



ECONOMIC AND SOCIAL COUNCIL

Fiftieth Session

OFFICIAL RECORDS

1760th meeting

Wednesday, 12 May 1971,
at 3.15 p.m.

NEW YORK

President: Mr. Rachid DRISS (Tunisia).

AGENDA ITEM 9

Transport development (concluded):

(a) *Establishment of a United Nations Transport Centre (concluded)* (E/4964 and Add.1-4, E/4989, chap. VIII; E/L.1381, E/L.1397, E/L.1401)

1. Mr. McCARTHY (United Kingdom) felt that, in view of the differences of opinion at the previous meeting regarding the establishment of a United Nations transport economics and technology documentation centre, it would be preferable for the Council not to take action on the draft resolutions under consideration (E/L.1397 and E/L.1401). However, if they were put to the vote, his delegation would vote for the draft resolution submitted by the United States (E/L.1397).

2. Mr. HEDEMANN (Norway) thought the question of the establishment of the centre should be approached with caution and therefore, if the Council should decide to take action on the two draft resolutions, he would vote in favour of document E/L.1397.

3. Mr. PRAGUE (France) thought, like the representative of the United Kingdom, that the Council should avoid publicizing its dissensions. However, in case of a vote, the French delegation would support draft resolution E/L.1397.

4. Mr. SAM (Ghana) stated that his delegation was not convinced of the need for the proposed centre, which should be decided upon only after the indispensable preliminary studies had been made. His delegation therefore preferred the United States draft resolution (E/L.1397) which appeared not to exclude the possible establishment of such a centre. If the reasons motivating its establishment were well founded, financial considerations should not be an obstacle.

5. Mr. ODERO-JOWI (Kenya) supported draft resolution E/L.1401, which his delegation had agreed to co-sponsor. Kenya and the other developing countries of Africa, and east Africa in particular, knew from experience that the lack of information, of authoritative advice and of technical knowledge concerning transport cost them a lot of money which might be invested in other sectors. For that reason, the United States draft resolution (E/L.1397) did not fulfil the hopes of the developing countries.

6. Mr. FINGER (United States of America) stated that the Ghanaian representative's conclusion was correct. The draft resolution submitted by the United States delegation did

not exclude the possibility of the proposed centre's being established in the future.

7. Moreover, as the Secretariat would be in touch with ICAO, there would be no duplication of that organization's activities.

8. Mr. DE AZEVEDO BRITO (Brazil) stressed that the developing countries attached great importance to the establishment of the centre. His delegation, which was a sponsor of draft resolution E/L.1401, felt that the Council should take a decision on the two draft resolutions before it.

9. He recalled that the International Civil Aviation Organization's remarks on the question had been made before the Secretary-General's proposal had been revised and had therefore been taken into account. As for the decision taken by the UNCTAD Committee on Shipping at its fifth session (E/L.1381), it must be noted that shipping, for which existing arrangements were adequate, would not be included in the work of the centre and that therefore no duplication was to be feared.

10. Mr. CARANICAS (Greece) deplored the inflexibility of certain delegations which were pressing for a vote on the two draft resolutions. He requested the sponsors to withdraw their drafts. The Council could then decide to take up the matter again at a later date.

11. The PRESIDENT suggested that the meeting be suspended to enable the delegations to confer.

It was so decided.

The meeting was suspended at 3.30 p.m. and resumed at 3.45 p.m.

12. Mr. DE AZEVEDO BRITO (Brazil) stated that the Council should be ready to vote. He stressed again that the sponsors of draft resolution E/L.1401 had not shown any lack of flexibility, as they had been accused, but had taken account of all remarks, and particularly of ICAO's.

13. Mr. GAMACCHIO (International Civil Aviation Organization) recalled that ICAO's remarks on the subject appeared in document E/4964/Add.1 and that his statement at the previous meeting specially concerned the two draft resolutions being studied. He had, of course, made that statement not in his personal capacity but as his organization's representative.

14. Mr. McCARTHY (United Kingdom) stated that his delegation, which, if necessary, would vote in favour of the United States draft resolution (E/L.1397) was prepared to support the proposal of the representative of Greece.

15. Mr. FINGER (United States of America) stated in reply to the representative of Greece that, if it was agreed to put neither of the draft resolutions to the vote, his delegation would not insist on the adoption of its draft resolution.

16. The PRESIDENT said that the Council must take a decision, since the explanations of the votes were finished. He asked the representative of Greece whether his suggestion was a formal proposal for the Council not to vote on the two draft resolutions before it.

17. Mr. CARANICAS (Greece) moved, in accordance with rule 66 of the rules of procedure, that no decision be taken on the two draft resolutions (E/L.1397 and E/L.1401).

18. The PRESIDENT put the motion by the representative of Greece to the vote.

The Council adopted the motion by 12 votes to 9, with 6 abstentions.

**(b) Preparation for the United Nations/IMCO Conference on International Container Traffic (concluded)*
(E/4963, E/L.1380, E/L.1388, E/L.1402, E/L.1405)**

19. Mr. McCARTHY (United Kingdom), speaking also on behalf of the representatives of the United States of America and France, introduced draft resolution E/L.1402, concerning participants in the United Nations/IMCO Conference on International Container Traffic. He stated that the text was aimed at providing the Conference organizers with precise instructions. The single operative paragraph reproduced the conventional wording.

20. Mr. OSMAN (Sudan) stated that draft decision E/L.1405, which he was introducing on behalf also of Hungary, the Union of Soviet Socialist Republics and Yugoslavia, was not very different from draft resolution E/L.1402, but that it stressed the universal character of the Conference. Whenever the international community proposed to take any decision, all States without exception should be included as a matter of course.

21. Mr. PATAKI (Hungary) recalled that his delegation had already spoken at the 1742nd meeting against the efforts made to exclude the German Democratic Republic from the proposed Conference. That country could contribute greatly to the success of the work of the Conference in view of its industrial and social development. The Council's decision to exclude certain States from participation in the Conference was not founded on any provision of the Charter.

22. Hungary, one of the sponsors of draft decision E/L.1405, hoped that the Council would adopt it.

23. Mr. LISOV (Union of Soviet Socialist Republics) said that draft resolution E/L.1402 repeated a formula which had been proposed on many occasions by various industrialized countries and which discriminated against socialist countries whose remarkable development could be held up as an example. Draft decision E/L.1405, on the other hand,

was based on the opposite principle, that of universality, which was an indispensable condition for co-operation among all States. The Conference on International Container Traffic would be a particularly important technical conference and it was unthinkable that it should take place without the participation of a country such as the German Democratic Republic, a country which was situated in the centre of Europe, at the very heart of the various European transport networks.

24. Mr. YOGASUNDRAM (Ceylon) proposed that draft resolution E/L.1402 should be amended by the deletion of the words "Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency" in the operative paragraph.

25. Mr. FINGER (United States of America) observed that that amendment would make the text of draft resolution E/L.1402 exactly the same in substance as the text appearing in document E/L.1405. Nevertheless, he had no desire to engage in a debate about procedure.

26. Since its creation the United Nations had always used the formula contained in the draft resolution submitted by his own and other delegations. That was not because it wished to adhere obstinately to a tradition which it regarded as sacrosanct, but much more simply for practical reasons. If, in fact, the Secretary-General was merely instructed to invite "all States", it would often be difficult for him to decide which political entities could be described as sovereign States. There were, for instance, separatist movements which called themselves States, such as Katanga, Biafra or Rhodesia, at least one of which had been recognized by other States. United Nations bodies had wisely decided not to place such a difficult political burden on the Secretary-General.

27. Mr. OSMAN (Sudan) said that the sponsors would withdraw draft decision E/L.1405 in view of the amendment to the draft resolution submitted by the representative of Ceylon.

28. The representative of the United States had cited extreme cases to justify his position. The formula suggested by the Ceylonese amendment, however, would present no difficulties for the Secretary-General who would invite States generally recognized to be sovereign States.

29. Mr. LISOV (Union of Soviet Socialist Republics) said that it was time to consider international co-operation as co-operation among all States and to put an end to such a discriminatory attitude towards certain sovereign States. As the representative of Sudan had said, the arguments advanced by the United States were, to say the least, specious. The German Democratic Republic, for example, was not a vague political entity but an industrially powerful and developed sovereign State. Similarly, there were in Asia States which played an important role in the contemporary world. There could be no true international co-operation without their participation.

30. Mr. CARANICAS (Greece) thought that the formula suggested by the Secretary-General in paragraph 7 of his note (E/4963) should be respected. The question should, however, be considered in detail not by the Council but by organs which had a political mandate.

* Resumed from the 1757th meeting.

31. The PRESIDENT noted that draft decision E/L.1405 had been withdrawn and said he would first put to the vote the amendment to draft resolution E/L.1402, proposed by the representative of Ceylon.

32. Mr. SAM (Ghana), speaking on a point of order, noted that the amendment proposed by the representative of Ceylon had the effect of deleting any mention of the International Atomic Energy Agency.

33. Mr. PRAGUE (France), also speaking on a point of order, observed that the Ceylonese amendment had the effect of making the text of draft resolution E/L.1402 identical to the text of the draft decision which had been withdrawn. Accordingly, if the Council were to vote first on the amendment that would be tantamount to voting first on draft decision E/L.1405, although the latter had been submitted after draft resolution E/L.1402. That would be a real distortion of procedure resulting in rule 66 of the rules of procedure not being applied. He therefore proposed that the Council should keep to the order in which the proposals had been submitted and should vote first on draft resolution E/L.1402.

34. The PRESIDENT pointed out that draft decision E/L.1405 had been withdrawn and that the Council therefore only had one draft resolution before it, a draft resolution to which an amendment had been proposed.

35. Mr. YOGASUNDRAM (Ceylon) proposed that, in order to take account of the point made by the representative of Ghana, the words "the International Atomic Energy Agency" should be added after the words "the specialized agencies" in the operative paragraph. He pointed out that under rule 65 of the rules of procedure amendments were put to the vote before the texts to which they related.

36. Mr. FINGER (United States of America), speaking on a point of order, observed that the representative of Ceylon had in fact submitted two amendments. He therefore proposed that the two amendments should be put to the vote separately.

37. The PRESIDENT said he would put to the vote the second amendment proposed by Ceylon, relating to the reference to IAEA in the operative paragraph.

38. Mr. FINGER (United States of America) said he thought the first amendment should be put to the vote first.

39. Mr. CARANICAS (Greece) pointed out that there was in fact only one amendment since the second was a correction of the first.

40. Mr. FINGER (United States of America) said that the sponsors of draft resolution E/L.1402 had decided to incorporate the second Ceylonese amendment in the text of their draft resolution.

The Ceylonese amendment, to the effect that the words "Members of the United Nations or members of the specialized agencies or of the International Atomic Energy

Agency" should be deleted, was rejected by 13 votes to 6, with 7 abstentions.¹

Draft resolution E/L.1402 was adopted by 19 votes to 3, with 4 abstentions.

AGENDA ITEM 3

Outflow of trained personnel from developing to developed countries (continued) (E/4798, E/4820 and Corr.1 and Summary and Add.1 and Corr.1, E/4948 and Corr.1; E/L.1379)

41. Mr. RABETAFIKA (Madagascar) said that his delegation was aware of the complexity of the question which brought into play two fundamental principles: on the one hand, the duty of citizens to participate in the development efforts of their country and, on the other, the rights and freedoms of the individual as set forth in the Universal Declaration of Human Rights. Accordingly, a middle way had to be found which would take account of both principles. It would be an illusion to seek to codify such a compromise and the only solution would be to approach the problems peculiar to each country in a practical manner.

42. Trained personnel from the developing countries who chose to work in the developed countries could be classified into three main categories. First, there were those who voluntarily chose to live permanently outside their own country. Secondly, some had studied in a foreign country and for economic or other reasons decided to remain in that country. Lastly, others had been trained in their country of origin and had been tempted to leave it because of the advantages offered to them elsewhere. The first category should be left out of consideration since the freedom of the individual must be respected. As for the other two categories, measures to remedy the situation had been suggested in the report of the Secretary-General (E/4820) and he referred in particular to the need for employment planning, the importance of a manpower utilization policy in keeping with the national development plan, and the granting of material benefits and technical facilities to specialists.

43. It was quite clear that the main responsibility in the matter lay with the developing countries themselves. However, both the organizations within the United Nations system and the developed countries could and should help the developing countries to establish the necessary structures to plan employment policy and intensify their training activities. That would be more practical than, for instance, to provide for damages which would be extremely difficult to assess.

44. Three main conclusions could be drawn from a study of the problem: first, the problem of the outflow of trained personnel from developing countries to developed countries could never be fully solved as long as the international community, as was to be hoped, respected the rights of the individual. Secondly, the outflow could be reduced when

¹ The delegation of Pakistan subsequently stated that it wished to have its vote recorded as having been in favour of the Ceylonese amendment (see 1762nd meeting, para. 43).

economic and social differences between countries disappeared. Lastly, overplanning of training and employment might harm the developing countries. His Government, for its part, attached especial importance to the improvement of the statistical data necessary for determining which sectors were particularly affected by the outflow and also to the publication of numerous country studies, which could help Governments to profit from the experience of other countries.

45. Mr. CARANICAS (Greece) said that the report of the Executive Director of the United Nations Institute for Training and Research (E/4948 and Corr.1), which explored the reasons for the outflow of trained personnel from developing to developed countries, was a very useful document. Statistics could not, of course, *per se* provide all the answers, but they were none the less necessary. Thus, a very extensive questionnaire had been sent to students in twenty developing countries and five developed countries. He hoped that the substantive report to be issued in 1972 would be based on the replies to that questionnaire. He wondered how UNITAR had chosen the countries to which it had sent the questionnaire as his country would have liked to receive one.

46. His delegation supported the recommendations and suggestions made in document E/4820 as a whole. One delegation had suggested that institutions should be set up to assist students returning to their home countries after study abroad and to help them readjust to life in their countries of origin; that was a very useful suggestion.

47. The report stressed that there were some gains from the outflow of trained manpower, in particular the remittances sent by professionals residing abroad and the transfer of business opportunities, knowledge, technology and science. Nevertheless, it should be pointed out that, generally speaking, it was not so much professionals as semi-skilled workers who sent remittances.

48. Instead of trying to control the movement of professionals, his Government had decided to adapt its educational system in such a way as to solve the problem. According to the report, other countries had also taken action, by introducing, for example, institutional measures, but it should be noted that any action Governments might take could infringe the fundamental rights of the individual. Moreover, there was also the danger of retaining in the developing countries a great many professional people for whom not enough employment opportunities existed. Since the search for economic betterment was the main reason for the outflow, only measures taken jointly by developed and developing countries could reduce its volume.

49. He disagreed with the contention in paragraph 132 of the Secretary-General's report (E/4820) as it was not always undesirable for private firms in a particular country to place foreign standards above local standards. Singapore and Hong Kong were excellent cases in point. Lastly, the United Nations had no business discussing the private sector in different countries; the example given in paragraph 134 concerning nepotism engaged in by certain private companies therefore had no place in a report by the Secretary-General.

50. Mr. ODERO-JOWI (Kenya) said that the question of the outflow of trained personnel was not of immediate concern to his Government. However, there were conditions prevailing in the countries of East Africa which might lead to such an outflow. For the time being those countries did not feel themselves directly threatened because they were remote from the great industrialized centres of other continents and even more remote in another sense from another industrialized centre, South Africa. The Secretary-General stated in his report (E/4820) that the main causes of the outflow of trained manpower from developing countries were: a general lack of development of the country, over-population, shortage of employment opportunities for professionals and skilled workers, low salaries, discrimination in salaries between categories of professionals, lack of professional opportunities and satisfactory working conditions, under-utilization of professional skills and the lack of supporting staff. To the extent that unemployment was a contributing factor, the solution lay in accelerating the rate of development. The economies of the developing countries must be able to offer adequate employment to their trained manpower. Some of them had inherited from the colonial period a wage scale with a considerable gap between the salaries paid to officials and office employees and the wages paid to agricultural labourers. To reduce that gap was one of the objectives of Kenya's development plan.

51. Another cause of the outflow of trained manpower was the common practice whereby foreign investors in the developing countries assigned the highly skilled jobs to their own nationals. To remedy that state of affairs, Kenya was trying to obtain a commitment from foreign companies to give preference to local personnel in employment and to devote part of their profits to the training of local personnel. At the same time, it had recognized that public service was not sufficiently attractive to many Kenyans. In 1969 a commission had therefore been set up to study the problem and, in the report it had submitted to the Government, it had proposed that certain categories of posts should be set up and that the salary scale for civil servants should be improved. Professionals should, for example, be able to receive salaries which were equal to or even higher than those of their heads of department.

52. Lastly, the Kenyan Government had launched a campaign to inform its nationals, students and professionals in the United States and in the United Kingdom of the employment opportunities open to them in Kenya.

53. The PRESIDENT announced that the general debate on item 3 was closed.

Organization of work

54. The PRESIDENT pointed out that the Council still had before it items 16, 8 and 11 of the agenda. The Council might also wish to take up such matters as the enlargement of its membership, the establishment of machinery for the review and appraisal of the results of the Second United Nations Development Decade, and certain procedural questions.

55. Mr. DE AZEVEDO BRITO (Brazil) said that he was not sure that all delegations were prepared to begin to

discuss the machinery for the review and appraisal of the Second Development Decade. It would be premature for the Council to begin to discuss that item at the present time as it was on the agenda of the fifty-first session.

56. Mr. GROS (France) supported the observation made by the Brazilian representative which also applied to agenda item 11 (a).

57. Mr. SKATARETIKO (Yugoslavia) felt that the Council could not as yet consider the machinery for the

review and appraisal of the results of the Second Development Decade as it had not received a report from the Secretary-General on the subject and could not therefore take any meaningful decision.

58. The PRESIDENT pointed out that a number of replies from Governments had been received on that point. In any case, he was not suggesting that the Council should go beyond the agenda of the current session.

The meeting rose at 5.35 p.m.