



**Economic and Social Council**

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PROVISIONAL SUMMARY RECORD OF THE 48TH MEETING

Held at Headquarters, New York,  
on Tuesday, 26 October 1999, at 10 a.m.

President: Mr. FULCI (Italy)

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The meeting was called to order at 10.10 a.m.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (E/1999/120)

The agenda was adopted.

ECONOMIC AND ENVIRONMENTAL QUESTIONS (continued)

(a) SUSTAINABLE DEVELOPMENT (continued) (E/1999/118 and Corr.1)

The PRESIDENT suggested that the Council should follow the procedure adopted in the case of Vanuatu and defer consideration of the proposed graduation of the Republic of Maldives from the list of least developed countries until the Committee for Development Policy had completed its assessment of the usefulness of a vulnerability index.

It was so decided.

(g) TRANSPORT OF DANGEROUS GOODS (continued) (E/1999/43, L.48)

Draft resolution II: Reconfiguration of the Committee of Experts on the Transport of Dangerous Goods into a Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

The PRESIDENT recalled that the Council had deferred action on draft resolution II contained in chapter I of the report of the Secretary-General on the work of the Committee of Experts on the Transport of Dangerous Goods (E/1999/43). The programme budget implications were contained in document E/1999/L.48.

Draft resolution II was adopted.

Mr. GALLAGHER (United States of America) said that his delegation continued to support the restructuring of the Committee on the Transport of Dangerous Goods, allowing it to further the work of the international community on chemicals harmonization. At the meeting of the Committee, it had been announced that there would be no additional costs to restructuring the Committee in the manner just decided. Only in late July - at the last stages of the substantive session of the Council - had his delegation been informed of the budgetary implications of the proposal. It was disturbed by the non-transparent manner in which the information had been handled. In particular, his delegation was greatly concerned that the experts had not been informed of the possible budgetary implications at the time when their proposal had been formulated. His

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delegation must thus dissociate itself from consensus on the resolution and would address the issue further in the appropriate budgetary bodies.

ELECTION OF THE PRESIDENT OF THE COUNCIL FOR THE YEAR 2000

The PRESIDENT suggested that a panel discussion entitled "Contribution of the United Nations system and the global conferences of the 1990s to combating poverty and the role of the Economic and Social Council" should be held on 26 January 2000 to mark the end of his mandate as President. He took it that the Council agreed to elect a new President the following day.

It was so decided.

NON-GOVERNMENTAL ORGANIZATIONS (continued) (E/1999/109 and Add.1)

The PRESIDENT recalled that, in its decision 1999/268 of 30 July 1999, the Council had requested the Committee on Non-Governmental Organizations to complete its consideration of the question of the consultative status of Christian Solidarity International (CSI). Documents E/1999/109 and Add.1 accordingly contained a report of the Committee on its most recent session. The Council was invited to consider the Committee's recommendation on the withdrawal of consultative status from Christian Solidarity International contained in draft decision II.

Mr. GALLAGHER (United States of America), speaking in explanation of vote before the voting, reiterated his delegation's position that, although CSI had erred in allowing Mr. Garang to address the Commission on Human Rights in his own capacity, that transgression did not warrant withdrawal of its consultative status under resolution 1996/31. The sovereignty of a Member State should certainly be respected and the error might have offended the Government of the Sudan. However, that one error did not represent a "flagrant breach and abuse of status", nor did it constitute "a pattern of acts contrary to the purposes and principles of the Charter of the United Nations". Punishing CSI by withdrawal of consultative status would only negate its many charitable acts around the world - its true "pattern of acts". His delegation thus urged the Council to oppose the draft decision.

If the Council did, however, decide that a penalty was merited, it should - in accordance with resolution 1996/31 (para. 56) - instruct the Committee on Non-Governmental Organizations to provide written reasons to CSI.

Mr. SCHALIN (Observer for Finland) spoke in explanation of vote before the voting on behalf of the European Union, the associated countries Bulgaria,

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the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and, in addition, Liechtenstein. The European Union firmly believed that non-governmental organizations, as independent actors within civil society, were indispensable partners for governments and for the international community as a whole. Governments did not need to concur with the positions of non-governmental organizations, nor did the latter need to accommodate their views to those of Governments. Non-governmental organizations should have the right to be heard but, like Governments, they must respect the rules governing their participation in intergovernmental bodies. It was important to ensure that decisions affecting the status of non-governmental organizations were fair, impartial and strictly in conformity with resolution 1996/31.

In the case of Christian Solidarity International, the European Union was of the view that the process followed did not constitute a model of good practice. The Committee should revert to its earlier practice of requesting submissions of reports from non-governmental organizations well before embarking on consideration of complaints against them. Non-governmental organizations, for their part, should be prepared to respond as a matter of priority. Only after consideration of such a report should the Committee decide on possible penalties. Written reasons for such a decision should be conveyed to the non-governmental organization, which should be allowed to respond.

It was the view of the European Union that the circumstances invoked during the meeting of the Committee on Non-Governmental Organizations did not constitute a "pattern of acts contrary to the purposes and principles of the Charter". The European Union could not therefore support the draft decision.

Mrs. DE ARMAS GARCÍA (Cuba) said that the Committee on Non-Governmental Organizations had paid considerable attention to the issue and had followed the usual procedure. The Council should now proceed to a roll-call vote.

Mr. ERWA (Observer for the Sudan) said that his country was no less interested than other States in the question of the consultative status of non-governmental organizations, many of which were actively involved in providing humanitarian and technical assistance to the Sudan. His Government welcomed such organizations and tried to facilitate their task, particularly in the war-torn areas of the south. In the light of the bitter lessons learnt from the situation created by the activities of Christian Solidarity International

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(CSI), he firmly believed that the duties and obligations of non-governmental organizations in connection with the performance of their tasks should form the subject of in-depth studies by the relevant United Nations agencies. Specific recommendations should then be made with a view to ensuring the efficiency, transparency and accountability of all such organizations within the framework of the rules governing their relationship with the United Nations, thus safeguarding the vast majority of non-governmental organizations which performed their duties legitimately. In that context, he referred to the letter addressed to the Committee on Non-Governmental Organizations by the Chairperson of the Commission on Human Rights concerning proposals in regard to the participation of non-governmental organizations in meetings of United Nations bodies, specifically the Commission on Human Rights, in the light of the regrettable incidents involving CSI in particular which had occurred during the Commission's fifty-fifth session.

From the outset, his delegation had made every effort to deal objectively with the issue and had displayed the utmost flexibility in response to the initiatives aimed at reaching a unanimous decision that would achieve justice for his country, while simultaneously conveying a candid message to non-governmental organizations. In that respect, the intense consultations conducted with the delegations of, inter alia, the European Union, the United States of America, Canada and Japan, testified to the genuine sincerity of those efforts. CSI, meanwhile, had failed to acknowledge its mistake, which clearly indicated its intention to repeat the same action. With its provocative statements challenging the credibility and competence of the Committee on Non-Governmental Organizations, CSI itself had contributed to the unprecedented interest shown in the matter. Ironically, however, the intense media coverage had simply helped to reflect positively on the Committee's honourable record of achievements, although he was surprised by the media's selective focus on the matter of CSI to the exclusion of the other activities pursued by the Committee during its June 1999 session. Singling out the President of the Council for special mention, he thanked all those who had made valuable efforts to reach an agreed formula. In the absence of such a formula, however, he called on Member States to vote in favour of the recommendation of the Committee on Non-Governmental Organizations to withdraw the consultative status of CSI.

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Mr. VON KAUFMANN (Canada), speaking in explanation of vote before the voting, expressed appreciation of the crucial role played by non-governmental organizations within the United Nations, particularly their contribution to the work of the Commission on Human Rights and other human rights bodies. Non-governmental organizations must be free to speak out even if they caused discomfort to Member States. It was clear, however, that participating non-governmental organizations should comply with the rules; CSI had not. Despite recognizing certain of its mistakes, it had failed to give satisfaction; it was therefore appropriate that the Council should take some action. For the sake of consensus, Canada would be willing to support a suspension for three years of the organization's consultative status. However, it could not support the draft decision as such, since CSI did not deserve withdrawal of its consultative status under resolution 1996/31. It was to be hoped that the Committee on Non-governmental Organizations would be more scrupulous in future.

Mr. UMERU (Japan), speaking in explanation of vote before the voting, thanked the President for his efforts to promote a consensus, which his delegation believed would have been preferable to a decision by voting and the strongest possible message from the Council. Withdrawal of consultative status was a serious matter demanding careful consideration; Japan was, therefore, pleased that the Committee on Non-Governmental Organizations had observed due process regarding Christian Solidarity International (CSI).

Non-governmental organizations in consultative status should always comply with the Council's rules and regulations, especially the provisions of paragraphs 2 and 3 of Council resolution 1996/31. With that in mind, his delegation had carefully examined the case of CSI on the basis of the latter's special report, the discussion in the resumed session of the Committee on Non-Governmental Organizations and other relevant information. CSI had made useful contributions in a number of countries by helping children and advocating human rights. However, its activities in southern Sudan raised serious problems and his delegation had, with great sadness, concluded that CSI had made serious mistakes. Regarding the Council's response to them, his delegation, in the absence of a consensus, respected the decision by the Committee on Non-Governmental Organizations.

Japan had decided to support the Committee's recommendation not because of a mistake by CSI at the latest session of the Commission on Human Rights in Geneva, but after a thorough review of all CSI's activities. Japan believed that the case of CSI was very unusual and the recommendation of the Committee on Non-Governmental Organizations therefore did not damage the trust between the Council and the non-governmental organizations in consultative status that continued to respect resolution 1996/31. It further believed that, when CSI reapplied for consultative status pursuant to paragraph 59 of the resolution, it should receive fair consideration by the Committee on Non-Governmental Organizations on the basis of the information it supplied at the time.

Mr. MANGOAELE (Lesotho) expressed great regret that, despite the President's efforts to promote consensus and avoid a vote, the Council found itself in the position it did. His delegation had consistently maintained during the President's consultations that CSI had erred in putting forward Mr. Garang to speak for it, that that error was the only act of which CSI stood accused, its activities in southern Sudan being irrelevant to the matter, and that the error did not constitute a pattern within the meaning of Council resolution 1996/31, paragraph 57 (a). His delegation stood by those beliefs and by the belief that, given the absence of a pattern of reprehensible acts, CSI had not done anything deserving any penalty, even suspension. His delegation was opposed to draft decision II and considered that the Committee on Non-Governmental Organizations had not acted in conformity with Council resolution 1996/31 in recommending it. He trusted that, whatever the outcome of the roll-call vote, the Council would issue clear and unequivocal guidelines to the Committee on Non-Governmental Organizations concerning the way it should handle such cases in the future.

Mr. ABOUD (Comoros) said he wished to make it clear that, at the point reached in the discussion of the case of CSI, his delegation supported the recommendation of the Committee on Non-Governmental Organizations.

At the request of the representatives of Cuba and the Syrian Arab Republic, a roll-call vote was taken on draft decision II.

Djibouti, having been drawn by lot by the President, was called upon to vote first.

In favour: Algeria, Belarus, Bolivia, Cape Verde, China, Colombia, Comoros, Cuba, Djibouti, Gambia, Guinea-Bissau, India, Indonesia, Japan, Mexico, Morocco, Oman, Pakistan, Russian Federation, Rwanda, Saudi Arabia, Sri Lanka, Syrian Arab Republic, Turkey, Venezuela, Viet Nam.

Against: Belgium, Bulgaria, Canada, Czech Republic, Denmark, Germany, Iceland, Latvia, Lesotho, New Zealand, Norway, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Chile, El Salvador, France, Honduras, Italy, Mauritius, Mozambique, Republic of Korea, Sierra Leone, Spain, Zambia.

Draft decision II was adopted by 26 votes to 14, with 12 abstentions.

Mr. BAALI (Algeria) thanked the President for his efforts to achieve a consensus decision concerning CSI. The Sudan had been very willing to accept such a decision, but unfortunately others had not and had withdrawn a text on which consensus had been emerging. The outcome of the voting constituted a clear message to non-governmental organizations that, while they were welcome and had an important role to play, they must adhere to the United Nations rules. It also constituted confirmation by the Council that the Committee on Non-Governmental Organizations had done its job.

Mr. POWLES (New Zealand) associated his delegation with the expressions of gratitude to the President for his efforts to achieve consensus. New Zealand would have fully supported a compromise solution concerning CSI and very much regretted that, much as described by the representative of Algeria, it had been impossible to achieve one. Regarding the qualification of the conduct of CSI, his delegation broadly agreed with the representative of Lesotho that the requirements of Council resolution 1996/31 had not been met. It had, therefore, had no alternative but to vote against draft decision II.

Mr. LEIRO (Norway), speaking on behalf of his own country and Iceland, said that non-governmental organizations had an important role to play; indeed, their contributions were sometimes indispensable. The criteria to be applied in assessing the conduct of those in consultative status were, as his delegation had emphasized to the Committee on Non-Governmental Organizations, those contained in Council resolution 1996/31, especially paragraph 57 thereof. CSI

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had behaved inappropriately during the fifty-fifth session of the Communication on Human Rights and, while it had recognized its mistakes and apologized for them, its response on the matter to the Committee on Non-Governmental Organizations had been unsatisfactory. Its conduct could be deemed to have warranted suspension of consultative status with the Council; the penalty just voted, however, was inconsistent with Council resolution 1996/31.

Mr. AL-HARIRI (Syrian Arab Republic) thanked the President for his efforts to promote consensus and maintain the unity of the Council. The Syrian delegation had voted for the text recommended by the Committee on Non-Governmental Organizations because the Committee was an organ of the Council and his delegation trusted it. The Committee had examined the matter before it in detail and over a period of time and had reached the right decision.

Mr. BIVERO (Venezuela) said that Venezuela, where non-governmental organizations were so important that they were mentioned in the Constitution, looked to such organizations to underpin the action of the United Nations. His delegation regretted that a vote had been necessary and expressed its thanks to the President for his efforts to achieve a consensus. In the absence of a consensus, it had voted for the proposal by the Committee on Non-Governmental Organizations. The outcome of the voting confirmed the Committee's authority.

Mr. BILMAN (Turkey) said that, as Turkey was appreciative of the contribution made by non-governmental organizations in general, his delegation would have preferred and had worked for consensus on the question of CSI. It believed, however, that the Committee on Non-Governmental Organizations had examined that question thoroughly and had kept to the rules, so that there had been no alternative but to follow the Committee's recommendation.

Mr. BOGOREH (Djibouti) thanked the President for his efforts to promote a fair solution and avoid a vote and the division of the Council. His delegation's position on the question of CSI had always been that it was unacceptable for a non-governmental organization to include in its delegation, for whatever reason, a person notorious for seeking to destabilize a State Member of the United Nations. Moreover, CSI had failed to offer a proper apology for its behaviour. His delegation had, therefore, supported the draft decision recommended by the Committee on Non-Governmental Organizations.

The PRESIDENT observed that he had striven since his election to restore the authority of the Council and to ensure that a culture of cooperation

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rather than a culture of division prevailed within it. He had acted in the same spirit with regard to CSI, holding consultations with all the members of the Council. Some of them, as well as the Sudan, had also made serious efforts to reach a compromise solution and one involving a three-year suspension of CSI from consultative status had been very near. It had had the support of an absolute majority of the members of the Council, but had been defeated by the last-minute intransigence of the party most directly concerned. He regretted that outcome, as should all the members of the Council.

Mr. NAJEM (Observer for Lebanon) paid a tribute to the President for his efforts to bring about a compromise on the matter of CSI. His delegation believed that the Committee on Non-Governmental Organizations had done its duty to the full, giving CSI more than one opportunity to correct its error and then applying Council resolution 1996/31, which CSI had violated. Lebanon accordingly endorsed the decision the Council had just adopted.

Mr. GALLAGHER (United States of America) expressed warm thanks to the President and other delegations for their efforts in search of a compromise. He hoped the Council would bear in mind for the future the excellent points concerning procedure that had been made by the representative of Lesotho.

#### OTHER MATTERS

The PRESIDENT drew attention to an exchange of letters between himself and the Under-Secretary-General for General Assembly Affairs and Conference Services in which he had thanked the Under-Secretary-General for his assistance in re-establishing the Council's identity and right to absolute precedence regarding the use of the Economic and Social Council chamber. He would continue to assert the Council's authority as one of the United Nations principal organs under the Charter of the Organization.

The meeting rose at 11.40 a.m.