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President: Mr. Manuel PEREZ GUERRERO
(Venezuela).

AGENDA ITEM 18

Non-governmental organizations (continued) (E/4476
and Corr.1, E/4485 and Corr.1)

1. Mr. FORSHELL (Sweden), speaking as Chairman of the Council Committee on Non-Governmental Organizations, read out the corrigendum (E/4485/Corr.1) to the draft resolution contained in the Committee's report (see E/4485, annex). He explained that the sentence: "The following principles shall be applied in establishing consultative relations with non-governmental organizations" should immediately precede paragraph 1 in part I, and should not be incorporated at the beginning of that paragraph.

2. It had been pointed out that, unlike paragraph 24 (b) of Council resolution 288 B (X), paragraph 25 of the draft resolution did not mention the forty-eight-hour rule which applied to the submission in writing of requests by non-governmental organizations for consultations. The Committee had not intended to change the procedure, but it had considered it unnecessary to incorporate the clause in question in its draft resolution, since it was included in rule 85 of the Council's rules of procedure.

3. With regard to paragraph 40 (b) of the draft resolution, the Committee's intention was to establish a system of rotation under which each year one fourth of the non-governmental organizations would submit a brief report on their activities. The Office of Legal Affairs had suggested a few drafting amendments, and he believed that the Council could leave it to the Secretariat to make whatever minor changes might prove necessary, in consultation with the Office of Legal Affairs.

4. The PRESIDENT said he would call upon the representatives of those non-governmental organizations which had asked to be heard by the Council.

5. Mr. ASCHER (International Union of Local Authorities) said that, at its forty-second session, the Council had heard a statement tracing the history of the co-operation of the International Union of Local Authorities (IULA) with the United Nations, UNESCO and WHO for the previous twenty years.^{1/} The officers and the Executive Board of IULA were evidence of the geographically varied membership

of the organization, which included fifteen African and fifteen Asian countries. In that respect, IULA had undergone the same transformation as the United Nations, as was shown by the participation in IULA's most recent Congress, which had been held at Bangkok. IULA welcomed participation from any Member State of the United Nations or UNESCO. The activities of non-governmental organizations in developing countries had increased in terms of both manpower and money. Non-governmental organizations were among the best friends of the developing countries at the United Nations.

6. Governmental support for non-governmental organizations in consultative status was widespread, as shown by a survey of the Union of International Associations submitted to the Council at that session. Such support, whether direct or indirect, took many complex forms. The by-laws of many non-governmental organizations provided for government participation. For instance, the International Institute of Administrative Sciences received support from over forty member States. Some organizations, such as INTERPOL (International Criminal Police Organization), consisted entirely of government officials.

7. The most important issue for non-governmental organizations was independence of thought and action. Their participants, even if they were government officials, did not state the position of a Government, but offered professional advice.

8. It was in the developing countries especially that government support should be considered natural for participation in international voluntary organizations.

9. He hoped that the Council would give regard to the various ways of measuring mass membership. Through their elected officials, IULA represented urban populations of hundreds of millions; it represented their needs and aspirations, and it offered the United Nations advice on ways of meeting those needs.

10. His organization hoped that the Council would give its Committee on Non-Governmental Organizations guide-lines on how to measure constructive contributions by such organizations, and that it would not rely entirely on such data as the number of communications submitted. At its Congresses, IULA debated subjects which appeared on the Council's agenda, and its questionnaires were drafted in co-operation with the Secretariat. United Nations officials took part in the training programmes organized by IULA in developing countries.

11. The Council should affirm the need for establishing an atmosphere of mutual confidence between it and the non-governmental organizations. The President of one non-governmental organization had justifiably expressed his amazement and chagrin at a questionnaire which, in his opinion, had been couched in terms of suspicion and hostility characteristic of an

^{1/} See Official Records of the Economic and Social Council, Forty-second Session, 1462nd meeting, paras. 8-10.

interrogation by a commission of inquiry. The deadline for the submission of replies to the questionnaire had been abnormally short and, during the revising of Council resolution 288 B (X), representatives of organizations had not been given opportunity for an exchange of views with the Council Committee on Non-Governmental Organizations.

12. With a fair and liberal interpretation, the draft resolution would probably serve its purpose. Representatives of non-governmental organizations had welcomed the statement made at a Council Committee meeting by the representative of the United Republic of Tanzania ^{2/} that it was implicit in the draft resolution that any organization would be granted a hearing before its consultative status was suspended.

13. Where consultative relations with the specialized agencies were concerned, he hoped the Council would bear in mind that the contributions of a non-governmental organization to the Council might be entirely different from those that it made to the specialized agencies. IULA maintained standing committees which worked with UNESCO, WHO and the United Nations in their respective areas of competence.

14. Mr. BARTON (World Federation of Trade Unions) pointed out that one of the first non-governmental organizations to which the Council had granted consultative status was the World Federation of Trade Unions (WFTU). It had been represented at the San Francisco Conference and had argued in favour of incorporating in the Charter of the United Nations the provisions which now appeared in Article 71. By its suggestions, it had to a great extent influenced the arrangements adopted by the Council with regard to consultations with non-governmental organizations.

15. Developments over the past twenty years fully justified the revision of those arrangements. Having always fought, at the United Nations and elsewhere, for the elimination of colonialism and neo-colonialism and for recognition of the rights of the socialist countries, WFTU was convinced that the developing countries and the socialist countries should be assured of more adequate representation in the non-governmental organizations, and that care should be taken to see that such organizations were financially independent and represented the views and interests of their members in a democratic manner. It felt that other, more widely representative organizations must be admitted.

16. The draft resolution (see E/4485 and Corr.1, annex) showed very few changes in comparison with Council resolution 288 B (X). The quality of the changes had, of course, been affected by the process of conciliation which had made it possible to reach an agreement. Nevertheless, some improvements had been made. For instance, WFTU welcomed the clause specifying that the membership should be broadly representative of major segments of the population (*ibid.*, para. 16 (a)) and the reference to balanced representation (*ibid.*, para. 14). The fact that organizations in category A had not been allowed to speak at the International Conference on Human Rights, held at Teheran, seemed to indicate that the General Assembly doubted whether the list of non-govern-

mental organizations was representative and balanced. Perhaps it would be possible to draw up a list of organizations which the Members of the United Nations would recognize as being able to participate usefully in the work of the Council and its subsidiary organs. In the meantime, it was to be hoped that the organizations at present in consultative status would continue to have the right to make oral statements at the forty-fifth session of the Council.

17. The World Federation of Trade Unions wished to develop its work in connexion with United Nations activities, and a report which it had submitted to the Committee stated that it intended to intensify its activities in United Nations bodies on a whole series of questions, such as disarmament, peaceful coexistence, and the struggle against colonialism, against all forms of discrimination and against apartheid. It believed that the adoption of the draft resolution would help to strengthen its ties of co-operation with all United Nations bodies and to reinforce its consultative relations.

18. Mr. ALLEN (World Veterans Federation) observed that the Federation comprised 160 associations totalling more than 20 million members in fifty countries of all the continents.

19. The Federation recognized the need for a periodic review of the criteria governing the participation of non-governmental organizations, but thought that it had detected a certain lack of enthusiasm with regard to those organizations during the recent debates in the Council Committee on Non-Governmental Organizations. The charge levelled at those organizations, namely, that they tended to be too pro-Western, could not be applied to the Federation, more than half of whose members were of Asian or African origin. In any event, the Federation felt that the draft resolution too often disregarded the bilateral nature of consultative status, as it had originally been defined. Apart from the fact that the draft made no provision for allowing an organization to be heard or to defend itself if its consultative status were to be suspended, there was the fear that the expansion of the powers of the Council Committee on Non-Governmental Organizations might enable it to pass judgements of a political nature.

20. Some of the most arbitrary provisions of paragraphs 8, 16 and 17, and the whole of part VIII, fully justified such concern. The Federation had prepared a detailed analysis of the draft resolution, which would be circulated to the members of the Council. One of its points was that paragraph 8, relating to the financial support given to organizations, should be broken down in much greater detail. There was no doubt that, in most cases, members' dues were clearly insufficient as a source of finance; the importance accorded to such questions of financing by the Council Committee on Non-Governmental Organizations was misplaced and irrelevant. What really mattered was the activities of the organization concerned and whether those activities were in keeping with the spirit, the principles and the provisions of the Charter. The draft resolution was vague; it left room for arbitrary political judgements and would place a very heavy administrative burden on organizations.

^{2/} See document E/C.2/SR.248.

21. The sources of financing for non-governmental organizations were very varied. The most important question was not the motives of the suppliers of funds, but whether the aims and actions of the non-governmental organization were consonant with the purposes of the United Nations. Furthermore, it would be really difficult to report the numerous sources of financing, not to mention the converse fact that it would be very easy for organizations which had something to hide to conceal the questionable aspects of their financing.

22. The idea of collaboration freely undertaken would undoubtedly be more encouraging for the 20 million members of the Federation than any narrow or ambiguous attempt to put a halter on those who, when all was said and done, were already the most faithful collaborators of the United Nations.

23. Mr. ABE (Japan) commended the Council Committee on Non-Governmental Organizations for the excellent draft resolution which it submitted to the Council in its report (see E/4485 and Corr.1, annex), but regretted that, owing to the delay in issuing the report, it had not been possible to circulate it sooner to the members of the Council, who had been unable to study it with the care due to a document of such vital importance. His delegation, among others, wished to have some clarifications on certain points in the text of the draft resolution. In the first place, with regard to paragraph 8, there was no need, in his delegation's view, for non-governmental organizations to be required systematically to reveal to the Committee the exact amounts and donors of all voluntary contributions. Such a procedure might needlessly overburden the administrative and accounting services both of the organizations themselves and of the United Nations Secretariat. The Chairman of the Committee had stated earlier that that provision should be applied reasonably and intelligently, but in the interests of clarity and precision, which were necessary qualities in so important a document, his delegation would like to know exactly how it was proposed to give effect to that provision.

24. With regard to paragraph 16 (a), his delegation would like to know the exact meaning of "representative of major segments of population". A good many organizations—for example, the International Chamber of Commerce—represented very specialized interests, commercial or other, and not a major segment of population, and such a criterion would apparently prevent them from qualifying for admission to general consultative status, category I.

25. Where paragraph 17 was concerned, he agreed with the representative of France that the first and second sentences were mutually contradictory.

26. With regard to paragraph 36 (a), he thought that it would suffice to state that a non-governmental organization would be liable to suspension or withdrawal of consultative status with the Economic and Social Council if it acted in violation of or contrary to the principles of the Charter of the United Nations, and that it was superfluous to mention the possibility of secret governmental financial influence; an allusion of that kind was out of place in a United Nations document.

27. Mr. VARELA (Panama) pointed out that there was an error in the Spanish version of the text of the draft

resolution before the Council. The word "aplicar" in paragraph 8 of the draft resolution (see E/4485 and Corr.1, annex) should read "explicar".

28. Mr. GOLDSCHMIDT (United States of America) noted that peoples were the very root of the existence of the United Nations, as was indicated by the first words of the Charter. Individuals and nations could obtain hearings in the United Nations, either through their Governments or, as provided in Article 71 of the Charter, through non-governmental organizations. The latter had contributed effectively to the activities of the United Nations ever since its foundation, both by providing it with valuable information on various subjects and by their distributing information throughout the world on the work of the United Nations or helping Member States and United Nations bodies to do so. Non-governmental organizations had brought to the United Nations expert advice in many fields of economic and social development. They had also made an invaluable contribution in the field of human rights. By representing peoples directly, the non-governmental organizations acted as their spokesmen at the United Nations, thus enabling them to express their views freely, shielded from any political pressure, and in that way universal respect for human rights was promoted.

29. Because of the importance of the non-governmental organizations' role in the work of the United Nations, the Council should draw up provisions for consultation which would enable them to have maximum participation in the United Nations. His delegation believed that the draft resolution under discussion would provide an adequate basis for consultation. He wished to express his delegation's understanding and interpretation of certain sections of the draft resolution.

30. Paragraph 4 in part I provided that "where there exist a number of organizations with similar objectives, interests and basic views... they shall... form a joint committee... authorized to carry on such consultation for the group as a whole". That provision, which was intended to encourage non-governmental organizations active in the same field to group together to use one voice in consulting with the Council, did not, however, imply that an organization which by itself fulfilled the conditions for admission to consultative status must join with other organizations in order to be admitted. Furthermore, the joint committee referred to in that paragraph was different from the committee or group composed of international organizations mentioned in paragraph 10. Lastly, it was for the organizations themselves, and not for the Council, to decide on their community of aims and interests.

31. Paragraph 7 was designed to protect the independence and free expression of views of organizations which accepted members designated by governmental authorities.

32. Paragraph 8 was the key paragraph of the draft resolution. It was intended to safeguard the autonomy and freedom of action of non-governmental organizations without regard to their sources of income. He acknowledged the value, and sometimes even the necessity, of financial support from governments, especially in the developing countries, provided that any such contribution was openly declared and devoted

to purposes in accordance with the aims of the United Nations. It was his delegation's understanding that the requirement that organizations receiving voluntary contributions must reveal their amount and precise origin to the Committee on Non-Governmental Organizations did not mean that they had to list all contributions; that would involve a great deal of administrative and book-keeping work for the organizations in question as well as for the Council and the Committee.

33. Paragraph 9 concerned the possibility of admitting national organizations to consultative status. His delegation felt that such organizations could not make a useful contribution to the Council's work unless they were able to express themselves freely, without being subjected to pressure by Governments, and that the same criterion should be applied to them as to the international organizations mentioned in the second sentence of paragraph 7.

34. The criteria governing the suspension and withdrawal of consultative status, which were dealt with in part VIII of the draft resolution, must be applied with the utmost caution; that was particularly true of the provisions of paragraph 36 (c). An opportunity must be provided for full and fair hearings of non-governmental organizations during any review. A decision by the Council to suspend an organization or to withdraw its consultative status should be taken only after extremely thorough study with ample evidence that the criteria had not been met.

35. Lastly, he felt that with the implementation of the resolution, with care and continuing concern to enhancing the role of non-governmental organizations in the work of the Council, the Council itself would be strengthened. His delegation hoped that the Secretariat would increase its efforts to ensure close co-operation between the United Nations and those groups.

36. Mr. ÇUHRUK (Turkey), while noting the constructive nature of the Committee's report on arrangements for consultation with non-governmental organizations (E/4485 and Corr.1), nevertheless wished to draw the Committee's attention to certain imprecise terms in the draft resolution contained in that report (*ibid.*, annex). In particular, the first six paragraphs dealing with the principles to be applied in the establishment of consultative relations referred only to the term "organization", whereas, from paragraph 7 on, the term "international organization" was used. He wondered whether the use of two different terms might not cause confusion, especially in paragraph 9, which referred to both national and international organizations. Endorsing as he did the views expressed by the representative of France at the 1517th meeting, he proposed that the report should make it clear that the criteria were to be applied cumulatively.

37. With regard to paragraph 36, which related to the criteria governing suspension and withdrawal of consultative status, he thought it would be sufficient to state that the Council would apply the measures in question whenever an organization clearly abused its consultative status in a manner that was contrary to and incompatible with the principles of the Charter of the United Nations. He proposed that, in paragraph 36 (b), the words "systematically" and "against States Members of the United Nations" should be deleted.

38. Mr. ALLEN (United Kingdom) praised the quality of the work accomplished by the Council Committee on Non-Governmental Organizations. He recalled that, during the Committee's debate,^{3/} his delegation had voted for the adoption of the draft resolution, but on the understanding that delegations were not committed by an affirmative vote and that some of them, including his own, reserved the right to comment further on the text at a later stage.

39. He drew attention to the important role of non-governmental organizations in furthering international co-operation and noted that some of them had been in existence long before the United Nations. They were active in many different fields: economic, social, cultural, educational, health, scientific, technical, etc. Many of them were concerned with safeguarding human rights. The non-governmental organizations were of different types—there were trade unions, co-operative associations, industrial and commercial groups, religious groups, and so on—but all were guided by the same principles, namely the desire to promote the ideals set forth in the Charter of the United Nations and to co-operate with the Organization. The consultative status to which non-governmental organizations were admitted was governed by Article 71 of the Charter, as amplified by Council resolution 288 B (X) of 27 February 1950. The organizations in question made an important contribution to United Nations activities by providing necessary information in certain specific fields, by executing projects themselves or taking part in their execution, especially in association with UNDP, by assisting in the preparation of studies and reports by the Council and its subsidiary bodies, and by giving wide publicity to the activities of United Nations bodies.

40. Non-governmental organizations were particularly active in the field of human rights, and many of them had taken part in the drafting of declarations and conventions relating to that subject, thus effectively helping to propagate the principles set forth in the Universal Declaration of Human Rights.

41. His delegation nevertheless recognized that the activities of certain organizations had been a cause of concern to the United Nations in recent years. It had therefore taken part in reviewing the criteria governing the admission of non-governmental organizations to consultative status and the arrangements for consultation with such organizations, in accordance with Council resolution 1225 (XLII).

42. He thought it regrettable that, although all the non-governmental organizations were directly affected by the draft resolution under consideration, some had, for lack of time, been unable to study it with the care it deserved and to state their views.

43. Endorsing the views of the representatives of the United States, he said that the word "shall" in the second sentence of paragraph 4 appeared to imply that, in order to be admitted to consultative status, all organizations would be required to form a joint committee. His delegation felt that it was for each organization to decide whether or not to join with similar organizations in requesting admission to consultative status, particularly since common aims or interests did not necessarily imply a common approach; of the

^{3/} See document E/C.2/SR.245.

seven non-governmental organizations which had addressed the Committee at its last meeting, ⁴/ five had emphasized that point. His delegation thought it preferable to replace the word "shall" by the words "shall... be encouraged to" or by the word "may", which had, moreover, been used in Council resolution 288 B (X).

44. His delegation further proposed the deletion of the second sentence in paragraph 8. The first and third sentences were sufficiently explicit, and nothing was to be gained by over-burdening non-governmental organizations and the Secretariat with the work involved in recording information which was so pointless, considering how small many of the voluntary contributions were and the fact that some donors wished to remain anonymous. His delegation therefore felt that it would be sufficient if data concerning voluntary contributions were communicated to the Council Committee on Non-Governmental Organizations only at its specific request. He agreed with the view just expressed by the Chairman of the Council Committee and endorsed by the representative of Japan that a reasonable, intelligent approach should be adopted in applying the provision in question.

45. He felt that the Council should not, as suggested by the first sentence of paragraph 17, exclude from the organizations accorded consultative status those which were combating violations of human rights in a single State or restricted group of States. There were other types of violations of human rights besides apartheid and racial intolerance which were not mentioned in the second sentence. Finally, there was still an element of contradiction between the two sentences, as the French and Japanese representatives had observed. His delegation was also opposed to the use of the word "other" in the second sentence, since it meant describing colonialism as a gross violation of human rights and fundamental freedoms. His Government was at present helping the few Non-Self-Governing Territories still under its administration to attain independence and could not permit that policy, which was known in United Nations parlance as "colonialism", to be described as a gross violation of human rights and fundamental freedoms. Consequently, his delegation could not agree to the present text of that paragraph and suggested that the word "other" should be deleted or replaced by the word "any".

46. Lastly, with reference to paragraph 35 and paragraph 40 (b), his delegation would prefer that the reports of non-governmental organizations in categories I and II should be reviewed every five years. His delegation did not share the view that the Committee should consider reports from a quarter of the organizations each year.

47. Mr. WALDRON-RAMSEY (United Republic of Tanzania) pointed out that the draft resolution under consideration had been adopted unanimously by the Council Committee on Non-Governmental Organizations. There was no point in recalling the circumstances which had prompted the Council to adopt resolution 1225 (XLII); those circumstances were well known to everyone, and they fully justified the decision to review the principles to be applied in the establish-

ment of consultative relations with non-governmental organizations.

48. As the representative of the World Federation of Trade Unions had observed, the revision of those principles was not intended to undercut consultative status or put an end to consultative relations but, on the contrary, to enhance their value and strengthen them by basing them on appropriate principles. It could not be denied that certain non-governmental organizations had violated some those principles, whether by negligence or by design. In the new draft, an effort had been made to provide a clear definition of the conditions which an organization must fulfil if it was to be truly international in character as well as to ensure a more balanced and equitable geographical distribution of organizations. It was obvious that there had been an imbalance in that regard—a situation mainly due to the fact that the arrangements for consultative relations adopted more than twenty years previously had been based on political considerations and had resulted in the drawing up of a list of organizations which disregarded a very large segment of world opinion and deliberately ignored organizations with headquarters in certain countries.

49. He did not share the view of the United Kingdom representative that colonialism could not be said to be a gross violation of human rights and fundamental freedoms. If the Council adopted that point of view, it would be failing in its duty towards the victims of colonialism. Colonialism had always represented the most flagrant violation of human rights in all countries, as could be seen from the history of the United Kingdom itself, and the colonial peoples had struggled unceasingly to free themselves from the foreign yoke, as was their right and their duty. He was therefore strongly opposed to the United Kingdom representative's proposal to delete the word "other" in the second sentence of paragraph 17 of the draft resolution.

50. The representative of the World Veterans Federation had said that the aims of an organization were more important than the source of its funds. If the purposes for which its funds were used were honourable and in keeping with the principles it upheld, there was no reason why it should refuse to make known their source. While the Council certainly could not prevent an organization from receiving secret contributions, it nevertheless must not abandon its responsibilities; if an organization was receiving secret contributions and pursuing rather ill-defined aims, the Council was entitled to question the principles which guided the organization. Accordingly, his delegation could not agree to the Japanese representative's proposal to delete the provisions in paragraph 8 of the draft resolution requiring organizations to inform the Committee of the source of the contributions they received. It was obvious that those provisions did not apply to small individual contributions or to anonymous gifts of modest size but only to large contributions, particularly those made by Governments or governmental bodies; hence, they should not result in an excessive amount of documentation or too much book-keeping. He also felt that the word "systematically" in paragraph 36 (b) of the draft resolution should be retained, since it would facilitate interpretation of the paragraph and serve to prevent disputes from arising.

⁴/ See document E/C.2/SR.248.

51. The representatives of two non-governmental organizations who had spoken before the Council had indicated that they disagreed with the new arrangements for consultation and the manner in which the criteria had been revised. One of them had said that the President of a non-governmental organization had been surprised and distressed upon receiving the questionnaire. He himself did not see why an organization should be distressed at being asked to disclose the size of its membership. Such a request could displease only those organizations which were not truly representative of broad sections of the population or were not represented in a large number of countries, i.e. small organizations, which were more vulnerable than large ones to outside influences and more likely to accept secret contributions. He could understand why those organizations were opposed to revising the principles if they had something to hide, but that should not prevent the Council from attempting to define equitable principles.

52. As the representative of WFTU had observed, the application of the provisions of Council resolution 288 B (X) had not presented any problems over the past ten years. It was not because some organizations, deliberately or through negligence, had failed to abide by the principles underlying consultative relations that the Council had been compelled to undertake the revision. The draft resolution before the Council was logical, clear and well balanced, and it took account of the views expressed by certain non-governmental organizations; he therefore felt that the Council should not have any difficulty in adopting it, particularly since it had been approved unanimously by the thirteen members of the Council Committee on Non-Governmental Organizations.

The meeting rose at 1.15 p.m.