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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, Netherlands, Turkey.

The representative of the following specialized agency:

International Labour Organisation.

Point of order raised by the delegation of Czechoslovakia requesting intervention by the Council with regard to twenty-seven Spanish trade-unionists (E/L.393)

1. Mr. NOSEK (Czechoslovakia), speaking on a point of order, wished to draw the Council's attention to a gross violation of human rights, trade-union rights and the freedom of association, which was fully within the Council's competence.

2. The previous day his delegation had received a letter from the National Chairman of the Spanish Refugees Appeal in London requesting the United Nations to intercede immediately with the competent Spanish authorities on behalf of twenty-seven Spanish trade-unionists accused of leading the general strike in

Barcelona in March 1951. The trial of those leaders by a military tribunal had just begun and they were threatened with a summary death sentence or a long term of imprisonment. The recent admission of Spain to UNESCO made intervention by the United Nations all the more desirable and appropriate.

3. He therefore submitted the following draft resolution (E/L.393) dealing with the subject, with the request that it should be placed on the Council's agenda under rule 16 of the rules of procedure and that it should be considered forthwith:

"HUMANITARIAN ACTION ON BEHALF OF TWENTY-SEVEN
SPANISH TRADE UNIONISTS

"The Economic and Social Council,

"Drawing attention to the fact that, in violation of the principles of trade-union freedom and of freedom of association, twenty-seven trade-unionists who took a leading part in the general strike which occurred at Barcelona on 12 and 13 March 1951 have been charged before a military tribunal,

"Noting that these twenty-seven trade unionists are threatened shortly to be sentenced to death or to long-term imprisonment,

"Requests the President of the Economic and Social Council to approach without delay the competent Spanish authorities with a view to obtaining the immediate discontinuance of this trial and the immediate release of the twenty-seven trade-unionists now charged before the military tribunal."

4. The PRESIDENT said the Council must decide whether the item proposed by the Czechoslovak representative came within the provisions of rule 16, and whether it was within the Council's competence.

5. Mr. ARKADYEV (Union of Soviet Socialist Republics) said the Czechoslovak delegation had submitted a question of extreme importance which called for urgent action by the Council. The freeing of twenty-seven trade-unionists who had led a strike caused by the legitimate indignation of the working masses at their difficult living conditions and with violations of democratic rights was a matter of life or death.

6. At the sixth session of the General Assembly many letters had been received requesting the Assembly's intercession to save the lives of the people concerned. The fact that the General Assembly had discussed the case had compelled the Spanish authorities to free some of the accused. Twenty-seven, however, had remained in prison, and were about to be tried, not by a civilian court, but by a military tribunal, in which they would not have the benefit of regular legal counsel, but would be arbitrarily condemned, unless international opinion was aroused to save them.

7. The Czechoslovak draft resolution (E/L.393), which his delegation strongly supported, called for the minimum action possible. The Council owed it to itself to act immediately to save the lives of the people involved. The world would not understand a refusal to act.

8. The PRESIDENT said that the Council must decide whether the item should be placed on the agenda before members spoke on the draft resolution.

9. Mr. BIRECKI (Poland) said that when his delegation's draft resolution on the defence of twenty-four inhabitants of Barcelona threatened with capital punishment¹ had been discussed in the Third Committee,² procedural questions had been raised and no decision had been taken. Nevertheless, as the USSR representative had pointed out, the mere fact of its discussion in the General Assembly had forced the Spanish authorities to release some of the persons involved. If any concrete action had been taken by the Third Committee, there might have been no need to raise the question again. The Council should avoid repeating the error and should not allow any procedural manoeuvre to prevent the discussion of the subject.

10. The questions raised by the President were sufficiently answered by the facts. Rule 16 of the rules of procedure referred to urgent and important questions. The trial of the trade-unionists had begun the previous day and the Spanish authorities' judicial procedures, learnt from the Nazis, promised short shrift for the accused. The situation was therefore indeed urgent. A matter of life or death was certainly important.

11. Moreover, the question was certainly within the Council's competence. The Commission on Human Rights at its recent session had discussed, *inter alia*,

the right to life and trade-union rights. The Council should not examine that Commission's recommendations in the abstract but should translate them into action.

12. His delegation appealed to all members of the Council to take unanimous action and prove, by discussing the question and adopting the Czechoslovak draft resolution, that it could act in accordance with the principles of the Charter of the United Nations.

13. Mr. GOROSTIZA (Mexico) said his delegation believed the question raised by the Czechoslovak representative to be within the Council's competence. The lives of a number of workers were in danger and, although there were not sufficient data at hand to prove it, there appeared *prima facie* to have been a violation of trade-union rights. It was certainly a humanitarian case which should be placed on the agenda, whether or not the Council decided to take the kind of action recommended by the Czechoslovak draft resolution.

14. Mr. MUNOZ (Argentina) said his delegation was opposed to the addition to the Council's agenda of a draft resolution such as that submitted by the Czechoslovak delegation, which was tantamount to intervention in the domestic affairs of Spain. An almost identical resolution had been submitted to the Third Committee and had been rejected for obvious reasons. All were in agreement with regard to the humanitarian aspects of the question, but the draft resolution did not cover those aspects alone. His delegation opposed the Czechoslovak delegation's view of the way in which the Council should handle the situation.

15. Mr. ARKADYEV (Union of Soviet Socialist Republics) said the situation was not the same as when the General Assembly had deferred consideration of the question, because in the situation under consideration the trade-union leaders were before a military tribunal, and immediate action was required.

16. It was also incorrect to suggest that the Council was attempting to intervene in the domestic affairs of Spain. Merely to ask the President of the Council to approach the competent Spanish authorities with a view to obtaining the immediate discontinuance of the trial and the release of the accused was a very different thing from intervention.

17. There was therefore no justification for the Council's postponing consideration of the question. On the contrary, it should take advantage of that opportunity to demonstrate its moral authority.

18. Mr. RODRIGUEZ FABREGAT (Uruguay) said that his delegation's attitude in such matters was well known. In view of the fact that his country had abolished capital punishment, it would support intercession to prevent the imposition of a death sentence by a military tribunal.

19. However, while his delegation would not oppose the Council's considering the question itself, it did not consider the terms of the Czechoslovak draft resolution acceptable. He could, however, accept a draft resolution asking for intercession with a view to commuting any death sentences that might be passed.

20. In answer to a question from Mr. LUBIN (United States of America) about the exact action

¹ See *Official Records of the General Assembly, Sixth Session, Annexes*, agenda item 29, document A/C.3/L.203.

² *Ibid.*, Third Committee, 387th, 391st and 392nd meetings.

taken by the Third Committee in connexion with the Polish draft resolution, Mr. SCHACHTER (Secretariat) quoted paragraph 109 of the Third Committee's report on item 29 of the agenda of the General Assembly at its sixth session³ to the effect that the Committee, without considering the substance of the draft resolution, had decided that it was not within item 29, which dealt with the draft international covenant on human rights, and that the Committee was not authorized, under rule 97 of the rules of procedure, to introduce the draft resolution as a new item on its own initiative. The Committee had also noted that the subject-matter of the draft resolution had not been placed on its agenda in accordance with rules 15 and 40.

21. Mr. MUNOZ (Argentina) said that paragraph confirmed the opinion he had first expressed. Contrary to the view of the USSR representative, his delegation believed that the situation was analogous in every way with the one which had arisen in the Third Committee. Exactly the same arguments with regard to the urgency of the matter and the necessity of immediate intervention had then been put forward. His statement was merely intended to explain his opposition to the discussion of the Czechoslovak draft resolution, notwithstanding its humanitarian aspect. He further pointed out that there was room for more than one view on the humanitarian aspect of the question. To try to intervene in a country's domestic affairs would merely make matters worse for the alleged victims and the law should be allowed to take its course in accordance with the constitutional procedure in the country concerned.

22. Mr. BIRECKI (Poland) said that when his delegation had submitted its draft resolution to the Third Committee, there had been a threat to the life of the trade-unionists in question, and his delegation had believed that it was within the competence of the Third Committee to discuss the subject in connexion with its discussion of the draft covenant on human rights. It had then been contended that the threat was hypothetical. There was no longer merely a threat, hypothetical or otherwise, since the accused were before a tribunal. Moreover, the question had been raised in the Council, which was even more competent than the Third Committee to deal with matters related to human rights and trade-union rights.

23. Mr. MUNOZ (Argentina) still opposed the inclusion of the Czechoslovak draft resolution in the Council's agenda because, as it was drafted, it dealt specifically with a specific matter, whereas agenda items were normally framed in general terms. Furthermore, the Council already had on its agenda an item dealing with trade-union rights, under which the Czechoslovak proposal might be considered.

24. Mr. ARKADYEV (Union of Soviet Socialist Republics) said that the trade-unionists might be dead by the time that the Council reached that item.

25. Mr. NOSEK (Czechoslovakia) observed that his draft resolution had been submitted as an item under its own title, not as a sub-item in connexion with the item on trade-union rights. Furthermore, rule 15 of the rules of procedure of the General Assembly differed significantly from rule 16 of the rules of procedure of

the Economic and Social Council; thus, the situation discussed in the Third Committee was not analogous with the situation which the Council was considering.

26. Mr. ARKADYEV (Union of Soviet Socialist Republics) said that there had in fact been a precedent, at the fourth session of the General Assembly, when the President had successfully interceded with the Greek Government against death sentences passed by it.⁴

27. Mr. LUBIN (United States of America) asked the United Kingdom representative whether he had received any information about the alleged trial, since the letter mentioned by the Czechoslovak representative referred to the British Embassy in Madrid.

28. Lord SELKIRK (United Kingdom) said that his delegation had not received any information on the matter.

29. He agreed with other representatives that all members of the Council were actuated by humanitarian motives and wished to see justice prevail, but he doubted whether the Council could properly be asked to take action on a substantive proposal raised as a point of order, particularly when all members were not in full possession of the facts. No information had been adduced other than a letter read out by the Czechoslovak representative.

30. He therefore proposed, under rule 49 of the rules of procedure, that the discussion of the proposal to include the subject-matter dealt with in the Czechoslovak draft resolution should be adjourned to allow delegations to familiarize themselves with the latest developments on that question.

31. Mr. MUNOZ (Argentina) supported that proposal, particularly since the accused party had not yet been heard.

32. Mr. BIRECKI (Poland) did not think that rule 49 could be invoked in that manner.

33. The PRESIDENT said that, in his view, the adjournment of that particular discussion could be moved under rule 49.

34. Mr. GOROSTIZA (Mexico), supported by Mr. RODRIGUEZ FABREGAT (Uruguay), suggested that, should the Council decide eventually to place the item on its agenda, the title should be broadened to some form of words such as "Humanitarian action on behalf of twenty-seven inhabitants of Barcelona", since that would enable members to submit proposals alternative to the Czechoslovak draft resolution.

35. Mr. NOSEK (Czechoslovakia) accepted that change in title.

36. Mr. ARKADYEV (Union of Soviet Socialist Republics) said that the Council could not be expected to defer the consideration of the item until such time as the United Kingdom delegation might or might not have received what it deemed to be adequate information; the victims might be dead long before then. If the United Kingdom representative had any information to the effect that the trial had not begun, he should submit it to the Council in due form.

³ *Ibid.*, Annexes, agenda item 29, document A/2112.

⁴ *Ibid.*, Fourth Session, Plenary Meetings, 268th meeting, and General Assembly resolution 288 C (IV).

37. Mr. FLEMING (United Kingdom) said that his delegation was not asking for any unreasonable delay. The information it required was not only whether the trial was in fact being held, but also substantiation of several other assumptions embodied in the Czechoslovak draft resolution.

38. He suggested that the discussion might be resumed on Tuesday, 8 July 1952, or at any time which the President might be willing to arrange.

39. Mr. ARKADYEV (Union of Soviet Socialist Republics) protested that with modern communications, it need not take so long to receive the requisite information; the matter brooked no delay.

40. The PRESIDENT observed that the Council would not meet again until the afternoon of Monday, 7 July 1952; the discussion could be resumed then. That was the earliest possible opportunity, owing to the intervening holiday.

41. Mr. BIRECKI (Poland) expostulated that the court martial was already in session in Barcelona; that was a yet stronger argument against any postponement. The Council should assume its responsibility and continue the discussion immediately.

42. The PRESIDENT put to the vote the United Kingdom representative's motion to the effect that the Council should adjourn until the afternoon meeting on Monday, 7 July 1952, the discussion of the proposal to include in its agenda the item concerning discontinuance of the trial and release of twenty-seven Spanish trade-unionists, which was the subject of the Czechoslovak draft resolution (E/L.393).

43. Mr. NOSEK (Czechoslovakia) asked that the vote should be taken by roll-call.

A vote was taken by roll-call.

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

In favour: China, Cuba, France, Philippines, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Belgium, Canada.

Against: Czechoslovakia, Poland, Union of Soviet Socialist Republics, Uruguay.

Abstaining: Egypt, Iran, Mexico, Pakistan, Argentina.

The motion was adopted by 9 votes to 4, with 5 abstentions.

Full employment and report of the experts on the problem of reducing the international impact of economic recessions and on measures required to mitigate the effect of fluctuations in international markets on the economies of under-developed countries (Council resolutions 290 (XI), paragraph 19, and 341 A (XII), paragraph 5) (E/2156, E/2189, E/2194, E/L.313, E/L.387, E/L.388, E/L.389 and E/L.390) (continued)

[Agenda item 4]

Economic development of under-developed countries: integrated economic development and commercial agreements (General Assembly

resolution 523 (VI) (E/2243, E/2243/Add.1, E/2243/Add.2 and Corr.1, E/2243/Add.3 and E/2257) (continued)

[Agenda item 5(f)]

44. Mr. AREAN (Argentina) said that his country did not suffer from unemployment, but rather from lack of manpower in agriculture, owing to the drift from the land to the towns as a result of the new industrialization policy. That situation was being remedied by promoting immigration, especially from Italy. The right to work was fully guaranteed by the 1949 Constitution, which was thus consistent with the United Nations Charter. Thus, his Government took the greatest interest in the question of full employment and, in particular, in the report of the group of experts on *Measures for International Economic Stability*.⁵ That report was on the whole excellent, but it was not exhaustive; the study should be continued and more adequate solutions should be sought.

45. The experts' advocacy of commodity arrangements was good as far as it went, but arrangements dealing with primary products should be complemented by arrangements on industrial products, since to concentrate on raw materials would discriminate against the under-developed countries. Long-term arrangements on raw materials would mean that the producers would be tied during their validity and export prices would thus be frozen, while the price of industrial products, such as agricultural machinery, imported by the under-developed countries would be free to fluctuate, with a general upward trend. Statistics of comparative prices gave a somewhat unrealistic picture of the situation, but it was brought home by the vivid analogy made by FAO in the statement that a tractor cost four times as much grain as it had only a few years ago. The problem of prices was the basic one; there should therefore be a balance between import and export goods in all commodity arrangements.

46. The experts advocated a greater international flow of capital. That suggestion was a good one, because domestic savings were not adequate to finance economic development in under-developed countries. An acceptable method of stimulating that flow would be the establishment of a special fund, financed out of public monies, the only source of capital which need not make immediate profits. The Argentine delegation had never been in favour of the proliferation of international bodies, but it could not agree with the statement in paragraph 86 that no new international agency would be necessary to administer a comprehensive scheme of commodity arrangements. If any considerable number of such arrangements came into being, a new agency would be required or a change in the existing agencies, in particular the International Materials Conference, the present composition of which was unsatisfactory. That Conference did not pay sufficient heed to the needs of the under-developed countries and its central group should be universal in membership, and should not be monopolized by a few countries.

47. Undoubtedly it was desirable that monetary reserves should be high, but the matter required further examination. Such reserves could be constituted only

⁵ United Nations Publications, Sales No.: 1951.IIA.2.

by sacrificing the import of capital goods essential to the development of the under-developed countries.

48. Another problem lay in the fact that the under-developed countries exported raw materials at current prices, but, as inflation increased, the foreign exchange thus obtained lost its value, unless it was invested immediately. The time lag injured the under-developed countries and implied that the real selling price was less than it appeared. The experts should pay more attention to that fact.

49. He suggested that the sponsors of the United Kingdom draft resolution (E/L.387) and the joint draft resolution submitted by Cuba and the United States (E/L.389) should see whether they could combine their drafts.

50. Mr. PHARAONY (Egypt) observed that the experts had pointed out that the measures they suggested would be effective only in the case of minor recessions but would be of no avail in a major depression. It was generally agreed, however, that a depression was unlikely to occur in the foreseeable future. The United States representative's optimism and the experts' confidence in future prosperity were reassuring.

51. Economic stability was generally and urgently needed in all parts of the world by both advanced and under-developed countries. Economic development was seriously hampered by fluctuations in demand and payments. Violent fluctuations in primary commodity prices were harmful both to primary producing countries and to industrialized countries, and resulted in economic instability. Under-developed countries, many of which depended entirely on a limited range of exports of primary products, were particularly vulnerable, since any drop in their export receipts seriously affected their development programmes by reducing their imports of manufactured goods and equipment.

52. In order to eliminate, or at least reduce, sharp fluctuations in primary products markets, in the interests of all parties concerned, the experts recommended the conclusion of international commodity arrangements which would tend to ensure a measure of stability in primary commodity markets. Primary producing countries must not only avoid significant fluctuations in the export returns, but also be enabled to secure the receipts to pay for their imports of manufactured goods and equipment vital to their agricultural and industrial development programmes. The cost of raw materials was but one of the many elements entering into the determination of the prices of manufactured goods. If, at any time, a substantial rise occurred in the prices of manufactured goods, while primary commodities were kept within a given price range, primary producing countries would be at a serious disadvantage. For that reason the experts had been directed to give particular attention to the problems of under-developed countries and the need for appropriate relations between the prices of raw materials and essential manufactured goods as a means of ensuring greater economic stability.

53. He agreed with the experts that commodity agreements exerted a stabilizing influence on terms of

trade and ensured a greater measure of stability in international effective demand as a whole. It should be recognized, however, that the stabilization thus achieved could not be complete even in the short run.

54. The experts had considered the question of establishing some kind of systematic international price parity scheme for primary commodities as compared to manufactured goods, but had unfortunately reached the conclusion that such a scheme would be unpracticable and even undesirable. The question was, however, of such importance to the economies of under-developed countries that there was still room for further study designed to achieve an equitable solution acceptable to all concerned.

55. He agreed with the suggestion that individual agreements would be necessary for each commodity separately, in view of the conditions varying in each case. The choice of the type of agreement to be concluded and other such difficult questions should be left to the conferences of experts convened to negotiate agreements on any particular product. The International Wheat Agreement would serve as a useful model.

56. With regard to increasing the international flow of capital as a means of promoting international economic stability, the Egyptian delegation shared the experts' view that the International Bank should be prepared, in the event of a recession, substantially to expand its lending operations in order partially to compensate for fluctuations in private international investment, and particularly to avoid retarding development in the under-developed countries. If such countries were to maintain steady development programmes, they must be able to rely on a larger flow of capital from the Bank in difficult times than in periods of prosperity. While it agreed entirely with the experts' views on the Bank's role in the international flow of capital in case of recession, the Egyptian delegation had some doubts about the suggestion that the Bank should take a part in financing buffer stocks.

57. Turning to the chapter of the report on international monetary reserves, he noted that in most countries those reserves were quite inadequate. Except in the United States, they were now much smaller in relation to trade than they had been in the pre-war period. Accordingly, considerable fluctuation was bound to persist in the foreign exchange receipts of most countries. The Managing Director of the International Monetary Fund had said (584th meeting) that the Fund's resources could provide a second line of reserves to help the governments of member States to meet balance of payments deficits due to a depression abroad. It was, however, true that the basic difficulties to which a depression gave rise could not be overcome merely by the granting of international short-term credit. Several difficult questions, which required further exploration, arose in relation to that problem. It would, however, be most helpful if, in some cases, the Fund were to make its resources more freely available, so long as such action was compatible with its purposes and its fundamental policy.

The meeting rose at 5.35 p.m.