



**ECONOMIC AND SOCIAL COUNCIL**

*Forty-second Session*  
OFFICIAL RECORDS

Tuesday, 6 June 1967,  
at 11.5 a.m.

**NEW YORK**

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**President: Mr. Milan KLUSÁK**  
(Czechoslovakia).

**Present:**

Representatives of the following States, members of the Council: Belgium, Cameroon, Canada, Czechoslovakia, Dahomey, France, Gabon, Guatemala, India, Kuwait, Libya, Mexico, Morocco, Panama, Peru, Philippines, Romania, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela.

Observers for the following Member States: Brazil, Byelorussian Soviet Socialist Republic, Indonesia, Netherlands, Ukrainian Soviet Socialist Republic, Yugoslavia.

Representatives of the following specialized agencies: United Nations Educational, Scientific and Cultural Organization; World Health Organization.

AGENDA ITEM 16

Question of the punishment of war criminals and of persons who have committed crimes against humanity (E/L.1163)

1. Mr. MUZIK (Czechoslovakia) said that the just punishment of war criminals and of persons who had committed crimes against humanity was extremely important, not only in the light of past and present crimes, but also from the standpoint of ensuring the effective protection of human rights and fundamental freedoms in the future. It was both a moral obligation owed to the millions of victims of nazi crimes and a preventive measure against future crimes, and hence a means of strengthening peace and confidence among nations. The question had lost

none of its urgency; vestiges of fascism and nazism still existed, and revanchiste organizations openly defending the crimes committed during the Second World War were becoming increasingly active. Too many war criminals had escaped justice and now often held important positions, continuing to propagate and apply the very ideas that had led to the most brutal violations of human rights. Unless urgent action was taken, there was a danger that many such persons would soon become exempt from punishment.

2. His country had therefore consistently favoured the preparation of a legally binding international convention embodying the principle that no statutory limitations were applicable in the case of war crimes against humanity, irrespective of when they were committed. It had welcomed Council resolution 1158 (XLI) requesting the Commission on Human Rights to prepare such a draft convention for adoption by the General Assembly at its twenty-second session, and it regretted that the Commission had been unable to complete the draft convention at its twenty-third session, owing to lack of time. Since the Council also had insufficient time to consider the matter in substance at the current session, and in view of the urgency of the issue, his delegation supported the recommendation in Commission resolution 4 (XXIII) that the Council should transmit the preliminary draft of the convention prepared by the Secretary-General, together with the Commission's documentation and records, to the General Assembly; it hoped that it would be possible to adopt the convention and open it for signature and ratification before the end of 1967. It fully supported the Commission's request that a new and separate item on the issue should be included in the provisional agenda of the next session of the General Assembly. It hoped that, the Commission on Human Rights would allocate the necessary time at its next session to the second task entrusted to it in Council resolution 1158 (XLI), namely, to make recommendations with a view to developing international co-operation in the prosecution and punishment of those responsible for war crimes and crimes against humanity.

3. Accordingly, his delegation had submitted a draft resolution (E/L.1163), which was of a purely procedural nature and was based upon the Commission's recommendations in its resolution 4 (XXIII).

4. Mr. FORSHELL (Sweden) said that he could support the procedural draft resolution submitted by Czechoslovakia. However, his support did not imply any change in his delegation's basic position on the issue.

5. Sir Samuel HOARE (United Kingdom) proposed three amendments to the Czechoslovak draft resolution. First, in regard to the third preambular para-

*/ See Official Records of the Economic and Social Council, Forty-second Session, Supplement No. 6, para. 181.*

graph, it would be more appropriate at the present stage to speak of "a", rather than "the", draft convention. Secondly, it would be technically more correct if operative paragraph 1 were to read: "Expresses the hope that the General Assembly will adopt at the earliest possible moment a convention on the non-applicability of statutory limitation to war crimes and crimes against humanity"; although the view expressed in that paragraph was certainly shared by all members of the Council, he was not sure that it had been expressed before, and it could therefore hardly be reiterated. Thirdly, while he had no objection to the words "as a new and separate item" in operative paragraph 4, he felt that the words "new and" were superfluous and might be deleted. His delegation would be happy to support the draft resolution with those minor amendments.

6. Mr. KOTSCHNIG (United States of America) said that he could accept the Czechoslovak draft resolution. The issue was important and should be dealt with speedily. He supported the United Kingdom amendment to operative paragraph 1, which strengthened the text as well as making it more accurate. He could accept operative paragraph 4 with or without the United Kingdom amendment.

7. Mr. ZAKHAROV (Union of Soviet Socialist Republics) said that the question was of particular importance and required a speedy and specific international solution within the United Nations. His delegation could therefore support the Czechoslovak draft resolution.

8. Mr. MUZIK (Czechoslovakia) accepted the United Kingdom amendments.

9. The PRESIDENT put to the vote the draft resolution submitted by Czechoslovakia (E/L.1163), as orally revised by the United Kingdom.

*The draft resolution, as amended, was adopted unanimously.*

10. Mr. LAVALLE (Guatemala) said that, while he had voted in favour of the Czechoslovak draft resolution, his delegation had reservations regarding the text of the draft convention prepared by the Secretary-General. It was apprehensive about the possibility that the non-applicability of statutory limitations to war crimes and crimes against humanity could be made retroactive, particularly with regard to crimes which had already come under statutory limitation.

11. Mr. BAL (Belgium) said that his delegation's support of the Czechoslovak draft resolution should not be taken as implying its support of the report of the Working Group of the Commission on Human Rights<sup>2/</sup> or of the draft convention prepared by the Secretary-General.

12. Mr. LOPEZ (Philippines) said that his delegation had supported the Czechoslovak draft resolution but reserved its position with regard to the draft convention, since existing laws in the Philippines provided statutory limitations for certain types of crimes.

13. Mr. FERNANDINI (Peru) said that his delegation also reserved its position on the draft convention.

## AGENDA ITEM 9

### Report of the Committee on Housing, Building and Planning (E/4287 and Add.1, E/4330)

#### REPORT OF THE SOCIAL COMMITTEE (E/4386)

14. The PRESIDENT noted that, in its report, the Social Committee recommended the adoption of four draft resolutions (E/4386, para. 14). Draft resolutions A, B and C had been adopted unanimously by the Social Committee.

#### A. CENTRE FOR HOUSING, BUILDING AND PLANNING: CO-OPERATION WITH REGIONAL ECONOMIC COMMISSIONS AND INTERNATIONAL AGENCIES, INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

*Draft resolution A was adopted unanimously.*

#### B. REHABILITATION AND RECONSTRUCTION FOLLOWING NATURAL DISASTERS

*Draft resolution B was adopted unanimously.*

#### C. REPORT OF THE COMMITTEE ON HOUSING, BUILDING AND PLANNING

15. Mr. VARELA (Panama) observed that a minor drafting change was necessary in the Spanish text of the draft resolution.

*Draft resolution C was adopted unanimously.*

#### D. WORK PROGRAMME OF THE COMMITTEE ON HOUSING, BUILDING AND PLANNING

16. The PRESIDENT invited the Council to vote on draft resolution D.

*Draft resolution D was adopted by 20 votes to none, with 4 abstentions.*

## AGENDA ITEM 20

Applications and reapplications of non-governmental organizations for consultative status (concluded) (E/L.1159/Rev.2)

17. Mr. UY (Philippines) said that his delegation could support the second revised version of the draft resolution submitted by India, Kuwait, Libya, Sweden, United Republic of Tanzania and the United States of America (E/L.1159/Rev.2).

18. Mr. VARELA (Panama) welcomed the fact that the draft resolution originally sponsored by the United Republic of Tanzania had been revised to meet the views expressed by his delegation at the previous meeting. His delegation could support the new version and would like to become a sponsor, but he proposed a slight modification of the Spanish text.

19. Mr. FERNANDINI (Peru) said that the difficulties which his delegation had experienced with regard to the original version of the draft resolution had been solved by the second revision, and his delegation would accordingly vote in favour of it.

20. Mr. NDIMBIE (Cameroon) withdrew the suggestion which his delegation had made at the previous meeting, that the complicated questions raised by the draft resolution should be reviewed at a subsequent session, and supported the revised text.

<sup>2/</sup> *Ibid.*, paras. 155-165.

21. Mr JURZA (Czechoslovakia) said that his delegation could support the second revision of the draft resolution, as it had been able to support the first. However, with a view to achieving equitable representation of non-governmental organizations, he proposed that the words "taking due account of the necessity of maximum possible participation of non-governmental organizations representing different views and ideas" should be added at the end of operative paragraph 1 (a).

22. Mr. ZORRILLA (Mexico) said that his delegation had supported the first revision of the draft resolution and could also support the second, which improved the text.

23. Mr. NASINOVSKY (Union of Soviet Socialist Republics) recalled that his delegation had supported the draft resolution from the outset and said that it could support the compromise text embodied in the second revision. It also supported the oral amendment proposed by Czechoslovakia, which it considered both reasonable and necessary. In reviewing the question of non-governmental organizations and taking decisions on the applications submitted by them, the Committee on Non-governmental Organizations should be guided by the principle that organizations given consultative status with the Economic and Social Council should reflect different points of view. The membership of the Committee should be expanded by four or five, in order to make it more broadly representative and thus better suited to the task of reviewing the criteria governing the admission and classification of non-governmental organizations.

24. Mr. BEFFEYTE (France) thanked the sponsors of the draft resolution for having incorporated his delegation's amendment in their text. His delegation would vote for the draft resolution as a whole, and it could support operative paragraph 2 (b) on the understanding that the subsidies which his Government granted to organizations recognized as serving the public interest and, which were openly included in the annual budget and had no political motivation or clandestine character, did not come within the meaning of the words "undue influence" used in that paragraph.

25. Mr. PEREZ GUERRERO (Venezuela) said that he would vote in favour of the draft resolution. While he considered that the idea expressed in the Czechoslovak amendment was implicit in the system of granting consultative status to non-governmental organizations, his delegation would be able to support that amendment.

26. Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that he could accept the Czechoslovak amendment on behalf of the sponsors, but thought it was more pertinent to operative paragraph 1 (b), which dealt with the qualifications required for each category. The amendment was consistent with his delegation's views on the need to achieve a proper balance among the various non-governmental organizations, in order to reflect the changed character of the United Nations. Particular, the Council should grant consultative status to many more non-governmental organizations in developing countries.

27. Mr. TILINCA (Romania) said that, despite the great political, economic and social changes that had

taken place in the world and the restructuring of a number of the most important organs of the United Nations, the Economic and Social Council had not yet reappraised its arrangements for consultation with non-governmental organizations. Such a reappraisal would be an important step towards bringing the Council into harmony with new trends and requirements. A review of the criteria governing the granting of consultative status would go far towards improving the way in which such status was granted. His delegation therefore supported the draft resolution and the Czechoslovak amendment as a practical and appropriate means of dealing with the question.

28. Mr. VARELA (Panama) said that the wording of the Czechoslovak amendment was too general and might lead to extreme situations. He therefore proposed that the words "on matters of interest to the Council and in conformity with the spirit, purposes and principles of the Charter of the United Nations" should be added to the end of that amendment.

29. Mr. KOTSCHNIG (United States of America) supported the Czechoslovak amendment. While the Panamanian sub-amendment was, in fact, covered by the reference to Article 71 of the Charter in the first preambular paragraph, it would help to prevent possible misunderstandings. In order to avoid any dispute about the placing of the Czechoslovak amendment, he suggested that it should be combined with the Panamanian sub-amendment in a new third preambular paragraph, reading as follows:

"Recognizing the desirability of assuring the widest possible representation of non-governmental organizations of different views and ideas on matters of interest to the Council and in conformity with the spirit, purposes and principles of the Charter."

30. The membership of the Committee on Non-governmental Organizations had been carefully worked out on the basis of equitable geographical distribution and he could see no need for its enlargement, which would merely make its review of the criteria longer and more expensive, without changing the outcome.

31. Mr. JURZA (Czechoslovakia) said that he could accept the United States sub-amendment if the word "desirability" was replaced by "necessity".

32. The PRESIDENT put to the vote the oral amendment proposed by Czechoslovakia, as amended by the United States, and the draft resolution as a whole (E/L.1159/Rev.2).

*The amendment, as amended, was adopted.*

*The draft resolution, as amended, was adopted unanimously.*

33. Mr. TAYLOR (United Kingdom) said that, despite the reservations which his delegation had expressed earlier, it had voted in favour of the draft resolution which had been greatly improved in its second revision. Although his delegation supported the substance of the draft resolution and recognized the need for a periodic review of the classification of non-governmental organizations, it felt that such a review should be given relatively low priority, bearing in mind the many far more pressing economic and social tasks facing the United Nations.

## AGENDA ITEM 10

Report of the Commission for Social Development  
(E/4324 and Corr.1)

## REPORT OF THE SOCIAL COMMITTEE (E/4388)

34. Mr. HOGAN (Secretary of the Council) said that the words "requested by the representative of the Philippines" in paragraph 12 of the report of the Social Committee on item 10 (E/4388) should read: "requested by the representative of Pakistan", and the words "proposed by the representative of Pakistan" in paragraph 13 should read: "proposed by the representative of the Philippines".

35. The PRESIDENT drew attention to draft resolutions A, B, C and D contained in the Social Committee's report (E/4388, para. 17) the adoption of which that Committee recommended to the Council.

## A. SOCIAL QUESTIONS RELATING TO THE EXTENSION OF HEALTH SERVICES

*Draft resolution A was adopted unanimously.*

## B. REVIEW OF TECHNICAL CO-OPERATION ACTIVITIES IN SOCIAL DEVELOPMENT



*Draft resolution B was adopted by 21 votes to none, with 1 abstention.*

## C. DRAFT DECLARATION ON SOCIAL DEVELOPMENT

*Draft resolution C was adopted unanimously.*

## D. REPORT OF THE COMMISSION FOR SOCIAL DEVELOPMENT

36. Mr. KOTSCHNIG (United States of America) said that, although his delegation had not objected to resolution D in the Social Committee, it was not entirely satisfied with it. It was the Council's responsibility to approve the work programmes of its subsidiary bodies, after assuring itself that they were satisfactory. The Committee for Programme and Co-ordination had considered that some of the subsidiary bodies were not making sufficient efforts to establish a clear order of priorities in their work programmes, in the light of the Council's primary concern with the needs of the developing countries. His delegation had some misgivings about certain projects in the work programme of the Commission for Social Development, but it was prepared to endorse the work programme as a whole. As a matter of principle, the Council should do more than take note of the programme, and he therefore proposed that the words "and of the work programme" should be replaced by "and endorses the work programme". However, he would not press his proposal if to do so would delay the Council's work.

37. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that the text of draft resolution D, which had been adopted unanimously by the Social Committee, was the result of a compromise reached after thy discussion. It was a flexible formula which would able the Secretariat to continue to execute the work programme, while leaving the door open for necessary changes in the programme at a later stage. As he had pointed out in the Social Committee,

there was some overlapping and duplication in the Commission's work programme which should be eliminated, but any modification would be precluded if the United States amendment was adopted. He appealed to the United States representative not to press his proposal; if it was not withdrawn, his own delegation would be obliged to comment in detail on all the projects in the work programme, thus delaying the Council's work.

38. Mr. KOTSCHNIG (United States of America) said that, as a matter of principle, the Council must approve the work programmes of its subsidiary bodies; for any other procedure would give the subsidiary bodies and the Secretariat too much latitude. It was true that the Social Committee had not had enough time to discuss the work programme thoroughly, but it was the responsibility of the subsidiary bodies to submit satisfactory work programmes to the Council. In order not to delay the Council's work, he would withdraw his proposal, but he would not take part in the vote on draft resolution D.

39. Sir Samuel HOARE (United Kingdom) said that his delegation had voted for draft resolution D in the Social Committee because the representative of the Secretary-General had said that the term "takes note" was appropriate in the context. He now had some misgivings, and he agreed with the United States representative that the Council must approve the work programmes of its subsidiary bodies and ensure that they established a definite order of priorities, in order to avoid duplication and waste. In view of the position which his delegation had taken in the Social Committee, he would vote for the draft resolution, but he hoped that all subsidiary bodies would in future submit satisfactory work programmes which the Council could approve.

40. Mr. LOPEZ (Philippines) observed that the United States and the United Kingdom were members of the Commission for Social Development and were thus in a position to ensure that its work programme conformed to their criteria. Both delegations had voted in favour of draft resolution D in the Social Committee, and he could see no reason why they should have any difficulty in voting for it in the Council. The Council's functional commissions had been doing sound work for the past twenty years and were now entitled to a certain measure of autonomy.

41. Mr. MARTIN WITKOWSKI (France) associated himself with the views expressed by the representatives of the United States and the United Kingdom. However, he would vote in favour of draft resolution D, since his delegation had voted for it in the Social Committee.

42. Mr. PARRY (Canada) said that his delegation had voted in favour of draft resolution D in the Social Committee and he would therefore vote for it in the Council. However, he agreed that the work programmes of the Council's subsidiary bodies must define priorities and must be approved by the Council; he hoped that that view would be reflected in the Council's report.

*Draft resolution D was adopted by 22 votes to none.*

*The meeting rose at 1.5 p.m.*