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*President:* Mr. S. Amjad ALI (Pakistan).

*Present:* The representatives of the following countries:

Argentina, Belgium, Canada, China, Cuba, Czechoslovakia, Egypt, France, Iran, Mexico, Pakistan, Philippines, Poland, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Observers from the following countries:

Chile, Turkey.

The representatives of the following specialized agencies:

International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization.

**Social activities (*continued*): (a) Development and concentration of the efforts in the social field of the United Nations and the specialized agencies; (d) Preliminary report on the world social situation (E/CN.5/267, E/L.408/Rev.2) (*concluded*)**

[Agenda items 11 (a) and (d)]

JOINT DRAFT RESOLUTION SUBMITTED BY BELGIUM, CUBA, EGYPT, FRANCE, PAKISTAN, THE PHILIPPINES AND THE UNITED STATES OF AMERICA (E/L.408/Rev.2)

1. Mr. SUMMERS (Canada) asked the authors of the joint resolution (E/L.408/Rev.2) whether they would be prepared to delete the words "to the Social

Commission and" in paragraph 5, so that the Secretary-General's suggestions might be submitted directly to the Council.

2. Mr. KOTSCHNIG (United States of America) thought that by deleting the words mentioned by the Canadian representative the Council would to a certain extent infringe the terms of reference of the Social Commission. According to those terms of reference, the Commission should advise the Council on practical measures to be adopted in connexion with social questions. The authors of the draft resolution had taken into account the Canadian delegation's views by providing that the preliminary report on the world social situation (E/CN.5/267) would, in the first instance, be communicated to the specialized agencies. The Secretary-General would make any helpful suggestions arising out of the observations made by the agencies to the Social Commission, which would then advise the Council.

3. Mr. SUMMERS (Canada) agreed that the joint draft resolution, as amended, corresponded to a large extent to his delegation's views. His delegation would have preferred the Secretary-General's suggestions to be submitted direct to the Council but, in a spirit of compromise, it was prepared to vote for the joint draft resolution. His delegation would therefore withdraw its own draft resolution (E/L.435), a decision which automatically entailed the withdrawal of the second Canadian draft resolution (E/L.436) on agenda item 11 (d).

4. Mr. SALAH-UD-DIN (Pakistan) pointed out that two very useful amendments submitted by the Belgian delegation (E/L.413/Rev.1) had been included

in the joint draft resolution. In the first place, in paragraph 2, the Council drew the attention of Member States to the preliminary report and invited their suggestions and recommendations. He was sure that those suggestions and recommendations would be of great value. Secondly, in paragraph 6, the Council authorized the Social Commission to hold its regular session in 1953. The Council thus indicated to the Commission the importance it attached to the question.

5. He drew the Council's attention to paragraph 5 of the joint draft resolution. The governing bodies of the specialized agencies might not meet in time to submit suggestions to the Social Commission in 1953. The Council had therefore invited the Secretary-General to submit suggestions in consultation with the executive heads of the specialized agencies concerned.

6. Mr. RODRIGUEZ FABREGAT (Uruguay) would have preferred the draft resolution to be framed in more positive terms and to lay greater emphasis on the need for the adoption as quickly as possible of a procedure for examining the problem. In particular, he pointed out that although paragraph 3 contained important provisions, they were purely theoretical in nature. It was true that the Council had made some progress by recognizing the ideas set out in that paragraph, ideas that were implicit in the Universal Declaration of Human Rights.

7. His delegation would vote for the joint draft resolution, for it was sure that at the next session the Secretary-General would submit suggestions which would enable the Council to take concrete decisions.

8. The PRESIDENT put to the vote the revised joint draft resolution submitted by Belgium, Cuba, Egypt, France, Pakistan, the Philippines and the United States of America (E/408/Rev.2).

*The joint draft resolution was adopted by 15 votes to none, with 3 abstentions.*

**Social activities (continued): (b) Report of the Social Commission (eighth session) (E/2247): report of the Social Committee (E/2305)**

[Agenda item 11 (b)]

9. The PRESIDENT invited the Council to examine the report of the Social Committee (E/2305). He pointed out that the Social Committee had decided to refer to the Council the resolution contained in paragraph 142 of the Social Commission's report. He invited the views of members of the Council on the procedure to be followed with regard to the resolution.

10. Mr. KOTSCHNIG (United States of America) pointed out that in the resolution the Social Commission drew the Council's attention to a number of questions. The Council had already studied those questions carefully and had taken certain decisions on them. Consequently the resolution called for no special decision on the part of the Council.

11. Mr. RODRIGUEZ FABREGAT (Uruguay) expressed concern with regard to the results of the procedure suggested by the United States representative. It would be most regrettable if no action were taken on a draft resolution submitted to the Council by the Social Commission. His delegation, on the contrary, was ready

to give serious consideration to the text of the resolution.

12. Mr. MUÑOZ (Argentina) shared the Uruguayan representative's view. The Social Commission's resolution made recommendations concerning problems to which the Council attached great importance. The Council should therefore at least take note of the resolution and indicate that all the questions raised in it continued to receive its attention.

13. The PRESIDENT remarked that action might be taken on the Argentine representative's suggestion either during examination of draft resolution II A (E/2305), or during the study of draft resolution II F in the report of the Social Committee (E/2305).

14. Mr. RODRIGUEZ FABREGAT (Uruguay) suggested that in draft resolution II A the Council might take note "with satisfaction" of the report of the Social Commission.

15. Mr. KOTSCHNIG (United States of America) recalled that the Council had recently found itself in difficulties because it had not yet studied the report of the Co-ordination Committee (E/2306). That report showed that at its current session the Council would have done more than take note of the Social Commission's recommendations. The Commission had requested the Council to give particular attention to certain questions, and the answers to those questions were reflected in the list of United Nations priority programmes drawn up by the Co-ordination Committee (E/2306, chapter II).

16. He therefore proposed the addition at the end of paragraph 2 of draft resolution II F of the following phrase: "and chapter II (United Nations priority programmes) of the report of the Co-ordination Committee (E/2306), as adopted by the Council". The Social Commission would thus know that the Council had acted on its recommendations and receive further guidance from the Council's list of priorities.

17. Mr. SAKSIN (Union of Soviet Socialist Republics) thought that there was no need for the Council to take a special decision on the Social Commission's resolution, since the resolution was included in the Commission's report, of which the Council would take note.

18. Mr. ABDOH (Iran) felt there was a close connexion between draft resolution II F and chapter II of the report of the Co-ordination Committee. That being the case, he proposed that the Council should postpone consideration of the draft resolution until it studied the report of the Co-ordination Committee.

19. Mr. SAKSIN (Union of Soviet Socialist Republics), fully supported the Iranian representative's proposal.

*The proposal was adopted.*

20. Mr. NOSEK (Czechoslovakia) proposed that consideration of draft resolution II A should also be postponed.

*It was so agreed.*

21. Mr. RODRIGUEZ FABREGAT (Uruguay) drew the Council's attention to a question he had already raised in the Social Committee. As indicated in paragraph 6 of the report of the Social Committee

(E/2305), he had raised the question of setting up a working party to study, together with the Secretary-General, the terms of a possible international covenant for the purpose of creating safety areas for the protection of women and children in the event of war or armed conflict. He thought the Council might study that question as part of the item on social activities. He also recalled that when the Council had been studying the report of the Economic Commission for Latin America (596th meeting), he had urged the adoption of resolutions for the protection of children against famine. He further referred to the discussion which had taken place on the report of the United Nations Educational, Scientific and Cultural Organization to the Council (616th and 617th meetings). His delegation had then commented favourably on a UNESCO resolution authorizing the Director-General of that agency to study a draft international convention for the protection of historical monuments and works of art in case of war. If it was considered, and with reason, that works of art should be preserved, there could be no valid excuse for refraining from protecting the children who were to perpetuate human genius for future generations; they must be protected and preserved from the scourge of war. In that connexion he referred to the devastation caused by the Second World War. One-third of the members of the civilian population who had been wounded and mutilated had been women and children. The war had been accompanied by acts of racial persecution which surpassed the limits of human imagination; 1,500,000 Jewish children had perished in gas chambers and crematoria. But while it was possible to count the dead and wounded of a war, no statistics could help to assess the consequences of the indelible imprint with which the war had marked for the rest of their life millions of innocent victims.

22. For that reason, even if the idea of a future war were set aside, he thought the possibility of concluding an international covenant to create safety areas for women and children in the event of war should be studied. It was a problem of general interest and he hoped that the Council would not be indifferent to it.

23. The PRESIDENT said the Council would have to decide whether the question raised by the representative of Uruguay could be considered as part of item 11 of the agenda or should be studied as a new item.

24. Mr. SUMMERS (Canada) recognized that the Uruguayan representative had raised a question of the utmost importance, but he felt that it could hardly be taken up in connexion with the current debate.

25. Mr. SAKSIN (Union of Soviet Socialist Republics) observed that while the question was important, it was not on the agenda of the Council's current session, which was already heavy enough. He doubted whether it fell within the competence of the Economic and Social Council. The drafting of an international covenant or the determination of safety zones pertained much more to the work of the Legal Department of the United Nations than to that of the Council. The question was a very complex one and might also fall within the purview of the Security Council or the International Red Cross.

26. Apart from that, it was alarming to hear the representative of Uruguay refer to the danger of a new conflict. It would be better to carry on with the fight for

peace than to become inured to the idea of an inevitable war. Implied in that fight for peace was the need to ensure that the Nazi war criminals who had been imprisoned for their guilt in murdering the 1,500,000 children, as mentioned by the representative of Uruguay, should serve out their sentences. Yet, some German war-criminal generals had been pardoned and, if given the opportunity, would be able to repeat their crimes. It was a deplorable situation and he was surprised that it seemed to leave the representative of Uruguay unmoved. The delegation of the USSR was just as concerned as that of Uruguay about the safety of women and children but the best way to ensure their safety was to prevent war. In view of the complex nature of the problem, he felt that the Council should adhere to its agenda.

27. Mrs. CISELET (Belgium) fully agreed that the question raised by the representative of Uruguay was an important one. However, while it deserved careful consideration, she did not think that it was connected with the problems that were being discussed. She agreed with the Canadian representative and thought that it would be advisable to defer its consideration to a later session.

28. Mr. RODRIGUEZ FABREGAT (Uruguay) took the view that the question he had just raised was perfectly in order under item 11 of the agenda and said that his Government would decide whether to bring the question before the Council at a later date.

**Co-ordination of the work of the United Nations and the specialized agencies: (a) Report of the Administrative Committee on Co-ordination; (b) Review of 1953 programmes and adoption of United Nations priority programmes in the economic and social fields (Council resolution 402 (XIII)) (E/2161 and Corr.1, E/2203, E/2204, E/2306)**

[Agenda item 33]

29. The PRESIDENT invited Mr. Pollock, Chairman of the Co-ordination Committee, to address the Council.

30. Mr. POLLOCK (Chairman of the Co-ordination Committee) said that in the course of its work the Co-ordination Committee had reviewed the development of co-ordination between the United Nations and the specialized agencies and had examined the procedures used in the Secretariat and the specialized agencies to harmonize their work and to eliminate duplication and overlapping.

31. The Co-ordination Committee had devoted itself especially to the examination of the question of priorities which it had assigned to a working party. Progress had been made in that field and it appeared that further progress could be expected. Paragraph 9 of the report (E/2306) listed the factors which should be taken into consideration in establishing priorities and the list of priority programmes would be found in paragraph 10 of the report. The Co-ordination Committee had reviewed the programmes of the United Nations and the specialized agencies and the results of that review were given in paragraphs 11 to 15 of the report. It had also studied the question of common arrangements between the United Nations and the specialized agencies with regard to postal matters. The Committee had completed

its work by submitting draft resolutions A and B which would be found in the appendix to the report and which had been adopted by 14 votes to none, with 3 abstentions, and 14 votes to 3 with 1 abstention respectively. He hoped that the Council would adopt these two draft resolutions.

32. Mr. SAKSIN (Union of Soviet Socialist Republics) reserved the right of his delegation to discuss the Co-ordination Committee's report at the next meeting. It would probably wish to submit amendments.

33. Mr. KOTSCHNIG (United States of America) said that his Government was particularly interested in the question of priorities. To enable the United Nations and the specialized agencies to combine their efforts and resources so as to achieve maximum results at minimum expense, their principal common tasks should be defined. To avoid budgetary increases two procedures were possible: one was to set arbitrary ceilings and the other was to study all the programmes and determine which of the most urgent questions could be taken up within the means available. The Co-ordination Committee had followed the latter procedure.

34. The list of priority programmes established by the Co-ordination Committee did not satisfy the United States delegation entirely. Some of the objectives, such as "accessibility to cultural life" or "scientific education and research", were much too broad to be included in a list of priorities. He was happy to point out, however, that the list represented a considerable advance towards the concentration of efforts and resources and he wished to congratulate the Co-ordination Committee and its Chairman on that fact. The United States delegation would vote for the draft resolutions before the Council.

35. Mr. MICIANEK (Sweden) said that his delegation would make some observations on the Co-ordination Committee's report at a later meeting.

36. Mr. SUMMERS (Canada) indicated how much importance his delegation attached to the establishment of a list of priorities. While he shared the doubt of the United States representative concerning some of the priority programmes, he felt that the list represented an undeniable step forward. He would therefore vote for the draft resolutions submitted to the Council.

37. Mr. AMANRICH (France) said that it was difficult to make an exact evaluation of the work of the Co-ordination Committee at each session as such work was part of a long-term process. He felt, however, that the Co-ordination Committee deserved to be congratulated on what it had done. The French delegation would therefore vote in favour of the two draft resolutions proposed by the Committee.

38. The PRESIDENT associated himself with all the speakers who had expressed their satisfaction to the Chairman of the Co-ordination Committee. He informed the Council that discussion of the item would be resumed at the next meeting.

#### **Communications containing complaints against governments (E/2270)**

[Agenda item 48]

39. The PRESIDENT invited the members of the Council to consider the report of the Committee on Non-

Governmental Organizations on communications containing complaints against governments (E/2270).

40. Mr. CREPAULT (Canada) said that his delegation approved the report of the Committee on Non-Governmental Organizations and would support the draft resolution which it recommended to the Council for adoption (E/2270).

41. Mr. BRACCO (Uruguay) (Acting Chairman of the Committee on Non-Governmental Organizations) said that the Uruguayan delegation did not approve the conclusions of the majority report submitted by the Committee. The interpretation given in that report to Council resolutions 75 (V) and 288 B (X) placed the non-governmental organizations in an unfavourable position as regards complaints relating to violations of human rights. The decision of the Committee on Non-Governmental Organizations to deal with that type of complaint according to the procedure laid down in resolution 75 (V) was unjust, for under the provisions of resolution 288 B (X), all communications from non-governmental organizations concerning human rights should be reproduced and circulated to Member States. In future that would no longer be the case and only those non-governmental organizations having representatives in New York and which could therefore participate orally in the debates of the Council would be able to submit a complaint against a government when the need arose. The non-governmental organizations not having representatives in New York would therefore find themselves in a less favourable position as compared with the other organizations.

42. The Uruguayan delegation thought that the non-governmental organizations already met with sufficient obstacles in carrying out their functions and that fresh obstacles should not be placed in their way. He recalled that it was the Committee on Non-Governmental Organizations which granted consultative status in one category or another to non-governmental organizations and determined whether they should be heard by the Council; the organizations themselves did not have the right to appeal directly to the Council in such matters, and the Council could, furthermore, deprive them of consultative status at any time.

43. The new procedure was likely to make the position of the non-governmental organizations in the United Nations even more precarious. The Uruguayan delegation thought that the solution recommended by the Committee on Non-Governmental Organizations would not contribute either to increase the prestige of the United Nations or to encourage the non-governmental organizations to continue to participate in the work of the various organs of the United Nations with the zeal and enthusiasm they had displayed in the past.

44. Miss SENDER (International Confederation of Free Trade Unions) recalled that the current debate had arisen out of a request from the Secretariat for guidance on how to deal with complaints concerning human rights in which governments were involved. The ICFTU recognized the difficulties which arose in that connexion and was prepared to co-operate fully with the Council in order to reach a satisfactory solution, but it could not accept the radical recommendation of the Committee on Non-Governmental Organizations which was prejudicial to the non-governmental organizations

in consultative status and indefensible from a legal viewpoint.

45. The Committee on Non-Governmental Organizations recommended that communications on violations of human rights containing complaints against governments should be handled according to the procedure laid down in Council resolution 75 (V); in other words no action whatsoever would be taken on those communications.

46. The provisions of resolution 75 (V) had never been intended to cover non-governmental organizations in consultative status but related solely to petitions from private persons or organizations. In 1950 when the Council had adopted resolution 288 B (X), which contained new provisions intended to govern consultation with non-governmental organizations, it had made no reference to resolution 75 (V) and had not cited it among the earlier resolutions enumerated in resolution 288 C (X), which the new text was in some respects replacing.

47. The recommendation of the Committee on Non-Governmental Organizations was an innovation which would severely limit the rights of non-governmental organizations having consultative status. Obviously, steps should be taken to avoid abuses, but it would be a serious mistake to limit the right of the non-governmental organizations to submit communications concerning human rights under the pretext of preventing certain of those organizations from abusing the privileges granted to them.

48. She was authorized to state that the International Federation of Agricultural Producers fully shared the viewpoint of the ICFTU.

49. The solution recommended by the Committee on Non-Governmental Organizations might offer the simplest means of solving the difficulties which arose, but it was not based on law and was not consonant with the spirit of resolution 288 (X), according to which it was considered that consultations between the Council and its subsidiary organs and the non-governmental organizations should be developed to the fullest practicable extent. The ICFTU feared lest that recommendation represented a new effort to reduce the prerogatives of accredited non-governmental organizations to the point where the system of consultation would no longer be effective. She mentioned previous decisions on that subject: non-governmental organizations in category A were no longer entitled to speak in the Council on decisions taken by the Committee on Non-Governmental Organizations on items which they proposed for inclusion in the Council's agenda; complaints on violations of trade-union rights were referred to the International Labour Organisation without prior consideration by the Council; lastly, there was an increasing tendency in the various bodies to meet in closed session, as had occurred recently in the Committee on Restrictive Business Practices.

50. True, the non-governmental organizations did not always share the views of delegations. That was inherent in the very nature of the relationship between them and that fact could only strengthen the efficacy of the United Nations work. If the organizations always agreed with the majority, they would not usefully be fulfilling their consultative functions. It was none the

less true that the representatives of non-governmental organizations had no other desire than to help the United Nations to reach the common goal, to promote the freedom and well-being of peoples everywhere. They were completely loyal to the United Nations and determined to act in all circumstances with tact and with a full sense of their responsibilities.

51. Mr. KOTSCHNIG (United States of America) thought that a few points should be made clear.

52. The Committee on Non-Governmental Organizations was suggesting that the Council should deal with communications on human rights according to the procedure laid down in resolution 75 (V). That would mean, with certain exceptions to be mentioned later, that henceforth all complaints on human rights would receive the same treatment, whether they emanated from private persons or non-governmental organizations with or without consultative status. The United States delegation could only support that decision, for it attached great importance to everything that concerned human rights and consequently thought that no distinction based on origin should be made between the complaints received. That however was what would happen if all complaints from non-governmental organizations in categories A and B regarding alleged violations of human rights should be governed by the provisions of resolution 288 B (X), while other communications were dealt with according to the procedure laid down in resolution 75 (V). Moreover, the Committee on Non-Governmental Organizations might become a complaints board, a function that did not belong to it and that it was not competent to assume.

53. Lastly, he drew the Council's attention to the fact that in the existing circumstances, in the absence of any binding legal instrument defining human rights, the Council could hardly do anything when faced with a complaint on the violation of those rights. Until the covenants on human rights had been completed and measures of implementation had been adopted, neither the Council nor any of its subsidiary bodies could take useful action on the complaints addressed to them and their forced inaction was bound to affect the prestige of the United Nations.

54. He denied that the procedures proposed would result in limiting the prerogatives of non-governmental organizations. On the contrary, the proposal of the Committee on Non-Governmental Organizations confirmed the right of the non-governmental organizations to bring complaints against governments. That right had never been clearly established and quite recently the Committee on Non-Governmental Organizations had had an opportunity, in connexion with a complaint on a trade matter, to discuss the question whether such complaints were receivable. Far from endangering the prerogatives of the non-governmental organizations the recommendation of the Committee on Non-Governmental Organizations confirmed them in that respect.

55. Furthermore, it was not intended that the procedures proposed by the Committee on Non-Governmental Organizations should supersede the special procedures laid down by the Council for the handling of special types of violations of basic rights. Thus, the proposal would not affect in any way the right of non-governmental organizations under resolution 277 (X)



to present complaints regarding violations of trade-union rights and to have them publicized. The proposal also left intact the procedures established by the Council at its twelfth session regarding the treatment of forced labour issues, which constituted violations of human rights. Finally, the right of organizations in category C to propose items on any subjects within the competence of the Council and the non-governmental organizations in category A for inclusion in the provisional agenda of the Council remained unaffected.

56. In conclusion he wished to point out to the ICFTU representative that while it was important not to harm the interests of the non-governmental organizations—and he had just shown that far from harming them the recommendation of the Committee on Non-Governmental Organizations strengthened them in a sense—it was even more important that the position of the United Nations itself should not be weakened.

57. Mr. SAKSIN (Union of Soviet Socialist Republics) recalled that the USSR delegation had made its position known on the matter before the Council during the discussion on item 46 of the agenda and he would therefore limit himself to a few brief comments.

58. The Charter, which defined the competence and the functions of the Council, contained no provision authorizing the Council to examine communications from non-governmental organizations containing complaints against governments. Moreover, Article 71 of the Charter and resolutions adopted by the Council itself on the subject of consultations with non-governmental organizations made it clear that such consultation should take place only on matters within the competence of the Council. The basic texts therefore excluded in advance the consideration of any complaint from non-governmental organizations. The Charter provided for only one category of complaints, namely, petitions relating to the Trust Territories and they concerned the Trusteeship Council. As regards other complaints or petitions, he pointed out that most States had an administrative or judicial body to deal with them and the non-governmental organizations could address themselves directly

to those bodies. Any other procedure would be tantamount to a violation of the sovereignty of States and interference in their internal affairs and would therefore be contrary to the provisions of Article 2, paragraph 7, of the Charter. It was obvious that the United Nations could not set out on a course contrary to the provisions of the Charter. That was why the USSR delegation would vote against the draft resolution the Committee on Non-Governmental Organizations was submitting in its report (E/2270) for the Council's approval.

59. Mr. MUÑOZ (Argentina) said his delegation, like that of the United States, thought that the "consultations" with non-governmental organizations mentioned in the Charter should be interpreted in the true sense of the word, which would exclude complaints. The Argentine delegation also recognized, as did the USSR delegation, that the Charter, by virtue of Article 2, paragraph 7, explicitly excluded all matters within the domestic jurisdiction of States from the competence of the United Nations and consequently of the Council.

60. Turning to the report of the Committee on Non-Governmental Organizations, he noted that the Committee divided communications containing complaints against governments into two categories, those mentioning violations of human rights, and those dealing with other matters. He feared that that classification might be arbitrary, over-simplified and consequently inaccurate. Moreover, as regards complaints against governments other than those relating to human rights, the Committee on Non-Governmental Organizations proposed a procedure which he considered to be contrary to the basic considerations he had set forth at the beginning of his statement. In that connexion he would like to know whether the provisions of the resolution were to be applied to that category of complaints. He would also like to have a clear explanation of the questions covered in that part of the report. He reserved the right to revert to the matter after he had received those explanations.

The meeting rose at 1.10 p.m.