

AGREEMENTS WITH SPECIALIZED AGENCIES, RELATIONS WITH AND CO-ORDINATION
OF SPECIALIZED AGENCIES, AND CHAPTERS I AND IV OF THE
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

REPORT OF THE JOINT SECOND AND THIRD COMMITTEE

Rapporteur: Mr. Finn MOE (Norway)

I. INTRODUCTION

1. At its thirty-eighth meeting on 21 September 1947, the General Committee recommended that item 7 of the supplementary list of agenda items, "Agreements with specialized agencies", be allocated to the Second and Third Committees; four of the five draft agreements which the Economic and Social Council had submitted to the General Assembly were to be referred to the Second Committee and one to the Third Committee. The General Committee also recommended, with respect to item 11 on the Provisional Agenda entitled "Report of the Economic and Social Council," that Chapter I of the report, dealing with the organization of the Council, be allocated to the Second Committee, and that the sections of chapter IV of the report dealing with specialized agencies, non-governmental organizations, housing and town and country planning, and expert assistance to Member Governments, be allocated to the Second and Third Committees respectively according to subject (document A/392).

At the same time the General Committee recommended that the Second and Third Committees should be authorized to refer to an eventual Joint Second and Third Committee any item on their respective agendas which they would wish to have considered by that Committee.

2. At its ninety-first plenary meeting on 23 September 1947, the General Assembly approved the above recommendations of the General Committee. The Second Committee at its thirty-second meeting on 24 September 1947, and the Third Committee at its fifty-first meeting on 24 September 1947, decided that a Joint Second and Third Committee should be established and that the agenda of the Joint Committee should include, inter alia, the individual draft agreements with specialized agencies as well as Chapters I and IV of the report of the Economic and Social Council (A/C.2&3/48). The Chairman of the Second and Third Committees informed the President of the General Assembly of these actions on 27 September 1947 (A/C.2&3/49).

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3. To ensure continuity of its discussion on specialized agencies, the Joint Second and Third Committee agreed to consider separately that part of chapter IV of the report of the Economic and Social Council concerned with relations with specialized agencies and that part dealing with other questions. As regards the individual draft agreements, the Committee passed a resolution recommending approval of the agreements by the General Assembly. With respect to the general problem of relations with and co-ordination of specialized agencies, it adopted a proposal made in the Second Committee to the effect that there be a joint meeting of the Joint Second and Third Committee and of the Fifth Committee for the purpose of framing a single consolidated resolution for transmission to the General Assembly (A/C.2&3/SR.12, A/C.2&3/SR.16, A/C.2&3/SR.17).

4. In these circumstances, it has appeared most convenient to arrange the remainder of this report under the following major headings: Approval of agreements with specialized agencies; Relations with and co-ordination of specialized agencies; and chapters I and IV of the report of the Economic and Social Council.

II. APPROVAL OF AGREEMENTS WITH SPECIALIZED AGENCIES

A. Action by the Economic and Social Council

5. The Economic and Social Council during its fifth session approved draft agreements negotiated by its Committee on Negotiations with Inter-governmental Organizations between the United Nations and the World Health Organization (A/348, A/348/Add.1, A/348/Add.2), the International Bank for Reconstruction and Development (A/349, A/349/Add.1), the International Monetary Fund (A/349, A/349/Add.1), the International Telecommunications Union (A/370, A/370/Add.1) and the Universal Postal Union (A/347, A/347/Add.1). These agreements were submitted by the Council to the General Assembly for approval at the present session and were referred to the Joint Second and Third Committee in the manner described in paragraph 1 above.

B. Committee discussion and formulation of bases for resolutions

6. Each agreement was discussed and approved in principle, the wording of a general resolution being deferred to a later stage.

(a) The draft agreement with the Universal Postal Union was approved unanimously without change (A/C.2&3/SR.17).

(b) The Committee had an extensive discussion of the draft agreement with the International Bank for Reconstruction and Development and the International Monetary Fund, and dealt, inter alia, with the question of the desirability and legality of the articles concerning recommendations by the United Nations, reciprocal representation and

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budgetary relationships (A/C.2&3/SR.14, A/C.2&3/SR.15, A/C.2&3/SR.15/Corr.1, A/C.2&3/SR.15/Corr.2, A/C.2&3/SR.16, A/C.2&3/SR.17).

Three main trends became apparent during the discussion. One group of speakers opposed approval of the draft agreements on the ground that the articles relating to recommendations by the United Nations, reciprocal representation and budgetary relations violated Articles 17, 58, 62, 63, 64 and 70 of the Charter. Another group felt that the draft agreements did not violate the Charter since the limitations which the Council proposed were discretionary under the Charter; this group felt also that the special provisions in the draft agreements with respect to recommendations and budgetary relations were desirable because of the unique operating and financial situation of the Bank and the Fund. A third group included those who favoured immediate approval of the agreements or proposed to refrain from voting against them, but considered that certain provisions were unsatisfactory and should be subject to revision at some future time.

In the course of the discussion proposals were submitted by Yugoslavia and the Union of Soviet Socialist Republics. The Yugoslav proposal (A/C.2&3/54) for the establishment of a sub-committee to consider objections to immediate confirmation of the draft agreements and report to the Joint Committee, was rejected by thirty votes to twelve, with five abstentions. The Soviet Union proposal (A/C.2&3/50) to recommend the Economic and Social Council to enter into negotiations with the Bank and Fund for the revision of the draft agreements with a view to bringing them into accordance with the Charter of the United Nations was rejected by twenty-nine votes to five, with twelve abstentions. Thereupon the Chairman put to the vote approval of the agreements in principle, each agreement being approved by thirty-nine votes to four, with two abstentions. It was requested by the Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Ukrainian Soviet Socialist Republic and New Zealand that their negative votes be recorded in the record of the discussion and in the Committee's report to the General Assembly. Yugoslavia and Australia requested that their abstentions be recorded.

(c) The draft agreement with the World Health Organization was approved in principle, with the addition of a clause authorizing the use of the United Nations laissez-passer by appropriate officials (A/C.2&3/SR.14 and page 3 of A/C.2&3/SR.18). Such a clause, which

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had already been included in the draft agreements with the Bank and the Fund approval of which had been recommended by the Committee, had been requested by the Interim Commission of the World Health Organization (A/348/Add.2). The Committee decided that the following text on laissez-passer should be inserted as article XVII of the World Health Organization agreement following article XVI (Financing of Special Services), subsequent articles being renumbered.

"Officials of the World Health Organization shall have the right to use the laissez-passer of the United Nations in accordance with the special arrangements to be negotiated between the Secretary-General of the United Nations and the Director-General of the World Health Organization."

In connection with the approval of this draft agreement, the Soviet Union made the following statement (A/C.2&3/SR.18):

"The delegation of the Union of Soviet Socialist Republics declares its disagreement with article XV, paragraph 2 of the Agreement in which it is stated that the United Nations and the World Health Organization undertake to 'consult together concerning the desirability of the inclusion of the budget of the Organization within a general budget of the United Nations' and that 'any arrangements to this effect shall be defined in a supplementary agreement between the two organizations.'

"This is in contradiction with the Charter of the United Nations. Article XVII of the Charter provides for the examination of the administrative budgets of specialized agencies with a view to making recommendations to the agencies concerned. The Charter does not provide for the inclusion of the budgets of specialized agencies in the general budget of the United Nations. The United Nations cannot take upon itself the function of collecting contributions from the individual members of the specialized agencies, including the World Health Organization. The independence of the specialized agencies requires the retention of separate administrative budgets for these agencies, and is incompatible with the establishment of a common budget for the United Nations and the specialized agencies. These principles of the United Nations may not be infringed by any financial and budgetary agreements between the United Nations and the specialized agencies as referred to in Article XVII of the Charter."

(d) The draft agreement with the International Telecommunications Union was approved in principle with the minor textual rectifications

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in the French version set out in document A/370/Add.1, paragraph 5, and with the addition of a clause authorizing the use of the United Nations laissez-passer by the appropriate officials, as had been requested by the International Telecommunications Union (A/370/Add.1, paragraph 4). The Committee decided that the following text (the same as that inserted in the agreement with the World Health Organization) should be inserted as article XI of the International Telecommunications Union agreement, following article X (Administrative and Technical Services), subsequent articles being renumbered:

"Officials of the Union shall have the right to use the laissez-passer of the United Nations in accordance with the special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Union."

C. Resolution

7. The Committee recommends to the General Assembly the adoption of the following resolutions:

AGREEMENTS WITH SPECIALIZED AGENCIES

The GENERAL ASSEMBLY

RESOLVES to approve the agreements with the World Health Organization (A/348), the Universal Postal Union (A/347), the International Telecommunications Union (A/370 and A/370/Add.1), the International Bank for Reconstruction and Development (A/349) and the International Monetary Fund (A/349);

APPROVES the insertion in the agreements relating to the World Health Organization and the International Telecommunications Union of the article regarding the use of the laissez-passer of the United Nations (A/348/Add.2 and A/370/Add.1); and

REQUESTS the Economic and Social Council to report on the action taken in pursuance of these agreements as provided in the last paragraph of General Assembly resolution 50 (I) of 14 December 1946 so that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate suitable proposals for improving collaboration.

III. RELATIONS WITH AND CO-ORDINATION OF SPECIALIZED AGENCIES

A. Committee Discussion

8. In connection with discussion of those sections of chapter IV of the report of the Economic and Social Council dealing with specialized agencies and during its discussion of the individual draft agreements, the Committee considered the general problem of relations with and co-ordination of

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specialized agencies (A/C.2&3/SR.13, A/C.2&3/SR.15, A/C.2&3/SR.16, A/C.2&3/SR.17). A number of delegations expressed the view that emphasis should be given by the Economic and Social Council to the study of possible steps toward administrative and financial centralization not detrimental to the necessary technical independence of agencies. Those agencies with broad fields of work in particular should receive policy guidance from the Council, including recommendations on priority of work. Several delegations noted with approval the creation, at the request of the Council, of the Co-ordination Committee and also its initial work, as indicated in the excerpt (A/404) from the report which the Co-ordination Committee will make to the Council on the work of its second session.

B. Formulation of bases for resolution

9. In the course of the discussion, Norway introduced a resolution dealing generally with the relations between the specialized agencies and the United Nations as well as with the question of approval of the draft agreement now before the General Assembly (A/C.2&3/51); amendments were proposed by Lebanon (A/C.2&3/52).

10. At its sixteenth meeting on 15 October 1947, the Committee received from the Second Committee a French resolution (A/C.2/111) inviting the Council to arrange for greater co-ordination between regional economic commissions and specialized agencies, together with a Greek resolution (A/C.2/112) recommending that the Council appoint a standing co-ordination committee composed of experts on economic matters to co-ordinate the activities of economic commissions with those of the related specialized agencies (A/C.2&3/53). At this same meeting, the Committee authorized its Chairman to consult with the Chairman of the Fifth Committee on joint action to be taken on the resolution introduced in the Fifth Committee by the Brazilian representative (A/C.5/150) which also contained, inter alia, provisions on the general subject of co-ordination (A/C.2&3/SR.16), to which amendments had been proposed by the United Kingdom (A/C.2&3/57).

11. Following their consultation, the Chairman of the Joint Second and Third Committee and the Chairman of the Fifth Committee addressed a joint letter, on 17 October 1947, to the President of the General Assembly, requesting that there should be a joint meeting of the two committees to discuss these several resolutions and to frame a single consolidated resolution for transmission to the General Assembly (A/C.2&3/55). On 18 October 1947, the President of the General Assembly approved this suggestion in a letter which agreed that the report on questions of co-ordination should be submitted directly to the General Assembly as a joint report from the two Committees (A/C.2&3/55).

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C. Resolution

12. A resolution is to be formulated by the joint meeting of the Joint Second and Third Committee and the Fifth Committee for submission directly to the Assembly.

IV. CHAPTERS I AND IV OF THE REPORT OF THE ECONOMIC AND
SOCIAL COUNCIL

A. Committee Discussion

13. On consideration of chapter I (Organization of the Council) and Chapter IV (Specialized agencies, non-governmental organizations and other social and economic questions) of the report of the Economic and Social Council (A/382), the Committee felt that specific debates were necessary only on those sections of chapter IV relating to specialized agencies, i.e., paragraphs 156-172. The matters dealt with in these sections are the subject of two separate parts of the present report (see parts II and III above).

B. Resolution

14. On Chapters I and IV as a whole, the Committee decided to propose the following resolution for adoption by the General Assembly:

CHAPTERS I AND IV OF THE REPORT OF THE
ECONOMIC AND SOCIAL COUNCIL

THE GENERAL ASSEMBLY

TAKES NOTE of Chapters I and IV of the report of the Economic and
Social Council.

