

United Nations

Nations Unies

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
ET SOCIAL**

UNRESTRICTED

E/P.V.53

1 March 1947

English

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VERBATIM RECORD OF THE FIFTY-THIRD MEETING OF THE ECONOMIC AND SOCIAL COUNCIL
(Third Meeting of the Fourth Session)

Lake Success, New York
Saturday, 1 March 1947 at 10:30 a.m.

PRESENT:

The PRESIDENT: Sir Ramaswami Mudaliar

Mr. Davidson	Canada
Mr. Santa Cruz	Chile
Dr. Chang	China
Mr. Belt	Cuba
Mr. Papanek	Czechoslovakia
Mr. Boris	France
Mr. Kirpalani	India
Mr. Hakim	Lebanon
Mr. van Kleffens	Netherlands
Mr. Nash	New Zealand
Mr. Moe	Norway
Mr. Encinas	Peru
Mr. Yazici	Turkey
Mr. Morozov	Union of Soviet Socialist Republics
Mr. McNeil	United Kingdom
Mr. Stinebower	United States of America
Mr. Zuloaga	Venezuela

The PRESIDENT: The Council is in session.

ASSEMBLY RESOLUTION ON ACTIVITIES OF THE ECONOMIC AND SOCIAL COUNCIL:
PART B RECOMMENDING THAT WFTU BE GIVEN RIGHT TO SUBMIT ITEMS FOR
PROVISIONAL AGENDA, AND PART C THAT ALL CATEGORY A NGO'S RECEIVE EQUAL
TREATMENT.

We now take up Item No. 6 on the original Agenda, Assembly Resolution on Activities of the Economic and Social Council: Part B recommending that WFTU be given right to submit items for provisional agenda, and Part C that all Category A NGO's receive equal treatment.

The effective portion of the Resolution of the General Assembly is this: "The General Assembly recommends to the Economic and Social Council that it give to the World Federation of Trade Unions the right to submit to the Economic and Social Council questions for insertion in the Provisional Agenda, in accordance with the procedure now applicable to the specialized agencies."

In Part C, it says:

"The General Assembly,

"Takes note of the action of the Council to place certain non-governmental organizations in category (a);

"Expresses agreement with the general principle that all non-governmental organizations in category (a) should receive equal treatment in respect of consultative arrangements with the Council."

The subject is now open for consideration by the Council.

If nobody wants to break the ice, I should like to state what I feel about these two Resolutions, as I understand them. The first Resolution definitely suggests to the Economic and Social Council--though it is put in the form of a recommendation--that the World Federation of Trade Unions should be given the right to submit questions for insertion in the provisional agenda of the Council, in the same way as specialized agencies have been given that right by agreement. The second part of the Resolution says: "that all non-governmental organizations in Category (a) should receive equal treatment in respect of consultative arrangements with the Council."

So far as the first part of the resolution is concerned, I take it that though it is in the form of a recommendation, it is binding on the Economic and Social Council. So far as the second part of the Resolution is concerned, if by equal treatment and consultative status, it is meant equal treatment in all respects as given to all categories, all organizations under Group A, it means that all organizations under Group A will have the right to present to the Council items to be included in the Agenda. Of course it will be open to the Council to accept such items on the Agenda or not, but the right to decide, to present to the Council Agenda items, is implied by the resolution with respect to all organizations which are put in Category (a).

MR. MOROZOV (USSR) (Interpretation from Russian): Mr. President, the question of the participation of the World Federation of Trade Unions in the work of the United Nations has already been discussed many times in our meetings and conferences. The Soviet Union, as is well-known, supported the just request of the World Federation of Trade Unions for such participation. It is also well known that the Soviet Union proposed a resolution in the General Assembly. The resolution which the General Assembly adopted has just been read to us by our President. Unfortunately, the General Assembly did not see fit to adopt the second part of the Soviet proposed resolution, which was to the effect that the World Federation of Trade Unions be given the right to present written suggestions to the Council on questions in which it is interested.

I should like to note that the World Federation of Trade Unions is a very large and powerful organization representing a body of over 70 million working people throughout the world. It can be of inestimable help and assistance to the United Nations and this Council.

The Soviet delegation feels that the participation which is being granted to it by the resolution adopted by the General Assembly is not adequate and will, when it sees fit, propose the resolution in the sense in which it was proposed by the Soviet delegation at the General Assembly; that is to say that the World Federation of Trade Unions be given permission to present written and oral representations with respect to all questions in which it is interested.

Today, we are in receipt of a concrete proposal from the World Federation of Trade Unions, which has been submitted by that body in accordance with the resolution of the General Assembly. It has to do with the guarantee of rights to the trade unions. The Soviet Union supports this proposal and feels that

this question should be discussed and should be included in the agenda of this session of the Council.

The PRESIDENT: As regards the last remark of our colleague from the Soviet Union, I should like to point out to the Council -- lest our discussions should go astray -- that the proposal of the World Federation is not now before the Council. Its being brought on the agenda will depend first upon the acceptance of this resolution by the Council. I have had this resolution circulated merely for the information of the Members of the Council at this stage. However, at the proper stage after this resolution is accepted, the matter will be on the table for discussion.

MR. PAPANEK (Czechoslovakia): Mr. President, this resolution of the Assembly, in my opinion, is very clear. The recommendation is more or less an instruction, if we can call it that, to the Economic and Social Council to adopt or accept the proposals or draft resolutions by the World Federation of Trade Unions, as it is stipulated in that Resolution 49, under B, to accept the draft resolutions presented by the World Federation of Trade Unions. So that the merits are not to be discussed really. We are supposed to discuss only the procedure, how it should be done.

I can see how, under this Resolution, we should or we could discuss whether we are to accept them or not. We have to accept them under this recommendation. That is my opinion. And we should concentrate only on the form of how it should be done.

MR. STINEBOWER (United States): Mr. President, may I support the good sense and good advice which the representative of Czechoslovakia has just given us. There certainly is no point in our recapitulating the debate that we have already heard on these two resolutions, and certainly the question before us is to proceed to the matter of how we implement them. I would only like to note, however, that the last two speakers have spoken of Resolution B, and the Agenda seems in some way, in listing these separately, to indicate that maybe we come to them in different parts. I should think our first step would be in line with what I understood your comments to be, Mr. President: that whatever action we take applies equally, and that is merely to prevent our having a second debate about other Category A organizations.

What we are doing, as I understand it, is to note that we have a directive about the rights of Category A organizations to submit items for the consideration of the Council. Having noted that that applies to all organizations in Category A, we then proceed to discuss what the procedures are by which we will implement these two resolutions.

MR. McNEIL (United Kingdom): I would be very grateful, too, Mr. President, if we could have some guidance upon this point raised by our American colleague. I agree with our Czechoslovakian colleague that our business is to find means of implementation here. My Government does not intend to depart from that attitude but I should like to be assured that the Council is accepting your guidance; that is, that we are here discussing what are the reasons we should make for the WFTU, but that we are accepting the Assembly's recommendation and we are discussing how we can implement the recommendations referring to all Category A organizations. If we could get that clear, then perhaps we could go on quite likely to discuss as our Czechoslovakian colleague suggests, how it is to be done.

The PRESIDENT: I am concerned now with the actual wording of the Resolution of the General Assembly and not with the discussions that preceded that adoption of that Resolution.

The actual wording of the Resolution, so far as "C" is concerned, is: ". . .takes note of the action of the Council to place certain non-governmental organizations in Category A; expresses agreement with the general principle that all non-governmental organizations in Category A shall receive equal treatment in respect to consultative arrangements ^{with} / the Council."

The emphasis is on the phrase, "equal treatment". So far as the words, "in respect of consultative arrangements with the Council," are concerned, they are just a repetition of what is expected to be done about non-governmental organizations according to the Charter. The Charter, Article 71, says: "The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence."

Taking the Charter language and the Resolution into consideration, it seems to me that it is quite clear that the General Assembly has indicated its view that all non-governmental organizations under Category A shall be treated alike. It then, in part B, says a particular way in which a particular organization should be treated. Taking that with part C, it seems to me that that should apply to all non-governmental organizations in Category A. When that position is adopted, as I believe it ought to be adopted by this Council, then we shall consider how effect can be given to this particular way in which Category A non-governmental organizations should be treated. Then I propose to state what I feel should be the way in which the programme applicable to Specialized Agencies could be applied to non-governmental organizations under Category A.

I think that there is very little doubt that that is the position arrived at on a proper interpretation of the General Assembly resolution that all Category A non-governmental organizations, will be treated alike and that the right of submitting items to be included in the agenda of the Economic and Social Council should be given to all non-governmental organizations under group A.

Now, gentlemen, that being accepted, I go to paragraph B of the resolution.

"RECOMMENDS to the Economic and Social Council that it give to the World Federation of Trade Unions the right to submit to the Economic and Social Council questions for insertion in the provisional agenda, in accordance with the procedure now applicable to specialized agencies."

In the first place, the recommendation, which we now accept as binding on us, reads: "that it give to the World Federation of Trade Unions" and therefore, in theory, all other organizations included in Category (A) will have the right to submit to the Economic and Social Council questions for insertion in the provisional agenda in a form in accordance with the procedure applicable to specialized agencies.

The procedure applicable to specialized agencies has been arrived at in a series of agreements with these specialized agencies. The terms of those agreements are identical with reference to all these agencies and therefore, I should like to read the terms of one of these agreements, the agreement with the ILO, for instance. Article III of that agreement reads as follows:

"Subject to such preliminary consultation as may be necessary, the International Labour Organization shall include on the agenda of the governing body items proposed to it by the United Nations. Similarly, the Economic and Social Council and its Commissions, and the Trusteeship Council shall include on their agenda items proposed by the International Labour Organization."

There are two points in this agreement. The first is that any proposal for including an item in the agenda of the Council may be subject to such preliminary consultation as may be necessary.

Secondly, after these preliminary consultations, the item shall be included on the agenda. What becomes of that item on the agenda after it is included, how it is disposed of by the Economic and Social Council is, of course, a matter that depends upon the Council itself.

Are there any observations on the procedure regarding the inclusion of items proposed by any of these non-governmental organizations in the provisional agenda of the Economic and Social Council?

MR. PAPANEK (Czechoslovakia): Mr. President, from Article III of the agreement with the ILO, it seems that any proposal shall be included. We cannot even discuss it. Is this interpretation clear? Is it correct that we shall not discuss the program which is proposed by the ILO and naturally, proposals by the other specialized agencies under this resolution, the non-governmental organizations in Category A? Shall whatever they propose be included?

If this interpretation is correct, then a draft resolution or a proposal by the World Federation of Trade Unions would automatically be included on our program. I would like to know whether this interpretation is correct.

I would not want again to develop a political discussion, but since, during the last session we accepted the four non-governmental organizations into Category A, a resolution was passed by the General Assembly concerning Spain. It seems to me that some of these have Membership ^{from} there. I would like to have clarification on this subject as to whether under this resolution, we are accepting them as they are or whether there is a new situation which developed since the resolution was adopted by the General Assembly and whether those four organizations which have Membership from Spain are to be treated in the same category.

The PRESIDENT: I will first deal with the procedure with reference to specialized agencies. This was the subject of a great deal of discussion at the time these draft agreements were entered into with these specialized agencies. The Provisional Agenda is generally prepared in this way: The Secretary-General receives a number of items for the agenda from various Members, from specialized agencies, and so on. It may be necessary to have a preliminary consultation on the nature of the item before the Secretary-General submits it to the President for approval. After that preliminary consultation, the Secretary-General sends the list of items proposed to be included in the Provisional Agenda to the President, and with the approval of the President, the Provisional Agenda is then prepared and circulated to Members as a Provisional Agenda. That Provisional Agenda is made final at the first meeting of the Economic and Social Council thereafter.

So far as the specialized agencies are concerned, I must bring out this point, that during the discussions on the agenda, it was found necessary to have a sort of reciprocity right, a reciprocity with the specialized agencies. The specialized agencies were bound to put any items suggested by the Economic and Social Council on its behalf, and as a reciprocal proposal, the Economic and Social Council agreed to put on the Provisional Agenda any item suggested by a specialized agency, subject, of course, to preliminary clarification by the consultation.

Now, what happens when once the items find a place in the Provisional Agenda is entirely for the Economic and Social Council to decide. It may decline to consider that matter. What was important, and what was considered important on both sides was that a question of that kind requiring the attention of the Council or of the specialized agency should be brought to the notice of the Council or of the specialized agency and then left there.

That is the procedure with reference to specialized agencies, so far as they are concerned. Here, the resolution says the World Federation of Trade Unions shall have the right to suggest that an item should be included in the agenda, and it follows on by saying that the same procedure should apply as in the case of specialized agencies. Whether there is any subtle distinction between the right to submit an agenda and the compulsory duty of the President to include it in the provisional agenda is more than I can say. I, myself, do not think that if there is a right conferred, it is proper to whittle away that right by saying, well, the right has been exhausted by merely sending the item to the Secretary-General. It seems to me, therefore, that it is quite clear that if an item is suggested for inclusion in the Provisional Agenda, that has to be considered in the same way as items suggested by specialized agencies.

In regard to the second point which was raised by our colleague from Czechoslovakia regarding Spanish membership and some of the non-governmental organizations which have been recognized, including Spanish membership, my view is this: The General Assembly accepted non-governmental organizations which were put under category A by the Economic and Social Council. It knew when it accepted that by way of a resolution whether any of these non-governmental organizations had Spanish membership or not. It also passed a resolution about Spanish membership. When the same body passes two resolutions, well, it must be taken for granted that whatever inconsistency one may see in the adoption of both the resolutions, that inconsistency was known to the General Assembly and was ignored by the General Assembly. That is to say, in spite of the fact that it passed a resolution/ ^{about} Spanish membership, it should be taken that it made an exception in case it recognized a non-governmental organization which had such membership. The two resolutions should be taken together, and we should not at this stage try to say that one resolution

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is contradictory to another. That, of course, was for the General Assembly to decide and we must take it that the General Assembly passed these resolutions with its eyes and ears quite open.

MR. MC NEIL (United Kingdom): Mr. President, I have been reluctant to intervene in this discussion. It has frequently been one of some delicacy. I have never quite understood why because I always thought we should be able to bring out a non-contentious attitude towards you. I was very anxious to accept the leadership which you have offered us this morning, and which enabled us to vote in simpleness and dispose of this item without any substantial difference at all, and I am most grateful.

However, I think I would like to hear--if you will be so good, sir-- a little more about the phrase to which you draw our attention in Article 3 of the ILO Agreement, "preliminary consultation." It is true, as you pointed out, there is this physical consultation between the officers of the two Organizations--the specialized agency and the officers of this Organization. But I should like respectfully to suggest, sir, that there is a much more important form of preliminary consultation to which you have not referred; that is the preliminary consultation which is plainly afforded to the Member Governments of the specialized agency before the specialized agency decides to forward an item for inclusion on the provisional agenda of the Economic and Social Council. Now, sir, that is a form of consultation which, at first sight, ^{it} would seem impossible to provide in relationship between this Council and between the non-governmental organizations.

Therefore, I think--and I am not committed to any method--that if this Council is to accept the recommendation of the General Assembly, the advice of the General Assembly which was cast in a very precise form--that is, having regard for the procedure laid down by the specialized agency--the Council has an obligation to discover what kind of consultation or advice it can provide for itself to counter-balance the consultation and advice which every Member Government has by its membership of this specialized agency.

I think, too, that there is an additional reason why the Economic and Social Council would be wise to look for that kind of help. All of us here have been concerned about the methods of making this Council a workmanlike, precise, and effective instrument. It is a very new Organization. It has had a great many burdens thrust on it. But with every meeting, we have advanced our own technique and we get more and more discharged.

Well, here is another problem which the Council has to solve, and which the Council will solve in a reasonable fashion; that is, how are we going to control not only the quantity of our agenda but the quality of our agenda? How are we going to decide to what extent the agenda will extend? How are we going to decide what the urgent items are? How are we going to decide between competing non-governmental organizations--and there might be some very healthy competition between the non-governmental organizations. There might be an anxiety between them which I would be anxious to encourage to see that their particular organization would put up the most important items for inclusion on our agenda.

Well, is this Council going to occupy its first, second, third, fourth, and fifth days deciding what will be the shape of its definitive agenda? It is quite possible that if we do not arm ourselves with some consultative machinery, with some instrument for advising us on this particular matter as to what items shall be included from the non-governmental organizations, that the Council may find itself in that position.

Sir, it will be plain that I have taken particular care not to suggest a method. I have done that not because I haven't any ideas on that subject or because my Government lacks ideas on that subject. I have done so because this had been frequently a matter of some delicacy. Under your leadership this morning, we steered clear of that delicacy, and I am anxious not to say anything

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to destroy the harmony which you have so carefully built up on this subject.
I hope my colleagues will agree that I have placed certain considerations
before them which the Council cannot fully disregard.

MR. BORIS (France) (Interpretation from French): Mr. President, I do not contest for a minute the great value of the observations of my honourable colleague from the United Kingdom. I would like to ask a question with respect to the interpretation of our Rules of Procedure. In accordance with the Resolution of the General Assembly, questions can be submitted for insertion in the agenda of the Council by the World Federation of Trade Unions in the same manner as that right is being given to the specialized agencies.

Now in that connection, Mr. President, Rule 10 of our Rules of Procedure, states that the provisional agenda shall include all items proposed by the Council at a previous meeting; all items proposed by any Member of the United Nations; all items proposed by the General Assembly, the Security Council, and so forth; and (d) all items or reports which the President or the Secretary-General deems necessary to put before the Council.

Now it seems to me, in accordance with this, that the obligation clearly exists to insert in the provisional agenda of the Council, any questions which the World Federation of Trade Unions may submit for such insertion, in the same manner as it is being done for specialized agencies. It is true that there may be difficulties in connection with the discussion relating to these points, later on in the procedure, but it seems to me that in so far as the actual insertion of the questions is concerned, in the provisional agenda, Rule 10 of our Rules of Procedure is quite clear and should rule.

MR. MOE (Norway): I would like to support what the representative of France has just said. It seems to me that the simplest way to proceed, in order to implement the recommendation of the General Assembly, is to add a new linear to Rule 10 of the Rules of Procedure. And, as the recommendation of the General Assembly says: "that it shall be in accordance with the procedure now applicable to specialized agencies", it seems to me that this new linear must be formulated in the same way as linear (c) which says that all items

proposed by^e/specialized agency shall be included in the provisional agenda.

Then, I must say that I am not so afraid as the representative of Great Britain that our agenda shall be overloaded or anything like that, because I think the Council is always master of its own agenda. It is said expressly in Rule 13: "The Council may decide to revise the agenda and may accord priority to certain items." And even if the Council should not be able to do that, it is quite evident that when the Council comes to a point on its agenda, it is up to the Council, if it decides to postpone it, to refer it back, or even to say that the Council is not able to take any decision in this matter.

So I should say that with the Rules of Procedure we have now, and the general parliamentary rules of procedure, we are our own masters and we can control the quantity and quality of our own agenda.

MR. HAKIM (Lebanon): I would like to raise a question as to the nature and form of such preliminary consultation as may be necessary before an item proposed by a specialized agency is included on the agenda. Now are we to say that this Article 3 of the agreement with the ILO makes it mandatory for those who undertake these preliminary consultations with the ILO, that the item be included on the agenda of the Council, whatever the results of that consultation are?

It seems to me that if we say so, then there is no significance to this proviso by which Article 3 begins: "subject to such preliminary consultation as may be necessary." Now there would be no significance whatsoever to this proviso, if, in spite of the results of any such preliminary consultation, the item has to be included on the agenda of the Council. Let us suppose that it arises out of that consultation that the item is not within the competence of the Council or that the item could not be considered at this particular session of the Council.

It seems to me this preliminary consultation has a certain significance; therefore, it may be that as a result of this preliminary consultation those who make the preliminary consultation would decide that the item could not be included on the agenda, or that it would not be included on the agenda of that particular session of the Council, and that it had better be postponed to another session.

Mr. President, that is what I wanted to say on the nature of this consultation. Now what about the form of this consultation? Is it not necessary for the Council to establish a procedure of preliminary consultation, after which the item proposed by a specialized agency will be included on the agenda of the Council? Whatever we decided with regard to specialized agencies would have to be applied also to the WFTU and the other Category A non-governmental organizations. But we must decide, in the first place, on the nature and the form of the preliminary consultation which may be necessary before an item is included on the agenda of the Council.

The preliminary consultation may not take place at all, because it says, "as may be necessary." Sometimes it may not be necessary. Those who are charged with making the consultation may decide right away that the item is fully within the competence of the Council and could be considered right away at the session for which it is proposed. But in some cases I should think that preliminary consultation, as this Article 3 says, would be necessary, and it would have to have, in my view, a certain significance and not be merely a formality. No matter what the result of a consultation is, the item would have to be and should be included on the agenda of the Council.

MR. KIRPALANI (India): Mr. President, I am sure that we are all very grateful to you for your very lucid exposition of views in regard to the

manner in which the General Assembly resolution on this subject may be implemented. You have also, in my view, explained to us very adequately the meaning and significance of this phrase in the agreements with specialized agencies such as the ILO: "subject to such preliminary consultation."

I see no difficulty, either in regard to the nature of such preliminary consultation or the desirability of such preliminary consultation, or the manner in which such preliminary consultation could be conducted. Preliminary consultation may be useful to decide whether this Council is at all seized of a particular matter and, therefore, whether the matter which is suggested for inclusion in the agenda ought to be admitted to the agenda.

It may also be very useful to decide by consultation, and perhaps by agreement that it is not appropriate that ^a certain matter be included on the agenda of a particular session, either because that session is going to be very fully occupied with other matters which have a priority and urgency, or because perhaps the Secretariat is not ready with the documentation.

That is not, however, my difficulty, Mr. President. I think the point raised by my colleague from the United Kingdom is a point of substance and a point which perhaps may cause us difficulty in the future. Take for instance the agreement with the ILO. It talks of items that shall be admitted to the agenda. Now we know that we have a Provisional Agenda and an agenda which becomes final when this Council has considered it. Sometimes the Provisional Agenda is kept open for as much as a week.

It seems to me that the right of a specialized agency to have an item included on the agenda of the Council cannot be exhausted at the preliminary stage when the agenda is still provisional. It seems to me that that right continues until the agenda has been finally approved and confirmed by the Council for a particular session.

It could well be that while the Council is in session, and sometimes it has happened that the agenda has remained in this provisional state for as much as a week during the life of a session, that a number of items come up, and it seems to me that unless we set up some machinery or devise some procedure, a very considerable amount of the valuable time of this Council may be taken in argument and debate in deciding whether a particular item should or should not be admitted on the agenda.

Therefore, Mr. President, I would suggest that some machinery be devised to receive, during the provisional stage of the agenda and during the session of the Council, such proposals for inclusion in the agenda, and to advise the President of the Council how these matters are to be disposed of. Even when such advice has been tendered to the Council, there is nothing to prevent the Council, with the permission of the President, to debate the item, to accept that advice or reject it. I think that this machinery and such preliminary consideration of proposals that may be offered for inclusion in the agenda will save very valuable time of the Council.

MR. MOROZOV (USSR) (Interpretation from Russian): Mr. President, it seems to me that the discussion with respect to the practical application of the resolution of the General Assembly regarding the right of the World Federation of Trade Unions to present items for inclusion in the provisional agenda of the Council is

being complicated here by legalistic arguments and references. Thus, it seems to me that the question which is very simple and clear is being drowned in these legalistic arguments and references.

The question of insertion of any subject in such a matter in the provisional agenda is very clearly covered by our Rule 13 where it says that the Council may decide to revise the agenda and may include any such item in the provisional agenda. This can be done regardless of the author of that proposal, whether this be a government or a specialized agency or any other organ having a right to request the inclusion of such items in an agenda.

It seems to me that we should solve this question in the same light in which, as I understood it, the French and Norwegian representatives wish to solve it, that is, simply to add the question submitted by the World Federation of Trade Unions.

I suggest that a simple ending of this discussion would be to accept the proposal made here by some of the Members of the Council for an additional paragraph to Rule 10, and that we pass on to a discussion of the point which is under discussion at the present time.

The PRESIDENT: Well, gentlemen, I would like to say at this stage in reply to what our colleague from the Lebanon has said about what would happen if, as a result of consultation, there were differences of opinion between the Secretary-General and the Secretary-General of the specialized agency, that after all, both these authorities are fairly responsible people and the views of either the one or the other will prevail by common consent. But if that is not the case, then I have no doubt the item will have to be included in the provisional agenda. We can be fairly certain, whether it is a case of the Economic and Social Council dealing with an item, or the specialized agency dealing with the item proposed by the Economic and Social Council, it will be short shrift for the item in the agenda if, in spite of the opposition or suggestions of the Secretary-General, on the one hand, or the Secretariat of the specialized agency, on the other, the item is put by compulsion. The right to have it is there. In these matters--and especially when it is a matter of reciprocity, and as we are dealing with a matter of international interest--I do not think such impasse would arise, but if it does, ultimately the Economic and Social Council, in this case, or the specialized agency, in the other case, will have to deal with it.

As regards the reference made by the representative of India, the right is for the inclusion in the provisional agenda. The question of including an item in the agenda after the provisional agenda has been framed is the right of the Economic and Social Council and not either of the specialized agency or, much less, of a non-governmental agency. Any subject that is to be included in the agenda after the provisional agenda has been adopted can only be included by consent of the Economic and Social Council. The right--if I might

once more emphasize the word--is exhausted once the provisional agenda is framed. But whether the Economic and Social Council will still afterward include any particular item in the agenda depends upon both the authority which proposes it and the urgency of the matter that has been suggested for inclusion.

May I say this with reference to the General Assembly Resolution. It is clear that it shall be put, so far as procedure is concerned, on the same basis as the specialized agencies, but with reference to what our colleague from the United Kingdom has said there seems to be a certain difficulty. It is true that the Rule says "any item proposed by specialized agencies". But that Rule has to be read with the actual draft agreements which have now^{been} reached, and the agreements speak of previous consultation. If we merely insert another clause under that Rule--"any item proposed by a non-governmental agency under category (A)"--the question of previous consultation does not come in. That question of previous consultation is brought in by the agreement which has been entered into with the specialized agency, and we should take it that the General Assembly Resolution, when it wanted to put the non-governmental organizations under category (A) with the specialized agencies, also implied that the previous consultation must be carried out.

I have no doubt that the Rule of Procedure will have to be changed, but I should like to make this suggestion. Having agreed that the procedure should be the same in both cases, as recommended by the General Assembly, I should like to remit this question to the Committee of the Council which is dealing with non-governmental agencies and have their recommendation as to how precisely the additional Rule that has to be embodied may be framed. And the Council may then have an opportunity of discussing this additional Rule. It is possible that that Rule, after preliminary consultation, may suggest some other procedure. The item may be

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brought into the provisional agenda today, but it seems to me that it wants looking into. Merely adding the Rule--"any item proposed by non-governmental organizations under category (A)"--would not fulfill the purpose the General Assembly had in view when it accepted that Resolution.

MR. MOROZOV (USSR) (Interpretation from Russian): Mr. President, I am very sorry not to be able to agree with what you just said. As I understand it, the President has just proposed that this question be submitted to a special committee which would study the procedure by which questions submitted by non-governmental organizations for inclusion in the Provisional Agenda would be so included.

To me, the question is very clear and no additional study of the procedure in this respect is necessary. I cannot quite understand why questions of the possible overloading of the Agenda of this Council should always come up when we are discussing something relating to the World Federation of Trade Unions which is such a well known and important organization. When similar questions were discussed in connection with specialized agencies, no such danger of overloading was noted or mentioned.

I suggest, Mr. President that the additional discussion which is being proposed in this case is simply a reflection of the apparent lack of desire to fulfill the resolution passed by the General Assembly, and I would like to insist that a vote be taken on the proposal put forward by certain Members of this Council for a simple addition to the Rules of Procedure, particularly Rule 10, as I mentioned previously.

The PRESIDENT: As far as the Chair is concerned, I hope I shall be permitted to explain that I have no thought of whittling down the General Assembly's Resolution or of trying to support any bias on my part in favour of or against the non-governmental agencies or, in particular, the WFTU. I am only concerned to see that the actual terms of the Resolution of the General Assembly are carried out. The General Assembly lays down that the procedure with reference to these non-governmental organizations shall be similar to the procedure with reference to the Specialized Agencies.

I just pointed out that the rule that any item proposed by the specialized agencies should be adopted in the Provisional Agenda must be read along with the agreement which has been arrived at with the specialized agency. In that agreement, one of the Articles says, "subject to such preliminary consultations as may be necessary."

Therefore, it seems to me that the procedure with reference to bringing an item on the Agenda so far as the specialized agency is concerned involves, if necessary, preliminary consultation. I am only anxious that the same procedure should be adopted with reference to the non-governmental organizations. There is no agreement between the non-governmental organizations and the Economic and Social Council. As there is no agreement, in the rule that may have to be framed, some such words as "subject to preliminary consultation" may have to be inserted.

I therefore suggested that the proper wording of that rule may be referred to the non-governmental organizations' Committee, which will then submit to the Council the rule in its proper form.

There is nothing more sinister or more biased in the suggestion that I put forward than that. I hope that explanation will satisfy our colleague from the USSR that there is no desire on the part of the Chair in any way to go behind the General Assembly's recommendation.

MR. NASH (New Zealand): Mr. President, to me it seems to be unfortunate that this discussion has centered around the WFTU instead of all organizations associated with category A, because the discussion takes the trend which tends to submerge the real purpose for which these non-governmental organizations desire to be associated with the Economic and Social Council. That, I think, is important to all of us to get into our minds.

The second point, I think, which is of importance, is that there cannot arise, other than from the Assembly or from our own rules, any occasion that will enable the Council to do other than determine its own proceedings all the time. The Council is master of its own proceedings and master of determining what it will discuss and when it will discuss any subject. There is, however, I think, some difficulty likely to arise in connection with the competent use of the time that we have available and it is that competent use of the time that we have available, that will determine the strength and the progress toward the objective of the Council. If the time is not competently and wisely used, then we would not get the Members here to do the job in the way that we desire it to be done. If they have to come and spend five, six or eight weeks in doing what can be done in one or two weeks, then on that point we will discount largely the work of the Council.

The point with regard to that, is that, accepting that fact, that the Council is the master of its own proceedings, if an organization, whether it is the International Cooperative Alliance or the American Federation of Labour, or any other organization that wants something to come up, representatives to the Council, at any time, can so talk about that on the provisional agenda discussion, as to discount the chance of going ahead in the way that generally is desirable. And irrespective of any feeling of one organization or another, there ought to be, as I see it, inside our own rules, some method by which we can send to some outside Body -- associated with the Council, if you like -- the whole agenda, so that they can recommend to the Council just what subjects should come up and their order. You can call it a Steering Committee or a Standing Committee or you can call it an Agenda Committee.

That will not altogether shut out the possibility of discussing "order." It would not shut that out but it would tend to bring some order in the discussions of the Council, and the other debates could take place outside rather than inside, as far as it is competent to determine that. And I do suggest that we try to forget the WFTU and discuss the subject under the International Cooperative Alliance, if you like. Forget the WFTU altogether. It is unfortunate. It appears to me to be the letter of the correspondence of the WFTU to the Assembly that raised it in this way here, with their name in it. It is not the WFTU, as I see it, as such, and the others to be like them. It is all Category A, non-governmental organizations shall have the same rights, and not others shall have the same rights as the WFTU. That is putting it in an absurd way. We might as well say that they shall all have the same rights as the American Federation of Labour. There might be some debate about that if it was put that way.

I suggest we should try to bring our discussion around to the question of Category A organizations and how we are going to determine the subjects that they desire to raise, and what time of the Council shall be used in debating those subjects. We do want to avoid any suggestion of any few, screening what the Economic and Social/Council shall discuss. But there are a number of other things that inevitably must drive towards some competent committee-- it does not matter how representative it might be--discussing prior to the Council discussing it. There may be subjects sent in by the American Federation of Labour for inclusion on the agenda, that has already been referred to a commission, and we might want that from the commission and not from the Federation of Labour.

So, if Category A organizations are to automatically have their items put on to the agenda, the provisional agenda, if you like, there must be, as I see it, some preliminary consultation and a side committee, I suggest, of this Organization, a Standing Committee in some way or a Steering Committee that we could set up at the opening of each Council for the purpose of bringing back to the Council a recommendation of the order in which its business should be conducted.

MR. DAVIDSON (Canada): Mr. President, I think this discussion has been very profitable in throwing light on certain wordings in the Rules of Procedure which we adopted some time ago and which I think we may now see, are not as clear and definitive as we hoped they were at the time we drew them up. I propose to say what I have to say, on the broadest possible basis of principle with respect to this whole group of non-governmental organizations and the way in which we should implement the sense of the Assembly Resolution with respect to the relationships which should be established between the Economic and Social Council and the non-governmental organizations.

I would like to say first of all ^{that} /as I read these resolutions jointly, it seems to me that what the Assembly has done is not to recommend to us that we should grant additional privileges or rights to one or more non-governmental organizations, which were not contemplated by the Charter. The Assembly, by resolution, could not in fact do that. It could not direct us to grant rights to non-governmental organizations which Article 71 of the Charter does not contemplate them having.

Therefore, since Article 71 of the Charter contemplates that these non-governmental organizations shall have consultative rights, I take it that what the Assembly was doing in effect was recommending to us that we should interpret the word "consultation" in such a way as to include this specific right to submit items for insertion in the provisional agenda. In making that recommendation, they also suggested that the procedure which should be followed should be the procedure that is laid down with respect to the specialized agency.

Now, I think that the use of this phrase "provisional agenda" in the first of these two resolutions raises to an importance, that we did not previously perhaps fully appreciate ourselves, the distinction which must be made between the provisional agenda and the final agenda. That brings me to a discussion of not just Rule 10 but of ^{all of} the Rules of Procedure as they affect the agenda.

I would like to draw your attention to the fact that the Rules as they presently stand are somewhat inconsistent, one with the other, and that Rule 10 speaks of the provisional agenda; Rule 11 says that "The notice summoning each session and the agenda shall be sent to all Members of the United Nations and to the specialized agencies." That obviously refers to the provisional agenda. In the light of that, my feeling is that we should consider the advisability of setting up--not quite the Committee that you have suggested, Mr. President, and not to refer this to the Non-Governmental Organizations Committee. I do not think that meets the situation--a small workable ad hoc committee for the purpose of reviewing Rules 9 to 13 affecting the agenda, in the light of the implications that we now see with respect to the difference between the use of the term "provisional agenda" and the word "agenda" itself.

In order to meet the position of the representative from New Zealand, I would include in that suggestion the further thought that in reconsidering

these Rules of Procedure as they affect the agenda, this small ad hoc committee could also consider the advisability of introducing a new Rule of Procedure into the agenda which would deal with this question of a small Steering Committee which would aid in translating the provisional agenda into something that the Council could consider at its opening session as an agenda itself.

I think we have to keep in mind the fact that the Economic and Social Council has only completed one year of its operations; that it has already admitted numerous specialized agencies into membership; that it has also admitted a number of non-governmental organizations into its membership. And I do not think we can assume that the Economic and Social Council is through with admitting still more specialized agencies and still more non-governmental organizations into its membership.

While it is all very well for us to say that under Rule 13, the Council is master of its own agenda, I question whether in practice we would very long continue to be master of our own agenda if we continue to add numbers of organizations. In admitting them to the status of membership, we would have to automatically grant them the absolute right to put items on the provisional agenda. I think it is even possible to interpret Article 3 as granting the specialized agencies at least the absolute right to put these items on our agenda itself. I think that should give us some occasion for pause. If we are going to remain masters of our situation--and I certainly think we are all in agreement that we should--then it does seem to me that we have to revise these Rules of Procedure in such a way as to make it much clearer than it is now as to the difference between "provisional agenda" and the agenda itself.

At the same time, we have to consider what specific machinery we should set up on a small compact basis that will make it possible for the preliminary work to be done, if possible, outside of the Council session so that we will not have to spend, as one of the representatives has said, four or five days in

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deciding whether or not each of these many items that has to go on our provisional agenda is actually going to be confirmed as an item on the agenda itself.

The PRESIDENT: Thank you.

MR. KOTSCHNIG (United States): I asked to speak before I heard the views of the representative of Canada. These views appear to us to be so admirable and so much to the point that we do not want to prolong the discussion. I therefore confine myself simply to seconding what I understand to be a formal motion on the part of the representative of Canada, aiming at the setting up of an ad hoc committee to be appointed, I take it, by our President, which will have a double task: First, to review the rules of procedure which relate to the agenda, which are Rules 9 to 13; secondly, to draft an additional rule which will make it clear which procedures are to be followed in getting an item, suggested by non-governmental organizations of Category A, on the provisional agenda of the Economic and Social Council. I understand this was the motion. I would be very happy to second it.

The PRESIDENT: The resolution, I understand, is this: Accepting the recommendation of the General Assembly on this subject, a committee to be appointed with a view to studying appropriate rules with reference to the preparation of the agenda, and to make specific recommendations regarding the particular rule necessary to give effect to the recommendation of the General Assembly. Is that accepted? (No objections voiced.) I take it that that resolution is accepted.

MR. MOROZOV (USSR) (Interpretation from Russian): Mr. President, before deciding this point I should like to ask a question: Does this proposal mean, in practice, that the discussion of the question which is before us is being postponed? Or does it mean that we can discuss it now? That is my first point.

The second point is this: It seems to me that the proposal has been made here which precedes the one that has just been made. That is my understanding, and I think the first proposal should be passed upon first.

The PRESIDENT: I take it that the representative of the USSR is referring to the proposal sent up by the WFTU for inclusion in the agenda.

MR. MOROZOV (USSR): Yes.

The PRESIDENT: If that is so, that can only arise after this resolution is disposed of. I am putting up this resolution first: that this Council accepts the recommendation of the General Assembly and refers to the committee the precise form in which the procedure should be adopted by an appropriate rule being added to our rules of procedure. If that is accepted, then the subject will be taken up later for further consideration.

I hope that the ad hoc committee's proposals will be before the Council by Wednesday at the latest. There is no intention of delaying the matter, and after that, this subject will then be taken up in the light of the ad hoc committee's recommendation.

MR. BORIS (France) (Interpretation from French): Mr. President, I should like to make the following observation: It is not possible for us, and should not be possible for us, to prejudge either the recommendation of this committee or the decision of this Council, and the nature of these recommendations or decisions should apply to the future and should, it seems to me, not be made retroactive.

I mention this particularly in connection with the proposal put forward by the WFTU, in connection with which preliminary consultations have already taken place. The proof of this is the fact that the document has been circulated by the Secretariat, which is eminent proof that the preliminary consultations have taken place. Nothing should, in the future, be done which would affect something which has taken place in the past.

The PRESIDENT: There is some confusion on the point. The Economic and Social Council had first of all to decide whether an item proposed to the agenda by any non-governmental organization should be put into the agenda or not. That decision, in accordance with the recommendation of the General Assembly, has just been taken by the Economic and Social Council. The Economic and Social Council has accepted the recommendation of the General Assembly that an item proposed by a non-governmental organization under category A can be brought into the agenda of the Council. Under what procedure it should be brought, is a matter still to be decided, and the ad hoc committee will make recommendations on that subject. Therefore, no question arises at this stage of any item which has been suggested by any non-governmental organization being immediately taken up.

A paper has been circulated in accordance with the previous decision of the Economic and Social Council, that all communications received from non-governmental organizations under category A should be circulated to the Council. It does not mean anything more than that.

I put the resolution to the order of the House.

(A vote was taken by a showing of hands and the President announced the result as follows):

It is carried.

I suggest that the following should be the Ad Hoc Committee:

United Kingdom
Union of Soviet Socialist Republics
United States
France
China
Canada
Czechoslovakia
Netherlands
Norway
Cuba
Lebanon

MR. McNEIL (United Kingdom): Mr. President, I do not want to make any long statement, but I have constantly the feeling that we would move faster and not necessarily less wisely if our Ad Hoc Committee were not quite so big. I do not want to go into this matter and we have a great deal of interest in this matter, but if it would be the only^{way}/of reducing the Committee appreciably, I would even be willing to reconsider the offer made to my Government.

I wonder if it could be taken back and left to you to decide, making the usual consultation by Monday morning.

If you want a meeting before then, I think the best thing would be for me to withdraw my suggestion at this time. If we did want the Committee to meet before Monday morning, perhaps the Council might consider between now and then whether this Committee could be made smaller.

There is nothing sinister in my proposal, I hope. I am not trying to avoid work for myself and my Government, but I am trying to assure that the Council will go on speedily with its job.

The PRESIDENT: This Committee is not expected to meet before Monday. Probably it will have to meet on Tuesday. I am also very conscious of the need for saving time. I am also equally conscious of what may be said in the Committee and not in the Plenary Session. Therefore, if the representative of the United Kingdom does not insist on his objection, I would like this Committee to go forward.

MR. McNEIL (United Kingdom): I had the objection, Mr. President, but I would think it impolite and unwise if I did not give way to your wishes at this time and I must say that I most cheerfully and warmly do so.

MR. NASH (New Zealand): Mr. President, there is the point that if you do have these large committees, the Council cannot meet while those committees are meeting. I think that if we had reasonably small committees to consider specific subjects, the tendency, in the main, would be that the business of

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the Council would be expedited rather than delayed. If committees of nine and eleven and other numbers are to meet, the Council is, in effect, meeting and we are delaying the business instead of expediting the business by having these large committees.

The PRESIDENT: I take note of your observation.

Those in favour of this Committee being constituted, please raise their hands.

(After the vote was taken, the President announced the result as follows):

It is accepted.

There is only one other item, a note of the Secretary-General regarding co-ordination of the activities of the various specialized agencies and of the Economic and Social Council. The report of the Secretary-General is in Document E/287 dated 26 February 1947.

MR. OWEN (Assistant Secretary-General): Mr. President, as one who took part in the first meeting of the Co-ordination Committee which was held on the 4th of February, I would like to add one word in supplementation of the report presented by the Secretary-General and which is now before you.

I think this meeting was extraordinarily successful. There was a very friendly and cooperative spirit shown at the meeting, and I think the course of the proceedings augurs well for cooperation between the specialized agencies. The subjects which were discussed covered a wide range of topics, both of substance and of administrative arrangements, and as a result of those meetings and the various consultative committees which have been set up on an inter-agency basis, a considerable step forward has been taken in bringing the work of the United Nations and the specialized agencies together and avoiding that overlapping and inconvenience which many feared, and in laying down a programme of cooperation for the future.

The PRESIDENT: I take it that the Council has taken note of the report of the Secretary-General on this subject.

Before we adjourn I should like to make a statement. It was my intention to have the meetings of the Council beginning at 10:30 every day, but certain delegations have pointed out the difficulty with reference to that hour. The representatives themselves may have to meet in the morning, and Lake Success is a good 45 minutes' journey from any place in New York. Therefore, they have suggested that the meetings should commence at 11 instead of 10:30. I think it is only reasonable that that accommodation should be made. I propose, therefore, that in future our meetings will be held at 11, and not 10:30.

On Monday item 10 on the agenda will be taken up for consideration.

I have one last point to make. Yesterday I remarked that certain non-governmental organizations had not sent in the names of their observers. The non-governmental organizations have been receiving the papers and no special invitation had gone to any particular non-governmental organization. Therefore, I should like to make it clear that they are not expected to receive an invitation; there is a standing invitation for them, once they

are recognised, to be present at the meetings, and they will kindly notify the Secretariat at the beginning of each Council session who their observers will be from time to time.

MR. KIRPALANI (India): I shall take only a moment, Mr. President. Are we to assume that item 8 of the agenda has been disposed of, inasmuch as the Council has taken note of it? There **are** certain problems in the field of coordination which I wish to submit for consideration of the Council.

The PRESIDENT: Item 8 has been disposed of, but I myself propose at a later stage to bring up for consideration of the Council certain considerations having regard to the Resolution of the General Assembly on the subject of coordination.

MR. McNEIL (United Kingdom): Mr. President, my point will take ^{less} than 30 seconds. I assume that if the Council is going to meet half an hour later in the morning, it will sit half an hour later at night.

The PRESIDENT: The Council shall be prepared every day to sit until six o'clock if necessary. Beyond that hour I have not at present authority from the Secretariat to have the Council meet, but I hope to have it if it is necessary.

MR. McNEIL (United Kingdom): We are appreciative of the difficulties of the Secretariat, but I hope we shall know by Monday that it is possible for the Council to work until any reasonably late hour. I was not thinking of some of our abnormal sessions which sometimes go on until one and two, but only of a reasonably late hour in the evening.

The PRESIDENT: The meeting of the Council is now adjourned. The Council will meet on Monday at eleven a.m.

(The meeting adjourned at 1:20 pm)