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COMMITTEE ON ARRANGEMENTS FOR CONSULTATION
WITH NON-GOVERNMENTAL ORGANIZATIONS

LETTER FROM MR. LOUIS SAILLANT, SECRETARY-
GENERAL OF THE WORLD FEDERATION OF TRADE
UNIONS TO THE SECRETARY-GENERAL OF THE
UNITED NATIONS

(Circulated to the members of the Council
for information, in conformity with the
report (Section IV, paragraph 2) of the
Committee on Arrangements for Consultation
with Non-Governmental Organizations
(E/43/Rev.2, 1 July 1946)).

/WORLD

WORLD FEDERATION OF TRADE UNIONS
1, Rue Vernet, 1,
Paris (8)

Paris, 3 July 1947

Mr. Trygve Lie;
Secretary-General of the
United Nations,
Lake Success, New York

Sir:

The General Council of the World Federation of Trade Unions, meeting at Prague from 9 to 14 June 1947, unanimously adopted a resolution which I hereby have the honour to bring officially to your notice.

This document calls for the following comments and explanations:

A. For a long time past the World Federation of Trade Unions has been endeavouring to obtain a representation on the Economic and Social Council commensurate with its ever increasing responsibilities and its wide-spread activities, the utility and efficacy of which are universally recognized.

The present juridical status of the World Federation of Trade Unions in relation to the Economic and Social Council is far from satisfying the organized workers of the world who expected a frank and extensive co-operation with the deliberative organs of the United Nations.

Without prejudice to the rights of other organizations in Category A, we for our part consider that certain of our rights which have not hitherto been contested should be given effective and concrete implementation.

1. The United Nations General Assembly on 15 December 1946, recommended "to the Economic and Social Council that it give to the World Federation of Trade Unions the right to submit to the Economic and Social Council questions for insertion in the provisional agenda, in accordance with the procedure now applicable to specialized agencies."

/At its

At its session of March 1947 the Economic and Social Council gave effect to this recommendation by modifying its rules of procedure (see document E/33/Rev.3).

2. We consider that the rules of procedure of the Economic and Social Council in their present form are unsatisfactory to us because they do not assure the effective exercise of the right accorded us by the General Assembly.

3. Under Rule 4 of the rules of procedure, the Economic and Social Council shall hold a session if the Security Council, Trusteeship Council, or any Member of the United Nations, or a specialized agency makes a request and the President of the Council agrees to this request.

The World Federation of Trade Unions should be given the right accorded to specialized agencies. Indeed, this right is only the corollary to that accorded us in conformity with the above-mentioned recommendation of the General Assembly. In cases of extreme urgency, the right to submit questions for insertion in the agenda can only be effective if it is accompanied by the option to request the immediate convocation of the Economic and Social Council.

Hence, Rule 4 of the rules of procedure should be altered accordingly.

4. Rule 14 of the rules of procedure of the Economic and Social Council admits our right to speak before the Agenda Committee on questions we have proposed for insertion in the provisional agenda.

The report of the Agenda Committee can indeed have a decisive influence on the Council's proceedings. The latter might take a decision without having heard us, and perhaps without a full knowledge of all the relevant arguments. We consider that we should have the right to participate in the deliberations of the Council in plenary session whenever it discusses the removal from or retention on the agenda of a question proposed by the World Federation of Trade Unions.

/The present

The present drafting of Rule 14 of the rules of procedure produces, moreover, a veritable legal anomaly.

By virtue of the agreements concluded with the Economic and Social Council, the specialized agencies have the right to participate in the Council's deliberations with respect to items on its agenda in which the specialized agencies have indicated their interest.

This provision, the justification of which we recognize, gives specialized agencies the opportunity of speaking before the Council in support and defence of their point of view, whatever the decision of the Agenda Committee.

This is not so in the case of the World Federation of Trade Unions, which can only speak in plenary session on the recommendation of the Council NGO Committee.

In order that the General Assembly's recommendation of 15 December 1946 according us the same rights as specialized agencies should be properly implemented, the Council should accord the World Federation of Trade Unions the right to participate fully in deliberations concerning the agenda whenever the World Federation of Trade Unions proposes a question for insertion therein.

5. When a question proposed by the World Federation of Trade Unions has been placed on the final agenda and comes up for discussion as to substance, the same reasons militate in favour of our active participation in the deliberations of the Economic and Social Council.

Indeed, if the right to submit questions for insertion in the agenda is to be effective, the World Federation of Trade Unions must also be given the opportunity, during the debate, of furnishing explanations on the proposed text, and of replying to the arguments which may be invoked against its points of view.

This right is the indispensable and inseparable corollary of the right to submit questions for insertion in the agenda.

/So long as

So long as this right is refused us, the above-quoted recommendation of the General Assembly will not seem to have been applied or to have met with the approval of the Economic and Social Council.

6. The World Federation of Trade Unions also requests that questions placed on the agenda on its proposal should be examined by the Council before any reference to a specialized agency or a commission.

We believe that in acting thus the Council cannot but increase its authority and prestige. Moreover, this procedure would appear to be in conformity with the Charter and the agreements concluded with the specialized agencies.

The Council is a body having wide powers in the economic and social field (Articles 55 and 62 of the Charter). It may make recommendations to specialized agencies, and co-ordinate and control their activities.

The Council defines the main principles of economic and social policy, and it is within this framework that the specialized agencies and the commissions fulfil their essentially technical task.

Consequently, in conformity with the Charter and the agreements concluded with the specialized agencies the Council should, prior to any reference of a question to a commission or a specialized agency, make recommendations and define the direction and sense of the studies to be undertaken. It should also give instructions on the bearing and scope of the study required and perhaps outline the elements of a solution.

In this connection we would mention an argument drawn from the agreements concluded by the Economic and Social Council with the specialized agencies. The article dealing with "recommendations of the General Assembly and the Council" authorizes the Council both to initiate studies and reports and to make recommendations to specialized agencies.

Any other procedure would, indeed, result in removing the question from the Council's preview and in limiting the scope of its task which is to give general direction to economic and social policy. The commissions
/and specialized

and specialized agencies would in such a case appear to be usurping the Council's place.

This method would be the more harmful as it could not prevent gaps and duplication in the international organization, especially when a question is of concern to several commissions and specialized agencies at the same time. This is referred to in a passage of a Social Commission document (E/260/Add.1):

"Here the central body must carry out duties of guidance and co-ordination; it is not enough for the various technical aspects of the problem to be dealt with respectively by several specialized agencies; it is necessary for one body to see the whole problem, for the trend of certain technical studies depend on the general orientation of the activities as a whole; it may even happen that the central body should establish a certain proportion or balance among the various factors which have been taken into consideration."

7. Lastly, we should like to point out that a law still young and in full growth, like international law, should be sufficiently flexible to adapt itself to the changing conditions of a changing world. Between the two wars, the experience of international institutions has proved that hard and fast legal formulas are quickly overtaken, supplemented and transformed by events.

B. On the basis of the foregoing considerations, we have the honour to request the Economic and Social Council, at its next session, to take steps to grant the World Federation of Trade Unions:

1. The right to request the convocation of the Council in special session under the same conditions as those provided in Rule 4 of the rules of procedure of the Economic and Social Council for specialized agencies;

/2. The right

2. The right to participate, in conformity with the procedure at present applied to specialized agencies, in the Council's deliberations concerning:

(a) the adoption of the agenda whenever the removal from or retention on the agenda of a question proposed by the World Federation of Trade Unions is discussed;

(b) the examination of all questions placed on the agenda on the proposal of the World Federation of Trade Unions.

3. At the same time we submit to the Economic and Social Council a resolution laying down that:

The Economic and Social Council, to fulfil entirely its task of co-ordination and direction, should prior to any reference of a question to a commission or a specialized agency, give directives to the body concerned on the sense and scope of the studies to be undertaken and the solution to be worked out.

4. We also request you, Mr. Secretary-General, to be good enough to bring the present note to the attention of the General Assembly of the United Nations at its next session.

In the hope that our requests will receive sympathetic hearing, I have the honour to be, etc.

(sgd). LOUIS SAILLANT
Secretary-General of the WFTU
