



ECONOMIC AND SOCIAL COUNCIL

Forty-sixth Session
OFFICIAL RECORDS

Friday, 23 May 1969,
 at 11 a.m.



C O N T E N T S

	<i>Page</i>
<i>Agenda item 17:</i>	
<i>Non-governmental organizations (continued):</i>	
<i>(a) Applications and re-applications for con-</i>	
<i>sultative status;</i>	
<i>(b) Review of non-governmental organizations</i>	
<i>in consultative status</i>	<i>1</i>

President: Mr. Raymond SCHEYVEN (Belgium).

AGENDA ITEM 17

Non-governmental organizations (*continued*) (E/4647, E/4671, E/L.1251):

- (a) Applications and re-applications for consultative status;
- (b) Review of non-governmental organizations in consultative status

Co-ordinating Board of Jewish Organizations
 (continued)

1. The PRESIDENT said that the role of the President was that of an arbiter who should not come out in support of one position or another. He had tried in all conscience to fulfil that role impartially.

2. Summarizing the discussions which had taken place at the previous meetings, when the Council had considered the Co-ordinating Board of Jewish Organizations, he observed that he had first been called upon to determine the order of priority of the proposals submitted by the representatives of Kuwait and the United States respectively. On the basis of rule 65 of the rules of procedure of the Council, he had felt that priority should be granted to the Kuwaiti proposal. Since the representative of Pakistan had then invoked rule 66 of the rules of procedure, the President had put the question of priority to the Council, which had decided that priority should be granted to the Kuwaiti proposal.

3. When the proposal itself had been put to the vote, the representative of the United States had taken the floor to request clarification concerning the status of the Co-ordinating Board of Jewish Organizations if the Kuwaiti proposal was adopted. Since the vote had begun, he had been unable, under rule 63 of the rules of procedure, to authorize the representative of the United States to speak.

4. In response to the request which had been made to him by the representative of the United States after the vote (1585th meeting), he had sought the advice of the Legal Counsel, who had felt that there were two possible solutions and that it was for the Council itself to choose between the two.

5. The representative of the United States had then put forward (1596th meeting) a proposal which the

Kuwaiti representative had challenged as inadmissible. Later, the representative of the United Republic of Tanzania had also put forward a proposal, which might, in the President's opinion, have constituted a basis for agreement. However, since the representatives of the Soviet Union, Kuwait, Sudan and certain other countries had stated that the proposal was not acceptable, it had been impossible to reach agreement.

6. The representative of Kuwait had then asked what exactly had been the question put to the Council before the vote. The President informed the Council that he had listened to the recording of the debate and read out the proposals which had been submitted at that time by the representatives of the United States and Kuwait, respectively, as he himself had summarized them before the vote.

7. He now proposed that the Council should allow him time to seek a solution to the dilemma and that it should therefore resume consideration of item 17 of the agenda leaving aside the question of the Co-ordinating Board of Jewish Organizations. It should postpone its discussion and decision concerning that organization and any questions which might remain undecided under item 17 of the agenda until the Council met on the morning of Monday, 2 June.

8. Mr. KOTSCHNIG (United States of America) said that he fully appreciated the President's desire to expedite the work of the Council, but that he would like an assurance that when the Council resumed consideration of the question on 2 June it would not again engage in interminable procedural debates whose sole purpose was to prevent it from reaching a decision. With regard to the procedural decision which had been adopted concerning the Co-ordinating Board of Jewish Organizations, he observed that some delegations had indicated that they would not have voted in favour of that proposal if they had realized that that decision might be interpreted as meaning that the organizations would be deprived of any status in the interim. That was why his delegation had submitted a motion designed to clarify the situation, i.e., that the Co-ordinating Board of Jewish Organizations should continue to enjoy consultative status pending a decision by the Council on the recommendations which the Council Committee on Non-Governmental Organizations had been asked to make (1586th meeting). The sole aim was not to leave any doubt about the consequences of the deferred decision adopted by the Council.

9. His delegation felt that such clarification was essential and therefore maintained its proposal. Since the representative of Kuwait had challenged its admissibility, he would ask the President to give a ruling. If the motion was ruled admissible now, the Council should on June 2, without further delay, debate the motion and vote on its substance, thereby avoiding lengthy procedural debates.

10. The PRESIDENT was of the opinion that the United States proposal was in order and said that if the Council did not share his opinion it would have to vote on the question.

11. Mr. KHANACHET (Kuwait) considered that the Council should adopt the procedure proposed by the President at the beginning of the meeting and postpone consideration of the whole question until Monday, 2 June.

12. Bearing in mind that the Council was master of its own procedure, under the authority of the President, and that representatives spoke on behalf of sovereign and independent States, he was of the opinion that it would be incorrect to prejudge their right to participate in a debate as they saw fit, in accordance with the rules of procedure.

13. With regard to the question of the admissibility of the proposal put forward by the representative of the United States, he observed that, contrary to what the United States maintained, it was identical with the first United States proposal, which the Council had already rejected. Under the rules of procedure, the Council could not consider a second time a proposal which it had already rejected. In any case, his delegation would ask the President, as he had already done at the request of the United States representative, to seek the advice of the Legal Counsel concerning the admissibility of a proposal and any precedents there might be.

14. The PRESIDENT read out rule 49 of the rules of procedure of the Council and asked whether, in accordance with that rule, any delegation challenged his ruling that the proposal put forward by the representative of the United States should be regarded as in order.

15. Mr. EL HADI (Sudan) formally proposed that the Council should adopt the procedure suggested by the President at the beginning of the meeting.

16. The PRESIDENT said that he had given a ruling in his capacity as President and again asked whether any delegation opposed that ruling.

17. Mr. KHANACHET (Kuwait) wished to point out once more that previously (1585th meeting) the President had agreed, at the request of the United States delegation, to consult the Legal Counsel. His delegation saw no reason why the President should not comply with the identical request which it had just made concerning the question of the admissibility of the proposal put forward by the United States delegation.

18. The PRESIDENT again reminded the Council that he had just given a ruling which, in accordance with rule 49 of the rules of procedure, would become a decision of the Council if no delegation opposed it. If it was opposed, the Council would have to vote immediately in order to overrule or confirm that ruling.

19. In reply to a question by the representative of Bulgaria, he explained that if a proposal was in order, it could be debated and put to a vote.

20. Mr. HAQUE (Pakistan) observed that after the vote on the Kuwaiti proposal, his delegation had indicated that it interpreted that decision as meaning that the Co-ordinating Board of Jewish Organizations had no consultative status pending a decision by the Council

on the recommendations which the Council Committee on Non-Governmental Organizations was to make. His delegation supported the Kuwaiti representative's proposal that the President should seek the advice of the Legal Counsel on the question of the admissibility of the proposal submitted by the United States. He proposed that consideration of the whole question should be postponed until the meeting on Monday, 2 June.

21. Mr. NASINOVSKY (Union of Soviet Socialist Republics) pointed out that rule 49 of the Council's rules of procedure applied to points of order and said that, in his opinion, the proposal submitted by the representative of the United States was not a point of order, but a new proposal. It was thus not really possible to invoke rule 49.

22. Mr. HAMBRO (Norway) observed that the President had proposed that the debate on the question should be adjourned and that the representative of Sudan had made a formal proposal to the same effect. In accordance with rule 50 of the rules of procedure of the Council, that proposal should immediately be put to a vote. His delegation felt that such a decision would enable the President and the member of the Council to hold consultations with a view to reaching agreement and he therefore formally proposed that rule 50 should be applied.

23. The PRESIDENT again drew attention to the fact that under rule 49, if no delegation challenged his ruling, it became a decision of the Council, which should therefore proceed to consider the other questions on the agenda under item 17.

24. Mr. BERRO (Uruguay) said that he fully agreed with the President and considered his ruling that the proposal submitted by the United States representative was admissible to be fully justified, since the proposal, which would of course require discussion and a vote, was different in substance from that on which the Council had already been called upon to vote in respect of the Co-ordinating Board of Jewish Organizations.

25. Mr. JHA (India) said that, although he felt that the Co-ordinating Board of Jewish Organizations should be given no consultative status pending the Council's decision, he supported the President's decision on the admissibility of the United States proposal. Why should the Council not agree to discuss the proposal? It was entitled to consider that particular case, if it so desired, and to take whatever decisions it deemed suitable. He nevertheless felt that the Kuwaiti proposal ought to be adopted, since it might enable the Council to settle the procedural problem with which it was faced.

26. Mr. HAQUE (Pakistan) said he supported the Norwegian request for an adjournment under rule 50 of the rules of procedure and requested an immediate vote on it. The question of the President's decision could then be considered when the debate was resumed.

27. Mr. KOTSCHNIG (United States of America) said that to him the problem was clear. His delegation had raised a point of order and requested the President to take a decision in accordance with rule 49 of the rules of procedure. The President had taken a decision which, he had clearly said, would be taken as approved by the Council if there were no objections.

28. The PRESIDENT confirmed that he had taken a decision under rule 49 of the rules of procedure and had ruled that the proposal submitted by the United States was in order. Under the terms of that rule, which he read out, any representative could appeal against the President's decision; however, no one had done so. He therefore considered that the Council had accepted that decision. He would now invite the Council to consider the Norwegian proposal; however, he wished to point out, in order to avoid any misunderstanding, that if it was adopted and the debate adjourned, his decision on the admissibility of the United States proposal would stand, since no representative had questioned it. Under rule 50 of the rules of procedure, two representatives could speak on the Norwegian proposal — one in favour and one against.

29. Mr. HAMBRO (Norway) pointed out that Pakistan had supported that proposal.

30. Mr. HAQUE (Pakistan) confirmed that he had supported the proposal, but on condition that the question of the President's decision should also be discussed when the debate was resumed.

31. Mr. EL HADI (Sudan), referring to the observation just made by the Pakistan representative, said that the point to be clarified was whether the President's ruling was to be regarded as a decision by the President or by the Council.

32. The PRESIDENT repeated that he had taken a decision against which, under rule 49 of the rules of procedure, any representative could have appealed, but that since none had done so, the decision was to be regarded as accepted by the Council.

33. Mr. TARABANOV (Bulgaria) said that, in his view, the situation was highly confused. There seemed to be two possible courses: on the one hand, a proposal to adjourn discussion on the question, on the understanding that the President's ruling was accepted by the Council; on the other hand, a proposal to adjourn discussion both on the question at issue and on the question of the acceptance of the President's ruling. It should be made clear which proposal was to be voted on.

34. The PRESIDENT requested the Norwegian representative to repeat his adjournment proposal in order to ensure that there was no misunderstanding.


35. Mr. HAMBRO (Norway) agreed with the President and felt that since no representative had challenged his decision, it should be regarded as accepted by the Council. That being so, he proposed that the Council should adjourn the present discussion on the particular question of the Co-ordinating Board of Jewish Organizations and go on to consider the remaining organizations.

36. Mr. ROUAMBA (Upper Volta) said he was in favour of the Norwegian proposal, which would make it possible to continue discussion of item 17 and consider the other organizations on which no decision had yet been taken.

37. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he would like to be able to support the adjournment proposal, but that his delegation wished to reserve the right to revert, at any time

during the debate, to the question of the decision taken by the President.

38. The PRESIDENT invited the Council to vote on the Norwegian adjournment motion.

The adjournment motion was adopted by 9 s to none, with 15 abstentions.

39. Mr. TARABANOV (Bulgaria), speaking in explanation of vote, said that his vote related not only to the Norwegian adjournment motion but also to the President's ruling. As he saw it, the adjournment covered the whole debate, including the question of the President's ruling on the admissibility of the United States proposal.

40. Mr. GALLARDO MORENO (Mexico) said that he had voted in favour of the Norwegian adjournment motion, on the understanding that, since no representative had appealed against the President's decision, a ruling had been made on the admissibility of the United States proposal.

41. Mr. VIAUD (France) said that, although he shared the Mexican representative's view, he had preferred to abstain. As he saw it, the Council had decided to postpone discussion of the question until 2 June, and the President's ruling regarding the admissibility of the United States proposal should be regarded as approved by the Council since there had been no appeal against it. He pointed out that, of those representatives who apparently sought a different interpretation, none had invoked any provision of the rules of procedure with regard to the admissibility or otherwise of the United States proposal. His delegation made it a principle that the rules of procedure should always be scrupulously observed; in the present case, there could be no doubt that the President's decision had been adopted by the Council and that the Council had then decided to postpone further debate until 2 June—an adjournment to which no particular significance could be attributed.

42. Mr. ROUAMBA (Upper Volta) said that he had voted in favour of the motion for adjournment. He too felt that the situation was clear; the President's decision had not been questioned by any one and had therefore become a decision of the Council, on which it could not go back.

43. Mr. CREMIN (Ireland), supported by Mr. GOWLAND (Argentina), said that he agreed with the Upper Volta representative. When the Council resumed its debate on the question, it would thus be able to consider the United States proposal.

44. Mr. KHANACHET (Kuwait) said that he would gladly have supported the Norwegian adjournment motion if the situation had not been so ambiguous and confused; under the circumstances, he had preferred to abstain. He noted that, after the Norwegian adjournment motion had been submitted, a dozen speakers had been heard contrary to rule 49 of the rules of procedure, which provided that, apart from the sponsor, only two speakers could be heard—one in support of the motion and one against. That, however, was not the main point; he had requested that the President should seek the opinion of the Office of Legal Affairs on the admissibility of the United States proposal and on any precedents there might be with regard

to the Council's ability to revert to a motion which it had rejected twenty-four hours previously. He hoped that the President would comply with that request and thus answer the French representative, who had asked what was the basis for the position taken by those delegations which did not share his view. Lastly, he agreed with the Pakistan, Soviet and Bulgarian representatives with regard to the possibility of returning to that matter when the debate was resumed.

45. Mr. BABAA (Libya) said he regretted the lengthiness of the procedural debate. He had chosen to abstain on account of the ambiguity of the Norwegian adjournment motion. He shared the view expressed by the Pakistan, Kuwaiti, Soviet and Bulgarian representatives regarding the right to return to the question of the President's decision.

46. Mr. EL HADI (Sudan) recalled that the representative of Kuwait had asked the President to request the advice of the Office of Legal Affairs and stressed that, when the representative of the United States had made an identical request, his request had been taken into consideration. Therefore, his delegation reserved the right to speak again on all aspects of the question when the debate was resumed.

47. Mr. BÉRRO (Uruguay) said that there was no ambiguity: the President had clearly explained the significance of the vote before calling for a vote on the Norwegian motion for adjournment of the debate on the item; the Norwegian representative had indicated quite clearly the purpose of his motion, and no misunderstanding was possible in the circumstances. Uruguay had therefore voted for the motion, on the understanding that the President's ruling had been accepted by the Council. The Council had therefore decided to adopt the Norwegian motion for adjournment of the debate on the question.

48. Mr. ALLEN (United Kingdom), speaking in explanation of his vote, said that his delegation had abstained not for reasons of substance, but because of the confusion which apparently surrounded the discussion and the voting procedure. In any case, at the present stage of the discussion, the Council could not disregard the fact that the President had made a ruling before the vote. As the ruling had not been challenged by anyone, his delegation felt that it should be regarded as an established fact when the Council resumed its consideration of the question of the Co-ordinating Board of Jewish Organizations on Monday, 2 June.

49. Mr. KOTSCHNIG (United States of America), speaking in explanation of his vote, said that his delegation had abstained for the same reasons as the delegations of France and the United Kingdom.

50. Mr. DEBERGH (Belgium), speaking in explanation of his vote, said that his delegation had abstained because the vote had been taken amid some confusion, which had extended to the question of the adjournment of the debate as well. One thing, however, had seemed clear and definite, namely the ruling made by the President on whether the United States proposal was in order. In his delegation's view, since no one had appealed against that ruling, either on the basis of rule 49 of the rules of procedure or of any other rule, it had become a decision of the Council. Moreover, the representative of Norway had clearly specified

that his proposal for adjournment of the debate on the item had been made on that understanding.

51. Mr. HAQUE (Pakistan), explaining his vote, said that his delegation had abstained because there was some ambiguity and he had some doubt regarding the consequences of the proposal being voted on. His delegation reserved the right to speak again on the question, with respect to both procedure and the substance of the problem, when the Council resumed consideration of it on Monday, 2 June.

52. Mr. EL HADI (Sudan), said that his delegation had not appealed against the President's ruling concerning the admissibility of the United States proposal because it took for granted that the President, in accordance with the request made by the representative of Kuwait, would request the advice of the Legal Counsel on the matter and would report to the Council on Monday, 2 June.

53. The PRESIDENT invited the Council to continue its consideration of agenda item 17, on the understanding that discussion of the question of the Co-ordinating Board of Jewish Organizations would be resumed on Monday, 2 June.

The International Federation for the Rights of Man
(continued)

54. The PRESIDENT noted that the Council had before it a proposal by the Soviet delegation (1582nd meeting) not to grant consultative status in any category to that organization.

55. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that the Federation was a small western European organization which had close relations with the Council of Europe and was representative of only seven countries in western Europe. Consequently, its scope was quite limited. Moreover, in his delegation's view, it had sometimes taken unjustified measures; in particular, it had attempted to interfere in the international affairs of certain eastern European countries. For those reasons, his delegation had proposed that the Council should consider the possibility of not granting it consultative status in any category. Nevertheless, in a spirit of compromise, his delegation was prepared to agree that it should be transferred from category II to the Roster and that that proposal should be put to the vote.

56. Mr. DEJAMMET (France) praised the spirit of compromise demonstrated by the Soviet delegation, but wished to provide further information to the members of the Council and to explain the reasons why, in his delegation's view, the organization deserved to remain in category II, thus retaining the status it had long enjoyed. It was true that the International Federation for the Rights of Man had occasionally made appeals to Governments. The French Government had itself received such appeals, but it had never regarded them as political attacks against States. Moreover, in its relations with the United Nations and in the official documents which it submitted to the latter, the organization had never made attacks against any State. Indeed, it enjoyed international renown. Its members were distinguished persons, including a winner of the Nobel Peace Prize. It had members not only in Europe but also in Asia, North America and

Africa. Besides, it was now broadening its membership. It had always participated actively in the work of the Economic and Social Council in the field of human rights. For all those reasons, his delegation considered it worthy of remaining in category II.

57. Mr. BERRO (Uruguay) associated himself with the views expressed by the French delegation. The organization under consideration, which had enjoyed consultative status for twenty-one years, indeed had a very rich history and was gaining recognition by distinguished service in the defence of human rights and fundamental freedoms. It had always worked in that field with remarkable impartiality, having defended and criticized parties with very different ideologies. It was represented in various countries of Europe, in Africa, in South America and in North America and was made up of distinguished persons, including its President, Mr. J. Paul-Boncour, and Mr. René Cassin, a Nobel Peace Prize laureate. By transferring it from category II to the Roster, the Council would remove the invaluable incentive of consultative status. Obviously, it could be alleged that it was unrepresentative from a territorial point of view, but a number of organizations in category II were in the same position and still retained their consultative status in that category. Therefore, his delegation supported without reservation the French proposal that the International Federation for the Rights of Man should remain in category II.

58. Mr. KOTSCHNIG (United States of America) supported the view of the French and Uruguayan delegations. The International Federation for the Rights of Man had been dedicated for many years to the defence of human rights throughout the world. One of its honorary members, Mr. René Cassin, winner of the Nobel Peace Prize, had been awarded a special human rights prize by the United Nations General Assembly in 1968, and his delegation found it difficult to understand why, in the circumstances, the Council would wish to downgrade the organization by transferring it to the Roster.

59. Mr. NASINOVSKY (Union of Soviet Socialist Republics) remarked that, as far as he knew, the Federation had no branches in Latin America, North America, Asia or Africa.

60. Mr. BERRO (Uruguay) pointed out that it had branches in the Congo, in Mexico and in Canada as well as representatives in Africa.

61. Mr. TODOROV (Bulgaria) said that, like the representative of the USSR, he considered that the organization should be transferred from category II to the Roster since it was by no means of a representative character. It was in fact a strictly European organization. It only had branches in eight western European countries and had only one representative in the Congo, in Mexico and in Canada.

A vote was taken on the proposal by the Soviet delegation that the International Federation for the Rights of Man should be transferred from category II to the Roster.

The proposal was rejected by 20 votes to 5 with 1 abstention.

International Federation of Senior Police Officers (continued)

62. The PRESIDENT reminded the Council of a Soviet proposal (1582nd meeting) to transfer that organization from category II to the Roster.

63. Mr. NASINOVSKY (Union of Soviet Socialist Republics) pointed out that, in view of the fact that the organization only comprised senior police officers from certain countries, its role was very limited. In his delegation's opinion, on the basis of the criteria set forth in Council resolution 1296 (XLIV) of 23 May 1968, its proper place was on the Roster and not in category II, since its relationship with the activities of the Council was extremely limited and its field of action was very limited.

64. Mr. KOTSCHNIG (United States of America) felt that there were strong grounds for keeping the organization in category II. It was concerned with such contemporary questions as juvenile delinquency and with drawing up a code of conduct for the police. The latter was a particularly important question at a time when, in several countries, the police had been called upon to intervene in various demonstrations and had sometimes been accused of improper conduct.

A vote was taken on the Soviet proposal.

The proposal was rejected by 17 votes to 3, with 6 abstentions.

Howard League for Penal Reform (United Kingdom) (continued)

65. The PRESIDENT observed that the Council had before it a proposal by the Soviet delegation (1582nd meeting) to transfer that organization from category II to the Roster.

66. Mr. NASINOVSKY (Union of Soviet Socialist Republics) said that he considered that the role and objectives of the organization were even more limited than those of the previous one and that, if the Council abided by the criteria on which Council resolution 1296 (XLIV) was based, the organization could not be placed in any category other than the Roster.

67. Mr. ALLEN (United Kingdom) said that his delegation was in favour of retaining the Howard League in category II. The Soviet delegation wanted to transfer it to the Roster on the grounds that its terms of reference were too limited, although it had not objected to retaining the International Association of Penal Law in category II. He found it difficult to discern any difference between the two organizations. Furthermore, the question of penal reform, and in particular the question of the treatment of prisoners, deserved the Council's continuing attention and the enlightened advice of the Howard League was most valuable.

A vote was taken on the Soviet proposal.

The proposal was rejected by 17 votes to 5, with 5 abstentions.

The meeting rose at 12.55 p.m.