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AD HOC COMMITTEE ON  
IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS  
SUMMARY RECORD OF THE EIGHTH MEETING

Held at Lake Success, New York,  
on Thursday, 16 December 1949, at 11 a.m.

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are not required (E/AC.31/L.10, E/AC.31/1, E/1325)

<u>Chairman:</u>	Mr. PLIMSOLL	Australia
<u>Members:</u>	Mr. TSAO	China
	Mr. AMANRICH	France
	Mr. AZKOUL	Lebanon
	Mr. RUDZINSKI	Poland
	Mr. CHERNYSHEV	Union of Soviet Socialist Republics
	Mr. LEDWARD	United Kingdom of Great Britain and Northern Ireland
	Mr. CATES	United States of America
<u>Secretariat:</u>	Mr. YATES	Secretary of the Economic and Social Council
	Mrs. GRANT	Secretary of the Committee

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DISCUSSION OF PROVISIONAL LIST OF RECOMMENDATIONS ON WHICH REPORTS ARE NOT REQUIRED (E/AC.31/L.10, E/AC.31/1, E/1325)

Mrs. GRANT (Secretariat) said that list 1 in document E/AC.31/L.10 was a composite list based on those submitted by the representatives of the United States and the United Kingdom. The recommendations marked with a double asterisk had appeared in document E/1325, but the Secretary-General had omitted them from document E/AC.31/1 as he considered that reports on them were no longer required. The list submitted by the United States and the United Kingdom representatives had primarily been of resolutions which were no longer relevant or in force, but had included four resolutions in general terms, which had been placed in list 2.

Mr. CATES (United States of America) thought that Assembly resolution 48 (I) should perhaps be omitted from list 1 as he felt that it should be reported upon for one more year.

It was agreed that resolution 48 (I) should remain on the list, since no further reports from governments on it were necessary, but that the Secretary-General would report on it once more to the next session of the Economic and Social Council.

Mr. CATES (United States of America) suggested that instead of "Recommendations no longer relevant or in force", list 1 should be entitled, as in resolution 255 (IX), which laid down the Committee's terms of reference, "Resolutions on which no further reports will be required".

The CHAIRMAN suggested that the list should be entitled "Recommendations no longer relevant or in force or on which adequate information has now been received".

Mr. AZKOUL (Lebanon) wondered whether the Secretary-General would continue to send out requests for reports on resolutions every two years until told to stop by the Council, or whether only one request for reports would be sent out unless the Council directed the Secretary-General to continue sending out requests.

/The CHAIRMAN

The CHAIRMAN said that that question would be taken up later.

Mr. CHERNYSHEV (Union of Soviet Socialist Republics) stated that he wished to reserve the right to express his views on the list of resolutions at the Committee's next meeting.

Mr. LEDWARD (United Kingdom) said that Assembly resolution 136 (II) had been placed on the list originally submitted by his delegation as not requiring further report, because it had thought that the problem of refugees and displaced persons would be adequately covered by the resolution adopted by the fourth session of the General Assembly on that subject. He would not however insist that it should remain on the list.

Mr. CATES (United States of America) said that in his delegation's opinion sufficient information had not yet been received under resolution 136(II), and the information which might be obtained would be very useful for the High Commissioner.

It was agreed that resolution 136 (II) should be deleted from the list.

In answer to a question from the representative of Lebanon, Mr. CATES (United States of America) said that Council resolution 9 (II) had been placed on the list because his delegation did not feel it was necessary for the Secretary-General to request further information on that resolution until the Commission on Human Rights had discussed the problem and perhaps taken action on it at its sixth session.

It was agreed that resolution 9 (II) should remain on the list.

Mr. TSAO (China) asked whether governments would be notified of the Committee's decision on resolutions in list 1, so that they should not spend time and energy in preparing reports on such resolutions.

The CHAIRMAN stated that the Committee's decision was subject to ratification by the Economic and Social Council, but that it would recommend that the Council should give the matter its early consideration. Moreover, the Committee's report would be circulated to Governments, which might draw their own conclusions from it.

/He called

He called for comments on list 2.

Mr. LEDWARD (United Kingdom) said that Assembly resolution 212 (III) which had been superseded by a resolution of the Assembly's fourth session should logically appear in list 1. It had doubtless been placed on list 2 because it was of a general nature and did not make any specific recommendations. It raised the question of similar resolutions, which issued an appeal to Governments in the form of an invitation, rather than of a request. If such resolutions were excluded from the reporting procedure established by the Committee, it might cause difficulty in drafting future resolutions, because it would make it necessary to depart from the voluntary principle in the wording of appeals for contributions.

Mr. YATES (Secretariat) agreed that it was a matter for consideration to what extent resolution 212 (III) had been superseded by a resolution of the Assembly's fourth session. He understood that it had been included in list 2 because part of it was really analogous to resolutions in category 3 of document E/AC.31/L.6 in that it did not require the subject of inquiries to Governments, since the Secretary-General would know whether Governments had subscribed money or not.

Mr. AZKOUL (Lebanon) felt it would create an unfortunate precedent if such a resolution, which recommended concrete action, were to be considered as a general statement of principle, and therefore thought it should be placed on list 1 of E/AC.31/L.10.

It was agreed that resolution 212 (III) should be transferred to list 1  
and that the resolution which superseded it would not be included on either list  
and would be necessary to report on it.

Mr. LEDWARD (United Kingdom) said that resolution A/1102 (IV), which was the Council resolution 222 (IX) A on technical assistance, contained recommendations to governments.

/s/ The CHAIRMAN

The CHAIRMAN said that resolutions on which it would be difficult to report had been included in list 2, and he felt that resolution A/1102 (IV) was in that class. Although reports on it would not be requested in the Secretary-General's periodic request for information, it would be reported on by the Technical Assistance Committee and the Technical Assistance Board, and the Council would thus be able to study its implementation in a different way.

It was decided that resolution A/1102 (IV) should be deleted from the list.

Mr. CATES (United States of America) proposed that Assembly resolution 133 (II) should be deleted from the list. The information received under it would be useful in the expanded programme of technical assistance.

Mr. AMANRICH (France) suggested that if resolution A/1102 (IV) of the General Assembly was deleted, resolution 133 (II) should also be deleted as it was complementary to the former.

Mr. YATES (Secretary) explained that that resolution had been superseded to some extent because action was being taken and reported to the Council particularly by the ECE and the International Labour Organisation. Further reports on the basis of that resolution were not, therefore, necessarily required.

Mr. AZKOUL (Lebanon) thought that the reply of the representative of the Secretary-General showed the need for broadening the title of list 1. The wording of resolution 255 (IX), sub-paragraph (b) of the operative part should be used and extended to describe specific reasons why no further reports were needed. That would obviate the confusion between resolutions stating general principles and resolutions on which no further action was needed for other reasons. Assembly resolution A/1102 (IV) would be placed in list 1, not because it had been superseded, but because it was being implemented by other means. Similarly, Assembly resolution 133 (II) would be included because its implementation had passed mainly into the province of ILO. The list might be annotated with explanations of the reasons for which no further reports were needed in connexion with each of the resolutions concerned.

/Mr. CATES

Mr. CATES (United States of America) pointed out that the Committee had not yet determined in what category the resolutions in list 2 fell. Some of them contained specific requests for reports, others requested reports under special procedures.

Mr. LEDWARD (United Kingdom) said that he thought that the Committee had accepted the Chairman's suggestion that the Secretary-General, when circulating resolutions to Governments, would exclude two categories, namely, those couched in such wide or general terms that they were not suitable for specific reports and those requesting information which he obtained by other means.

General Assembly resolution A/1102 (IV) might be regarded as being covered by resolution 255 (IX), sub-paragraph (b), but might be placed in some other list which would contain resolutions requesting information which the Secretary-General obtained by other means. That, however, would not solve the problem whether invitations to Governments differed from recommendations. It was desirable that the list should be as broad as possible, but that difficulty might arise when resolutions were drafted in the future. In such drafting due regard might not be paid to the principle implicit in voluntary appeals for funds. The Committee decided to exclude that type of resolution from the category of those on which specific reports were needed.

The CHAIRMAN observed, in connexion with the Lebanese representative's request for an annotated list, that the Committee would find some difficulty in giving its reasons for including each of the resolutions concerned.

Mr. AZKOU (Lebanon) objected that the Economic and Social Council would wish to know those reasons. If the Committee provided an annotated list, the Council would be spared a great deal of unnecessary discussion.

Mr. GERNYKHIN (Union of Soviet Socialist Republics) pointed out that the Economic and Social Council had instructed the Ad Hoc Committee merely to list resolutions which did not require further reports. The Committee, therefore, was under no obligation to give its reasons for such decisions.

/Mr. CATES

Mr. CATES (United States of America) felt that the Committee should adhere to its terms of reference under resolution 255 (IX) as closely as possible. The list should be very specific and should include only those resolutions upon which no further reports were needed.

The CHAIRMAN felt that General Assembly resolution 133 (II) might be placed more appropriately in list 1, but agreed with the United States representative's request for its deletion from list 2. He suggested, furthermore that requests for information in connexion with General Assembly resolution A/1195 (IV) should not be circulated biennially, but at a shorter interval on an ad hoc basis.

It was agreed that General Assembly resolutions 133 (II), should be removed from list 2 to list 1 and A/1102 (IV) and A/1195 (IV) should be deleted.

Mr. CATES (United States of America), returning to list 1, pointed out that Council resolutions 67 (V), 123 (VI)A, 48 (IV) and 120 (VI)E were types of resolutions which contained requests for information other than specific information on their implementation. The Committee did not yet know whether reports would be supplied. The Committee's decision that they should not be circulated would not prejudice their circulation under the terms of the resolutions themselves.

Mr. LEDWARD (United Kingdom) explained that Council resolution 67 (V) had been placed on the list on the proposal of his delegation because the Fiscal Commission was engaged in a study on double taxation and further reports would be unnecessary unless that Commission required them.

It was agreed that Council resolution 67 (V) should be deleted.

Mr. CATES (United States of America) explained that Council resolution 123 (VI)A belonged to the type of resolution under which the Secretary-General received annual reports.

Mr. AZKOUL (Lebanon) thought that such resolutions had been included incorrectly in list 1 because due regard had not been paid to the essential purpose of the Committee: to see that all resolutions which were no longer of concern to the United Nations were deleted once and for all from its agenda. In the light of that consideration, list 1 might be redrafted. /The CHAIRMAN

The CHAIRMAN pointed out that resolution 123 (VI) A simply amounted to an exhortation to implement other resolutions.

Mr. RUZDINSKI (Poland) observed that the title of resolution 123 (VI) A was misleading; the resolution did not call for the submission of reports but was merely intended as a reminder that reports were due on a certain date. It was agreed that Council resolution 123 (VI) A should be retained.

The CHAIRMAN observed that Council resolutions 48 (IV) and 120 (VI) E referred specifically to time limits in 1947 and 1948 and had been superseded by decisions taken at the eighth session of the Economic and Social Council.

Mr. CATES (United States of America) wondered whether it would be possible for the Secretary-General automatically to remove from circulation resolutions which had been superseded.

Mr. YATES (Secretariat) observed that frequently only parts of resolutions were superseded. Council resolution 123 (VI) E, for example, was regarded by the Narcotics Division as valuable, whereas resolution 123 (VI) A became obsolete.

It was agreed that Council resolutions 48 (IV) and 120 (VI) should be kept on the list and that Council resolution 123 (VI) E should be deleted.

The CHAIRMAN requested the Committee to return to the examination of item 2.

Mr. CATES (United States of America) proposed that General Assembly resolution 55 (I) should be transferred to list 1. It was so decided.

The CHAIRMAN suggested that General Assembly resolution 208 (III) (E/31/1, page 47) should be added to list 1, because it was so general that to submit reports in connexion with it would be almost impossible.

/Mr. LEEDWARD



Mr. LEDWARD (United Kingdom) suggested that General Assembly resolution A/1146(IV) might contain grounds for the submission of reports owing to the reference to inter-governmental agencies.

Mr. YATES (Secretariat) pointed out that the basic resolution, Council resolution 262(IX), would remain operative.

Mr. LEDWARD (United Kingdom) agreed to the inclusion of resolution A/1146(IV) on that understanding.

Mr. AZKOUL (Lebanon) thought that Governments were asked to supply information on specific measures in the field of social security in Council resolution 241(IX) K.

The CHAIRMAN observed that the resolution was somewhat vague. It could be argued that the resolution contained only a general recommendation

Mr. AZKOUL (Lebanon) said that he believed that Governments which implemented the social security provisions with specific legislation would be anxious to report that.

Mr. YATES (Secretariat) said there was a double difficulty of interpretation. The resolution raised the question of social security measures as a whole and in addition it was phrased as an invitation to Governments although it was not clear whether it amounted to a recommendation.

Mr. AZKOUL (Lebanon) observed that the doubt expressed by the representative of the Secretary-General showed clearly that the Committee could only with difficulty make distinctions between the various terms in which the Economic and Social Council couched its recommendations. His own Government would always regard an invitation as tantamount to a recommendation. If that had been the only difficulty involved, he would propose the inclusion of that resolution in category 4.

/Mr. LEDWARD

Mr. LEDWARD (United Kingdom) believed that two questions of principle were involved. Firstly, the question whether an invitation was not in fact a recommendation and second, whether the recommendation was not covered by broader resolutions dealing with social security. The Secretariat might investigate the latter question and perhaps extend its implications to other fields. If the second principle applied to resolution 241(IX) K, it should be included in the list; if the first applied, it should be deleted.

The CHAIRMAN thought that both principles might apply.

It was agreed that resolution 241(IX) K should be retained in the list.

Mr. CATES (United States of America) observed that the members of the Committee were essentially in agreement on category 1. He would suggest that Council resolutions 226(IX) D, 248(IX) A, 246(IX) E and 246(IX) G fell within category 4.

At the following meeting he would suggest the inclusion in document E/AC.31/L.10 of Council resolutions 208(VIII), 227(IX) D and 159(VII), General Assembly resolution 279(III) and, as the Chairman had proposed, 208(III).

The meeting rose at 1.10 p.m.