and Work of Foreign News Personnel and Measures to Facilitate the Work of such Personnel" and "Study Relating to the Definition and Identification of Foreign Correspondents"; and to request them to study the possibility of implementing the administrative measures contemplated in these studies with a view to facilitating the professional activities of foreign correspondents.

*788th plenary meeting,
29 April 1954.*

D

COPYRIGHT

The Economic and Social Council,

Taking note of the complex problems arising from the lack of uniform copyright agreements, and the effect of this on the dissemination of information through the Press, radio, television and films,

1. *Recommends* to governments that they adhere to the Universal Copyright Convention;³⁵

2. *Takes note* of the efforts being undertaken on the international level to solve the problems of performers' rights and draws the attention of Governments to the importance of the protection of these rights to ensure

³³ See *General Secretariat of the International Telecommunication Union: International Telecommunication Convention, Buenos Aires, 1952—Geneva, 1953*, p. 163.

³⁴ See documents E/CN.4/Sub.1/140 and E/CN.4/Sub.1/148.

³⁵ See *United Nations Educational, Scientific and Cultural Organization: Copyright Bulletin*, volume V, No. 3-4, Paris 1952, p. 30.

freedom of information and to the interest attached to international action in this field; and

3. *Invites* the United Nations Educational, Scientific and Cultural Organization to initiate a study of copyright in respect of news and information media and to formulate recommendations thereon.

*788th plenary meeting,
29 April 1954.*

E

INDEPENDENCE OF INFORMATION PERSONNEL

The Economic and Social Council,

Taking note of the work currently being done by the International Labour Organisation through its Advisory Committee on Salaried Employees and Professional Workers in collecting current information and complete documentation on problems relating to the economic independence of information personnel,

Considering that the economic security of such personnel may have an important bearing on their ability to withstand pressures, whether direct or indirect, which would be prejudicial to the proper exercise of their profession,

Invites the International Labour Organisation to give full consideration to this factor in the course of its current studies, taking into account the views and suggestions of professional organizations, more particularly professional organizations of employers and workers.

*788th plenary meeting,
29 April 1954.*

F

PROFESSIONAL TRAINING

The Economic and Social Council,

Recognizing the desirability of intensifying international action to assist in the professional training of information personnel.

Noting with satisfaction the efforts of various governments in establishing bilateral programmes for the exchange of persons, including information personnel, as well as similar efforts on the part of private institutions,

1. *Urges* governments, particularly those with highly developed mass communications, to co-operate to the fullest possible extent in offering facilities for foreign information personnel and students of journalism, including the granting of visas and currency facilities;

2. *Recommends* to the United Nations Educational, Scientific and Cultural Organization that it consider the possibility of increasing the scope of its mass communication fellowship programme;

3. *Requests* the Secretary-General, in view of the importance of adequate information as a factor of economic development, to explore, in co-operation with the appropriate specialized agencies, the possibility of providing an increasing number of scholarships and fellowships for information personnel under the regular and expanded programmes of technical assistance;

4. *Requests* the Secretary-General to communicate the present resolution to governments.

*788th plenary meeting,
29 April 1954.*

G

PRESS RATES AND PRIORITIES

The Economic and Social Council,

Recognizing that the transmission of press messages on telecommunication channels at lower rates and with increased priority would facilitate the free flow of information between countries,

1. *Requests* the International Telecommunication Union and the United Nations Educational, Scientific and Cultural Organization to prepare for the Council at its nineteenth session a joint study of the problems of transmitting press messages, including that of disparities and anomalies in press rates, with the object of formulating and helping promote remedial measures which might be submitted for consideration at the next International Telephone and Telegraph Conference;

2. *Invites* governments meanwhile to study the question.

*788th plenary meeting,
29 April 1954.*

H

INTERNATIONAL BROADCASTING

The Economic and Social Council,

Noting the increasing complexity of the problems arising from the lack of international agreement on the utilization of radio frequencies, and the fact that continuation of this situation is likely to affect the flow of information by broadcasting,

1. *Affirms* the vital need for such international agreement and urges governments to make every effort to reach an agreement on the distribution of frequencies on an equitable basis, giving adequate attention in the preparation of such an agreement to the desirability of increasing the flow of objective news and information through international broadcasting;

2. *Requests* the International Telecommunication Union to consider, with the assistance of countries members of the Union, the possibility of developing new techniques leading to economy in the use of frequencies and to the elimination of wasteful competition and duplication;

3. *Requests* the Secretary-General to bring the present resolution to the attention of all governments.

*788th plenary meeting,
29 April 1954.*

I

TARIFF AND TRADE PRACTICES

The Economic and Social Council,

Taking note of the importance of the United Nations Educational, Scientific and Cultural Organization's

efforts to remove tariff and trade obstacles which affect the free flow of information between countries,

1. *Recommends* to governments which have not yet done so to adhere to the United Nations Educational, Scientific and Cultural Organization Agreement³⁶ on the Importation of Educational, Scientific and Cultural Materials;

2. *Recommends* to the United Nations Educational, Scientific and Cultural Organization that it consult, when the time is opportune, with the States Parties to this Agreement on their views as to the desirability of extending it to provide further dispensations in the allocation of foreign exchange for the purchase of educational, scientific and cultural materials;

3. *Requests* the Secretary-General to communicate the text of the present resolution to the governments referred to in article IX of the above-mentioned Agreement.

*788th plenary meeting,
29 April 1954.*

J

TECHNICAL ASSISTANCE IN FREEDOM OF INFORMATION

I

The Economic and Social Council,

Noting the constructive nature and extent of the technical assistance programmes administered by the United Nations and the various specialized agencies,

Recommends to the appropriate specialized agencies and the United Nations Technical Assistance Administration that they give due consideration, under their regular programmes and under the Expanded Programme of Technical Assistance, to the requests which governments may submit for aid, within the scope and objectives of existing programmes, which would be useful in promoting freedom of information.

II

The Economic and Social Council,

Bearing in mind that under Article 66 of the Charter of the United Nations the Council "may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies",

Believing that the fields in which the Secretary-General is at present authorized to render assistance for the purpose of freedom of information may appropriately be broadened,

Decides that, subject to the approval of the General Assembly, the Secretary-General shall be authorized to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist these States in promoting freedom of information.

*788th plenary meeting,
29 April 1954.*

³⁶ See *United Nations Educational, Scientific and Cultural Organization: Records of the Fifth Session of the General Conference, Florence, 1950, Resolutions, Paris, 1950, p. 141.*

K

ENCOURAGEMENT AND DEVELOPMENT OF INDEPENDENT
DOMESTIC INFORMATION ENTERPRISES

The Economic and Social Council,

Noting the report³⁷ of the Secretary-General on the subject of the encouragement and development of independent domestic information enterprises, and those portions of the Rapporteur's report³⁸ on freedom of information which relate to this problem,

Recalling Council resolution 442 E (XIV) and General Assembly resolution 633 (VII),

1. *Decides* to draw the attention of governments to the suggestions for action contained in chapter VIII of the Secretary-General's report;³⁹

2. *Invites* the governments of the under-developed countries, separately or jointly, to study the possibility of encouraging the development of existing and the establishment of new or additional independent radio broadcasting facilities, news agencies, and other information enterprises; and suggests that for this purpose they should consult, as appropriate, with national, regional or international professional associations and information enterprises;

3. *Draws the attention* of these Governments to the possibility of seeking technical assistance for these purposes from the United Nations, the specialized agencies and other inter-governmental organizations and, specifically, to Council resolutions 522 F (XVII) and 522 J (XVII) above;

4. *Draws the attention* of the United Nations and the specialized agencies to the desirability of continuing to give the prominence in their publications and films to information about countries whose domestic information enterprises are unable to reach a foreign public;

5. *Recommends* that the United Nations Educational, Scientific and Cultural Organization, to the extent that available resources and existing priorities permit,

(a) Intensify its activities with a view to increasing its aid to governments desiring to encourage the development of independent domestic information enterprises;

(b) Provide, at the request of governments and upon approval of plans for the establishment or development of independent domestic information enterprises, the services of experts to assist:

(i) In the development of such enterprises;

(ii) In the training of technicians and professional workers for information, press, radio and cinema enterprises according to the particular needs of each country;

(c) Continue its work of research and documentation in order to enable under-developed countries to profit by the experience of countries with a high level of technical advancement, and to undertake and promote research likely to encourage the development and raise the efficiency of independent domestic information enterprises.

*789th plenary meeting,
29 April 1954.*

³⁷ See document E/2534.

³⁸ See *Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 12.*

³⁹ See document E/2534.

L

PRODUCTION AND DISTRIBUTION OF NEWSPRINT

The Economic and Social Council,

Taking into account the valuable work being done by the Food and Agriculture Organization, in co-operation with the United Nations and the other agencies interested, in seeking a long-term solution of the newsprint problem,

1. *Notes with satisfaction* the studies which are being undertaken by the Economic Commission for Latin America in co-operation with the Food and Agriculture Organization and the Technical Assistance Administration and other related organizations with a view to the development of the paper and pulp industry in Latin America, and also the proposal to convene a meeting of experts on important aspects of the industry at Buenos Aires, in September 1954, under the auspices of the Economic Commission for Latin America, the Technical Assistance Administration and the Food and Agriculture Organization;

2. *Recommends* to the Food and Agriculture Organization that it continue to pay due attention to requests by governments for the provision of services and advice on pulp and newsprint, especially with a view to, *inter alia*, the systematic expansion of production capacity when conditions will ensure efficient production, not only within the scope of the Expanded Programme of Technical Assistance, but also as part of its regular programme;

3. *Further recommends* that the United Nations and, in particular, the Technical Assistance Administration and the regional economic commissions, the Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization, the International Bank for Reconstruction and Development and other interested agencies continue to co-operate in seeking new measures to deal with the newsprint problem, with particular attention, in the under-developed countries among others, to the possible utilization of new materials, as well as available raw materials and the position of the spot market consumer of newsprint.

*789th plenary meeting,
29 April 1954.*

**523 (XVII). Allegations regarding infringements
of trade union rights**

A

The Economic and Social Council,

Recalling that Council resolution 351 (XII) of 28 February 1951 was transmitted by the Secretary-General to the Government of Romania, bringing to its attention allegations of violations of trade union rights brought against it by the International Confederation of Free Trade Unions and inviting that Government to submit its observations on the matter,

Noting that the Secretary-General, on 6 August 1953, transmitted another communication to Romania pursuant to Council resolution 474 C (XV) which expressed the hope that Romania would find it possible to indicate its willingness to co-operate in this matter,

Noting that no reply has been received to these invitations,

Requests the Secretary-General to invite the Government of Romania to reconsider its attitude and indicate its willingness to co-operate with the United Nations in its efforts to safeguard trade union rights by submitting its observations on the allegations which have been referred to it.

788th plenary meeting,
29 April 1954.

B

The Economic and Social Council,

Recalling that Council resolution 444 (XIV) was transmitted by the Secretary-General to the Government of Spain, inviting it to submit its observations on allegations of violations of trade union rights brought against it, and that additional allegations were similarly transmitted pursuant to Council resolution 474 C (XV),

Noting that no definitive reply has been received to these invitations,

Noting from document E/2498 that further allegations relating to Spain have been received,

1. Requests the Secretary-General to bring the latter allegations to the attention of the Government of Spain;

2. Requests the Secretary-General to invite the Government of Spain to reconsider its attitude and indicate its willingness to co-operate with the United Nations in its efforts to safeguard trade union rights by submitting its observations on the allegations which have been referred to it.

788th plenary meeting,
29 April 1954.

524 (XVII). Forced labour: reports of the *Ad Hoc Committee on Forced Labour*

The Economic and Social Council,

Desiring to promote universal respect for and observance of human rights and fundamental freedoms for all,

Having considered the report⁴⁰ of the *Ad Hoc Committee on Forced Labour* and General Assembly resolution 740 (VIII),

1. Commends the *Ad Hoc Committee* for its work;

2. Notes with satisfaction the action already taken by the Governing Body of the International Labour Office on the recommendations of the *Ad Hoc Committee*, and invites the International Labour Organisation to continue its consideration of this question and to take what further action it deems appropriate towards abolishing forced labour throughout the world;

3. Condemns systems of forced labour which are employed as a means of political coercion or punishment for holding or expressing political views, and which are on such a scale as to constitute an important element in the economy of a given country;

4. Appeals to all governments to re-examine their laws and administrative practices in the light of present

⁴⁰ See *Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 13.*

conditions and the increasing desire of the peoples of the world to re-affirm faith in fundamental human rights, and in the dignity and worth of the human person;

5. Requests the Secretary-General, and invites the Director-General of the International Labour Office to prepare jointly a report for consideration at the nineteenth session of the Council setting out:

(a) Whatever replies are received from governments in pursuance of General Assembly resolution 740 (VIII);

(b) Any new information on systems of forced labour which might be submitted by Member States, specialized agencies and non-governmental organizations in consultative status together with any comments submitted by governments concerned;

6. Transmits the present resolution to the General Assembly for consideration at its ninth session.

787th plenary meeting,
27 April 1954.

525 (XVII). Slavery

A

The Economic and Social Council,

Considering that the information supplied in accordance with Council resolutions 238 (IX), 276 (X), 388 (XIII) and 475 (XV) is not in such a form as to give a clear and concise statement as to the extent to which slavery and practices resembling slavery exist in the world today,

Noting that all replies to the questionnaire have not yet been received,

1. Urges all governments which have not yet done so to reply, at an early date, accurately and fully to the questionnaire already transmitted to them, and invites the other governments to forward any additional data or information which they may think it necessary or appropriate to submit;

2. Repeats its urgent recommendation to all States, both Members and non-members of the United Nations, which have not already done so, to accede as soon as possible to the International Slavery Convention of 1926 in respect of their territories and the Non-Self-Governing and Trust Territories for which they are responsible, in order that the said Convention may be given universal application;

3. Requests all States, both Members and non-members of the United Nations, which have not already done so, to accede to the Protocol transferring to the United Nations the functions undertaken by the League of Nations under the International Slavery Convention of 1926;

4. Decides to appoint the Permanent Representative of Norway to the United Nations, His Excellency Mr. Hans Engen, as Rapporteur to prepare a concise summary of the information supplied in accordance with the resolutions referred to above and the present resolution and of any relevant information supplied by the International Labour Organisation, for consideration at the nineteenth session of the Council;

5. Requests the Secretary-General to place the report of the Rapporteur on the agenda of the nineteenth session of the Council;

6. *Invites* the specialized agencies, in the fields with which they are concerned, to study measures to remedy slavery, conditions similar to slavery, and servitude in all its forms, with special reference to the question of measures of international co-operation to achieve this end.

*789th plenary meeting,
29 April 1954.*

B

The Economic and Social Council,

Noting the report ⁴¹ of the Secretary-General on his consultations concerning the desirability of a supplementary convention on slavery and its possible contents,

Noting further that the Government of the United Kingdom of Great Britain and Northern Ireland has submitted a draft ⁴² of a supplementary convention,

Considering the observations of the Governing Body of the International Labour Office set out in document E/2540/Add.3,

1. *Decides* to transmit to all governments and to the International Labour Organisation any draft supplementary convention on slavery submitted by governments;

2. *Requests* the Secretary-General to deal accordingly with the draft contained in document E/2540/Add.4;

3. *Invites* all governments and the International Labour Organisation to submit comments on this draft and on any other draft to the Secretary-General;

4. *Requests* the Secretary-General to prepare a report on the replies received in accordance with the preceding paragraph for consideration by the Council at its nineteenth session.

*789th plenary meeting,
29 April 1954.*

526 (XVII). Statelessness

A

DRAFT PROTOCOL RELATING TO THE STATUS OF STATELESS PERSONS

The Economic and Social Council,

Noting that there exist a certain number of persons not covered by any domestic nationality law and designated by the term "stateless persons",

Considering that the General Assembly decided by its resolution 429 (V) to convene a conference of plenipotentiaries to complete the drafting of and to sign both the Convention relating to the Status of Refugees and the Protocol relating to the Status of Stateless Persons,

Considering that the aforesaid Conference, which was held at Geneva in July 1951, adopted and opened for signature the Convention relating to the Status of Refugees, but decided to take no decision on the draft Protocol and referred the latter for further study to the appropriate United Nations organs,

Considering that the General Assembly, in resolution 629 (VII), requested the Secretary-General to

communicate the provisions of the draft Protocol to all the governments invited to the Conference of Plenipotentiaries with a request for their comments, and that in their comments a number of governments advocated the adoption and opening for signature of a revised text,

Considering that the Assembly, in resolution 629 (VII), also requested the Council to take, in the light of these comments, whatever action seemed useful in order that a text might be opened for signature after the Convention relating to the Status of Refugees had entered into force, and that the latter Convention entered into force on 22 April 1954,

Having consulted the Secretary-General as prescribed in General Assembly resolution 366 (IV) approving the rules for the calling of international conferences of States,

1. *Decides* :

(a) That a second conference of plenipotentiaries should be convened and that the agenda of the conference should include the following items:

(i) The revision of the draft Protocol relating to the Status of Stateless Persons, in the light of the provisions of the Convention relating to the Status of Refugees of 28 July 1951 and of the observations made by the governments concerned;

(ii) Adoption of the revised Protocol and opening of the Protocol for signature by all States Members of the United Nations and by non-member States invited to attend the first Conference of Plenipotentiaries held at Geneva in 1951;

(b) That invitations to attend the second Conference of Plenipotentiaries should be extended to all States invited to attend the first Conference;

2. *Requests* the Secretary-General to make all necessary arrangements for the calling of the second Conference of Plenipotentiaries, in accordance with the terms of General Assembly resolution 366 (IV) and of the present resolution.

*784th plenary meeting,
26 April 1954.*

B

PROBLEM OF STATELESSNESS

The Economic and Social Council,

Having regard to Council resolutions 116 D (VI), 248 B (IX), 319 B (XI) section III, and 352 (XII),

Noting the report ⁴³ by the Secretary-General pursuant to Council resolution 352 (XII) and bearing in mind the report ⁴⁴ of the International Law Commission on the work of its fifth session,

Considering that the causes of statelessness are often different from those which justified recognition of the status of refugees,

Endorses the principles underlying the work of the International Law Commission, which has endeavoured in particular to determine the causes of statelessness and the changes to be made in the various national legisla-

⁴¹ See document E/2540.

⁴² See document E/2540/Add.4.

⁴³ See documents E/2230, Add.1 and 2.

⁴⁴ See document A/2456.

tions in order to remove those causes, and requests it to continue its work with a view to the adoption of effective international instruments for the reduction and elimination of statelessness.

784th plenary meeting,
26 April 1954.

527 (XVII). Recognition and enforcement abroad of maintenance obligations

The Economic and Social Council,

Recalling its resolution 390 H (XIII) requesting the Secretary-General to prepare a working draft of a model convention or of a model reciprocal law, or both, and requesting him to convene a committee of experts with a view to formulating the text of such instruments on the recognition and enforcement abroad of maintenance obligations,

Having considered the report⁴⁵ of the Committee of Experts on the Recognition and Enforcement Abroad of Maintenance Obligations,

Having noted the importance of the question as reflected in General Assembly resolution 734 (VIII),

Taking account of the valuable work of social agencies in encouraging and facilitating voluntary fulfilment of family obligations and the progress made in reaching international understanding through bilateral and regional conventions,

Recognizing the legal, social and economic difficulties which are to be overcome in the recovery abroad of claims for maintenance,

1. Requests the Secretary-General:

(a) To transmit the report of the Committee of Experts to governments for information and such action as they may deem appropriate;

(b) To ascertain from States Members of the United Nations and those non-members of the United Nations which are members of any of the specialized agencies whether they consider it desirable to convene a conference of plenipotentiaries to complete the drafting of the Convention⁴⁶ on the Recovery Abroad of Claims for Maintenance, and whether they are prepared to attend such a conference;

(c) To report to the Council on the result of this consultation not later than the nineteenth session;

2. Recommends to governments to use the text of the Model Convention on the Enforcement Abroad of Maintenance Orders [annexed hereto] as a guide for the preparation of bilateral treaties or uniform legislation to be enacted by individual States.

784th plenary meeting,
26 April 1954.

ANNEX

MODEL CONVENTION ON THE ENFORCEMENT ABROAD OF MAINTENANCE ORDERS^a

(prepared by the Committee of Experts on the Recognition and Enforcement Abroad of Maintenance Obligations, Geneva, 28 August 1952)

PREAMBLE

Considering that the situation of dependants left without means of support by persons in another country constitutes a pressing humanitarian problem, and

Considering that the prosecution or enforcement abroad of claims for maintenance gives rise to serious legal and practical difficulties, and

Considering that it is therefore necessary to facilitate the enforcement, in the territory of one of the Contracting Parties, of maintenance orders, as well as of other instruments subject to execution, rendered or concluded in the territory of the other Contracting Party,

Wherefore the Contracting Parties have agreed as follows:

ARTICLE 1

Definitions

In this Convention:

(a) A "maintenance order" is any judicial act of a court (judgment, decree, decision, order and the like) or provision thereof, whereby a person is required to make payment of a sum or sums of money towards the maintenance of any dependant, rendered in a proceeding brought in whole or in part for the purpose of enforcing a duty of support established by the law of the country where the order is made;

(b) A "court" is any judicial authority however described, competent to pronounce maintenance orders according to the governing domestic law;

(c) An "original court" is the court by which the maintenance order was given; and an "enforcing court" is the court in which it is sought to obtain enforcement of a maintenance order;

(d) A "judgment creditor" is the person in whose favour the maintenance order was given; and a "judgment debtor" is the person against whom the maintenance order was given.

ARTICLE 2

Conditions of enforcement

1. A maintenance order pronounced by a court in the territory of one of the Contracting Parties shall be enforced in the territory of the other Contracting Party in the manner provided in this Convention if the following conditions are fulfilled:

(a) The original court has jurisdiction in accordance with Article 3 of this Convention;

(b) The order is enforceable in the country of the original court;

(c) The order is not subject to review in the country of the original court;

(d) Where the order was given by default, the enforcing court is satisfied that the judgment debtor actually received notice in sufficient time to defend the proceedings. If the enforcing court considers that this requirement has not been observed it may refuse enforcement even though such notice was served on the judgment debtor in accordance with the law of the country of the original court;

(e) The order is not inconsistent with a prior judgment which as between the same parties, is recognized as *res judicata* under the law of the enforcing court. Enforcement may also be refused if, prior to the pronouncement of the order of the original court,

⁴⁵ See document E/AC.39/1.

⁴⁶ *Ibid.*, annex I.

^a See document E/AC.39/1, annex II.

an action on the same matter has been pending between the same parties before a court of the country where enforcement is sought;

(f) The enforcement of the order would not be manifestly contrary to public policy in the country of the enforcing court.

2. An enforcing court shall also grant enforcement to orders which are provisionally enforceable and to other interim orders, notwithstanding that such orders do not fulfil the condition laid down in paragraph 1 (c), provided that the other conditions set forth in paragraph 1 are fulfilled and that the enforcement of such orders is permissible under the law of the enforcing court.

ARTICLE 3

Competent Courts

The following courts shall be competent to pronounce maintenance orders for the purpose of this Convention:

(a) The courts of the country in which the respondent was resident when the proceedings were instituted;

(b) The court to the jurisdiction of which the defendant submitted either expressly or by entering upon the merits of a matter without reservation as to jurisdiction.

ARTICLE 4

Application for enforcement

1. In order that a maintenance order of a court in the territory of one of the Contracting Parties should be enforced in the territory of the other, an application for enforcement of the maintenance order shall be made to the court which is competent in accordance with the law of the country where enforcement is sought.

2. An application shall be accompanied by:

(a) A certified copy of the maintenance order;

(b) Where the order was given by default, a certified copy of the notice of institution of the proceedings, and appropriate documentation showing that notice was received by the judgment debtor in sufficient time to defend the proceedings;

(c) A certified translation of the documents referred to in subparagraphs (a) and (b) above, as may be required by the enforcing court.

3. An application shall be made by or on behalf of the judgment creditor either directly to the enforcing court or through the appropriate authorities of the country of the enforcing court designated in article 13. In the latter case these authorities shall act without delay.

ARTICLE 5 *

Granting of exequatur or registration

If an application is made in accordance with Article 4 the enforcing court, upon being satisfied that the maintenance order fulfils the conditions laid down in articles 2 and 3, shall grant execution of such maintenance order by *exequatur* or registration.

ARTICLE 6 *

Effect of exequatur or registration

A maintenance order which has been granted an *exequatur* or registration shall, except as provided in article 8, have the same

** Articles 5 and 6 are applicable to States whose legislation provides for the exequatur or registration procedure. If this procedure is known only to one of the two Contracting Parties, articles 5 and 6 should be replaced by the following article:*

ARTICLE 5

Enforcement of maintenance orders

1. If an application is made in accordance with article 4 to the competent court in [State A], such court, upon being

force and effect as if it had been originally obtained in the enforcing court, and in particular it shall be enforceable in the same manner as a maintenance order pronounced by that court.

ARTICLE 7

Orders subject to variation and orders for periodic payments

1. Subject to the provisions of article 9, paragraph 2, a maintenance order shall be enforceable in accordance with articles 5 and 6 ** notwithstanding that the amount payable under that order may be subject to variation by the original court.

2. A maintenance order pronounced by an original court requiring the judgment debtor to make periodic payments shall, with respect to accrued and future instalments, be enforceable in accordance with articles 5 and 6 ** in the same manner as if the order had been originally pronounced by the enforcing court.

ARTICLE 8

Variation of the order by enforcing court

1. A court having jurisdiction over the judgment debtor may, upon application made by or on behalf of the judgment debtor or of the judgment creditor, make such variation as the court thinks fit in the amount and rate of payments under the maintenance order.

2. No maintenance order enforceable in accordance with articles 5 and 6 ** shall impose on the judgment debtor a liability to make payments in excess of the maximum (if any) permissible under the law in force in the country of the enforcing court.

ARTICLE 9

Notifications

1. Whenever an application for enforcement is received by an enforcing court, this court shall give notice to the original court through the appropriate authorities designated in article 13; the enforcing court shall also give notice to the original court of the granting or rejection of such application and of any variation made under article 8. Likewise, the original court shall give

satisfied that the maintenance order fulfils the conditions laid down in articles 2 and 3, shall grant execution of such maintenance order by *exequatur* or registration. A maintenance order which has been granted an *exequatur* or registration shall, except as provided in article 8, have the same force and effect as if it had been originally obtained in the enforcing court, and in particular it shall be enforceable in the same manner as a maintenance order pronounced by that court.

2. If an application is made in accordance with article 4 to the competent court in [State B] such court, upon being satisfied that the maintenance order fulfils the conditions laid down in articles 2 and 3, shall pronounce a new order based upon the recognition of the maintenance order pronounced by the original court. This order shall be enforceable in accordance with the law of the territory of the enforcing court.

* * *

If the exequatur or registration procedure is unknown to both Contracting Parties, articles 5 and 6 should be replaced by the following Article:

ARTICLE 5

Enforcement of maintenance orders

If an application is made in accordance with article 4 the enforcing court, upon being satisfied that the maintenance order fulfils the conditions laid down in articles 2 and 3, shall pronounce a new order based upon the recognition of the maintenance order pronounced by the original court. This order shall be enforceable in accordance with the law of the territory of the enforcing court.

** In the cases contemplated in footnote *, the words "and 6" should be omitted.

notice to the enforcing court, through the appropriate authorities designated in article 13, of any variation or setting aside of such order.

2. An original or enforcing court receiving any notice in accordance with the preceding paragraph shall take whatever action may be appropriate, in conformity with the law of that court.

ARTICLE 10

Law governing procedure

The procedure and methods of enforcement shall, unless it is otherwise provided in this Convention, be governed by the law of the enforcing court.

ARTICLE 11

Exemptions and facilities

1. Judgment creditors residing or present in the territory of one of the Contracting Parties shall be given equal treatment, and shall be granted the same exemptions in the payment of the costs and charges incurred in any proceeding under this Convention, as residents in the territory of the other Contracting Party where enforcement is sought.

2. If the law of the court requires any bond or other security of persons residing or present abroad, judgment creditors residing or present in the territory of one of the Contracting Parties shall be exempt therefrom in any proceeding under this Convention.

3. No fees shall be chargeable for certification and legalization of documents in any proceeding under this Convention.

ARTICLE 12

Transfer of funds

1. In order to ensure and expedite the free transfer from one Contracting Party to the other of funds payable on account of maintenance obligations judicially established in the courts of a Contracting Party in the cases contemplated in this Convention, the Contracting Parties undertake, in case of exchange restrictions, to accord to such transfers the highest priority provided for capital services.

2. The Contracting Parties reserve the right:

(a) To take the necessary measures to prevent transfers of funds pursuant to paragraph 1 for purposes other than the *bona fide* payment of existing maintenance obligations;

(b) To limit the amounts transferable pursuant to paragraph 1 to amounts necessary for subsistence.

ARTICLE 13

Designation of appropriate authorities

At the time of ratifying this Convention the Contracting Parties shall designate the appropriate authorities in their respective territories which shall be entrusted with the functions indicated in article 4, paragraph 3, and article 9 of this Convention. The Contracting Parties shall keep each other informed of any subsequent change in such designations.

ARTICLE 14

Enforcement of other instruments subject to execution

The Contracting Parties undertake to extend the benefits of this Convention to instruments (such as orders of administrative authorities or arbitral awards) other than maintenance orders, requiring a judgment debtor to make payments towards the maintenance of a judgment creditor, provided that such instruments are subject to execution under the laws of both Contracting Parties and that they comply with the conditions laid down in articles 2 and 3.

ARTICLE 15

Applications outside the Convention

Nothing in this Convention shall preclude a judgment creditor from invoking any other provision applicable to the enforcement of maintenance orders, in accordance with the domestic law of the country of the enforcing court or any other Convention in force between the Contracting States.

ARTICLE 16

Ratification and entry into force

1. This Convention shall be ratified, and the instruments of ratification shall be deposited with the Ministry of Foreign Affairs of . . .

2. This Convention shall come into force on the thirtieth day following the day of deposit of the second instrument of ratification.

ARTICLE 17

Denunciation

Each Contracting Party may denounce this Convention by written notification to the other. A denunciation shall take effect one year after the date of receipt of the notification.

ARTICLE 18

Settlement of disputes

Any dispute which may arise between the Contracting Parties concerning the interpretation or application of this Convention which is not settled by negotiation, shall at the request of either Contracting Party be referred to the International Court of Justice or, in case the latter should not have jurisdiction, to an arbitrator appointed by the President of the International Court of Justice, for decision, unless the Contracting Parties agree to another mode of settlement.

ARTICLE 19

Languages and registration

1. The . . . texts of this Convention shall be equally authentic.

2. This Convention shall be registered with the Secretary-General of the United Nations.

528 (XVII). Form of reports of specialized agencies

The Economic and Social Council,

Recalling its resolution 497 D (XVI) concerning arrangements for reporting by the specialized agencies to the United Nations,

Noting the observations made on this question by the Administrative Committee on Co-ordination in its fifteenth report⁴⁷ in response to the Council's request,

1. *Requests* the specialized agencies to continue, until further notice, to give particular attention in their annual reports to the matters listed in resolution 497 D (XVI), paragraph 1;

2. *Invites* the Administrative Committee on Co-ordination to submit to the Council at its eighteenth session any suggestions for reducing the number and length of special reports which United Nations organs ask of the specialized agencies or for publishing such reports at less frequent intervals.

*758th plenary meeting,
1 April 1954.*

⁴⁷ See document E/2512.

529 (XVII). Non-governmental organizations

A

APPLICATIONS AND RE-APPLICATIONS FOR CONSULTATIVE STATUS

I

International non-governmental organizations

The Economic and Social Council,

Having considered the report ⁴⁸ of its Committee on Non-governmental Organizations,

1. *Decides* that the following organizations shall be placed in category B:⁴⁹

International Bar Association;
International Commission on Irrigation and Drainage;
International Council for Building Research, Studies and Documentation;
Junior Chamber International;

2. *Decides* that the following organizations at present on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X) shall be transferred to category B:

International Federation of Women Lawyers;
League of Red Cross Societies;

3. *Requests* the Secretary-General to place the following organizations on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X):

Fédération internationale libre des déportés et internés de la Résistance;

International Institution of the Middle Classes;
International Olive Growers' Federation;

4. *Decides* not to grant the request for reclassification from the register to category B of the International Federation of Free Journalists (of Central and Eastern Europe and Baltic and Balkan countries).

*759th plenary meeting,
1 April 1954.*

II

National non-governmental organizations

The Economic and Social Council,

Having considered the report of its Committee on Non-Governmental Organizations, and in the light of

⁴⁸ See document E/2550.

⁴⁹ The organizations to which the Council, on the recommendation of the Committee, did not grant consultative status or a change in status are listed in the annex to the Committee's report.

paragraph 9 of Council resolution 288 B (X), and upon the recommendation of the national government concerned,

Decides that the following organizations shall be placed in category B:

Chamber of Commerce of the United States of America (United States of America);

CARE (Co-operative for American Remittances to Everywhere, Inc.) (United States of America).

*759th plenary meeting,
1 April 1954.*

B

REVIEW OF NON-GOVERNMENTAL ORGANIZATIONS

The Economic and Social Council,

Having considered the report ⁵⁰ of its Committee on Non-Governmental Organizations,

1. *Decides* that consultative status in category B should be withdrawn ⁵¹ from the following organization:

Women's International Democratic Federation;

2. *Requests* the Secretary-General to place the following organizations on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X):

International Association of Independent Enterprises, Trades and Crafts;

International Shipping Federation;

Permanent International Association of Navigation Congresses.

*764th plenary meeting,
6 April 1954.*

530 (XVII). Election of members of the Council Committee on Non-Governmental Organizations

The Economic and Social Council

1. *Agrees*, in accordance with rule 89 of its rules of procedure, to suspend that part of rule 82 relating to the time of election of members of the Committee on Non-Governmental Organizations;

2. *Refers* rule 82 to the Council at its eighteenth session to make such amendment in that rule as is necessary to provide that members of the Committee shall be elected at the resumed part of the second regular session each year.

*757th plenary meeting,
31 March 1954.*

⁵⁰ See *Official Records of the Economic and Social Council, Seventeenth Session, Annexes*, agenda item 20, document E/2551.

⁵¹ The organizations in whose status the Council decided, on the recommendation of the Committee, to make no change are listed in the annex to the Committee's report.

Other decisions taken by the Council at its seventeenth session

Other decisions taken by the Council at its seventeenth session are noted below:

Election of the President and Vice-Presidents for 1954

At its 755th meeting, on 30 March 1954, the Council elected Mr. Juan I. Cooke (Argentina) President of the Council for 1954 and Sir Douglas Copland (Australia) and Mr. Jifi Nosek (Czechoslovakia) First Vice-President and Second Vice-President respectively.

Confirmation of members of functional commissions of the Council

At its 791st meeting, on 30 April 1954, the Council confirmed the following representatives of members of the functional commissions nominated by their governments:⁵²

Transport and Communications Commission

Mr. I. G. Suyazov (Union of Soviet Socialist Republics)
Capitán Arístides Rojas (Venezuela)

Fiscal Commission

Mr. Kan Lee (China)
Dr. Hamdi Ozgürel (Turkey)

Statistical Commission

Mr. Nasrollah Samii (Iran)

Population Commission

Professor J. Mertens (Belgium)

Social Commission

Dr. Gabriel Gálvez (Argentina)
Mr. F. H. Rowe (Australia)
Mr. Charles Roger (Belgium)
Professor Enrique Rodríguez Fabregat (Uruguay)

Commission on Human Rights

Mr. H. F. E. Whitlam (Australia)
Mr. Rudecindo Ortega (Chile)
Mr. Stavros G. Roussos (Greece)
Mr. Rajeshwar Dayal (India)
Dr. Abdul Waheed (Pakistan)
Mr. Vahap Asiroglu (Turkey)
Mr. V. I. Sapozhnikov (Ukrainian Soviet Socialist Republic)
Professor Enrique Rodríguez Fabregat (Uruguay)

Commission on the Status of Women

Daw Ngwe Khin (Burma)
Mrs. Zofia Dembinska (Poland)
Professor Vera Alexandrovna Fomina (Union of Soviet Socialist Republics)

Reference of the question of studies on internal migration to the Population Commission

At its 758th meeting, on 1 April 1954, under item 18 of its agenda, the Council decided to refer the question of studies on internal migration to the Population Commission.

Provisional agenda for the eighteenth session of the Council

At its 791st meeting, on 30 April 1954, the Council considered the provisional agenda for its eighteenth session and decided:

1. That the provisional agenda should include the items listed in documents E/2530/Rev.1 and E/2530/Rev.1/Add.1 with the exception of item 12 (a) "Recommendations to governments concerning the application of special measures for the protection of minorities";

2. That item 12 should be reformulated to read: "Report by the Secretary-General on the advisability of convening a conference of non-governmental organizations interested in the eradication of prejudice and discrimination (Council resolution 502 C (XVI))";

3. That item 3, "Removal of obstacles to international trade and means of developing international economic relations" should be considered as sub-item (c) of item 2, "World economic situation";

4. That under an item entitled "Allegations regarding infringements of trade union rights" the Council would consider draft resolution A of document E/L.601, postponed from the seventeenth session.

5. That the Secretary-General should be requested to prepare, in consultation with the members of the Council, a document showing so far as possible in what order and on approximately what dates the various items on the provisional agenda could be considered by the Council at its eighteenth session.

⁵² See documents E/2576 and Corr.1 and Add.1.

APPENDIX

AGENDA FOR THE SEVENTEENTH SESSION OF THE COUNCIL

The provisional agenda for the seventeenth session, established in accordance with rules 10 and 11 of the rules of procedure was as follows:

1. Election of the President and Vice-Presidents for 1954 (rule 20 of the rules of procedure).
2. Adoption of the sessional agenda (rule 14 of the rules of procedure).
3. Economic development of under-developed countries:
 - (a) Report of the group of experts on international price relations (General Assembly resolutions 623 (VII), paragraph 6, and 724 C (VIII), section III);
 - (b) Reports by the Secretary-General under Council resolution 427 (XIV), paragraph 7, and General Assembly resolution 623 (VII) (item postponed by the Council at its sixteenth session);
 - (c) International flow of private capital for the economic development of under-developed countries (General Assembly resolutions 622 C (VII), paragraph 2, and 724 C (VIII), section II);
 - (d) Land reform: report by the Secretary-General on the replies of governments to the questionnaire on land reform (Council resolution 370 (XIII), paragraph 8, and General Assembly resolution 625 A (VII), paragraph 1); report by the Secretary-General on agricultural co-operation (Council resolution 370 (XIII), paragraph 10).
4. Reports of the International Monetary Fund:
 - (a) Annual report of the Fund;
 - (b) Report of the Fund under Council resolution 483 C (XVI).
5. Report of the International Bank for Reconstruction and Development.
6. Annual report of the Economic Commission for Asia and the Far East.
7. Annual report of the Economic Commission for Latin America.
8. Question of admission to membership in the regional economic commissions of States not Members of the United Nations (item postponed by the Council at its sixteenth session).
9. Report of the Interim Co-ordinating Committee for International Commodity Arrangements on the question of a study group on steel (Council resolution 462 B (XV)).
10. Transport and communications:
 - (a) Protocol on a Uniform System of Road Signs and Signals: report by the Secretary-General under Council resolution 468 D (XV), paragraph 6 (a);
 - (b) Pollution of sea-water: report by the Secretary-General on development since the adoption of Council resolution 468 B (XV);
 - (c) Situation with respect to ratification of the Convention on the Inter-Governmental Maritime Consultative Organization: report by the Secretary-General on developments since the adoption of Council resolution 468 C (XV).
11. Expanded Programme of Technical Assistance: report of the Technical Assistance Committee (General Assembly resolution 722 (VIII)).
12. Freedom of information (Council resolutions 442 C (XIV), 442 E (XIV) and 423 (XIV) and General Assembly resolutions 631 (VII), 633 (VII) and 736 A (VIII)):
 - (a) Report of the Rapporteur on Freedom of Information;
 - (b) Encouragement and development of independent domestic information enterprises (items postponed by the Council at its sixteenth session);
 - (c) Production and distribution of newsprint and printing paper: report by the Secretary-General under Council resolution 423 (XIV).
13. Allegations regarding infringements of trade unions rights (Council resolutions 277 (X), 474 (XV) and 503 (XVI)).
14. Forced labour: reports of the *Ad Hoc* Committee on Forced Labour (Council resolution 350 (XII) and General Assembly resolution 740 (VIII)) (item postponed by the Council at its sixteenth session).
15. Slavery (Council resolution 475 (XV)):
 - (a) Report by the Secretary-General on consultations concerning the desirability of a supplementary convention on slavery and its possible contents;
 - (b) Supplementary report by the Secretary-General under Council resolution 475 (XV), paragraph 8.
16. Statelessness:
 - (a) Draft Protocol relating to the Status of Stateless Persons (General Assembly resolution 629 (VII));
 - (b) Problem of statelessness: consolidated report by the Secretary-General under Council resolution 352 (XII) and memorandum by the Secretary-General on the action taken by the International Law Commission.
17. Recognition and enforcement abroad of maintenance obligations (Council resolution 390 H (XIII), General Assembly resolution 734 (VIII)) (item postponed by the Council at its fifteenth session).
18. Studies on internal migration (General Assembly resolution 733 (VIII)).
19. Form of reports of specialized agencies: report by the Administrative Committee on Co-ordination under Council resolution 497 D (XVI).
20. Non-governmental organizations:
 - (a) Applications and re-applications for consultative status;
 - (b) Review of non-governmental organizations (Council resolution 480 B II (XV));
 - (c) Hearing and applications for hearings (rules 84, 85 and 86 of the rules of procedure).
21. Organization and operation of the Council and its commissions (Council resolutions 414 (XIII), 442 C (XIV), 443 (XIV) and 445 I (XIV) and General Assembly resolution 735 (VIII)).
22. Election of members of the Council Committee on Non-Governmental Organizations (rule 82 of the rules of procedure).

23. Confirmation of members of functional commissions of the Council.
24. Financial implications of actions of the Council (rule 34 of the rules of procedure).
25. Consideration of the provisional agenda for the eighteenth session of the Council (rule 11 of the rules of procedure).

* * *

The following supplementary items were included in the provisional agenda in accordance with rule 13 of the rules of procedure:

26. Removal of obstacles to international trade and means of developing international economic relations (item proposed by the Union of Soviet Socialist Republics).
27. Draft convention on the enforcement of international arbitral awards (item proposed by the International Chamber of Commerce).

* * *

The Council considered the above agenda at its 756th and 757th meetings, on 30 and 31 March 1954, and decided:

1. To include item 27 (Draft convention on the enforcement of international arbitral awards) on the understanding that the discussion would be confined to the procedural aspects of the question;

2. To postpone consideration of the following items to the eighteenth session:

21. Organization and operation of the Council and its commissions;
22. Election of members of the Council Committee on Non-Governmental Organizations;⁵⁸
26. Removal of obstacles to international trade and means of developing international economic relations.

The Council adopted the above agenda as amended by the deletion of items 21, 22⁵⁸ and 26.

⁵⁸ See Council resolution 530 (XVII).