

## IV. Economic and Social Questions

### A. ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED AREAS

#### 1. Financing of Economic Development

##### a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

The question of the financing of economic development was considered by the Council at its 367th—371st plenary meetings, 28 February—2 March 1950.

Among other things, the Council had before it the following studies prepared by the Secretariat in accordance with resolution 222 D (IX) adopted at its ninth session in July-August 1949:<sup>1</sup>

Survey of Policies Affecting Private Foreign Investment (E/1614/Rev.1).—This study described the main types of laws, regulations and economic policies of both capital-exporting and less developed countries, with respect to foreign investments; it also included brief summaries of laws, regulations and policies in certain less developed countries in Asia and the Far East, Latin America, the Middle East and among British colonial territories.

Methods of Increasing Domestic Savings and of Ensuring Their Most Advantageous Use for the Purpose of Economic Development (E/1562).—This report was based on a meeting of experts on financing economic development, which was held at Lake Success in October 1949, under General Assembly resolution 200(III).<sup>2</sup> The report contained the general views expressed by the experts who participated in the meeting; a summary of the discussions; and the papers prepared by each of seven participants, describing the experience of his country in obtaining domestic financial resources for economic development, together with an annotated guide to the papers prepared by the Secretariat to facilitate the discussions.

In addition to these studies, the following pertinent reports were made available to the Council at its tenth session:

Methods of Financing Economic Development in Under-Developed Countries.<sup>3</sup> This report was prepared by the Secretary-General pursuant to resolution 179 (VIII)<sup>4</sup> and was presented to the ninth session of the Council. However, in view of the fact that the Council's work at that session centered largely on problems of technical assistance, it was not then possible for the Council to give detailed consideration to the problems of financing. Relative Prices of Exports and Imports of Under-Developed Countries.<sup>5</sup> This study was made available

in its preliminary form to the third session of the Sub-Commission on Economic Development in March-April 1949, under the title "Post-War Price Relations in Trade between Under-developed and Industrialized Countries" (E/CN.I/Sub.3/W.5). It was prepared in response to the Sub-Commission's recommendation that a study be made of the price trends of primary products relative to prices of capital goods. The study was concerned with the post-war increase in the prices of goods—especially capital goods, machinery and equipment—imported by under-developed countries, compared with price increases in their exports, predominantly primary products.

International Capital Movement during the Inter-War Period<sup>6</sup> In its preliminary form, this study had been submitted to the third session of the Sub-Commission on Economic Development. The report contained information on the magnitude and direction of the movement of capital during the inter-war period, the terms of investment and their effects on borrowing countries.

The Council also had before it at its tenth session other documents in connexion with the question of financing economic development, including a communication (E/1591) from the Food and Agriculture Organization of the United Nations, transmitting a report on international investment and financing facilities adopted by the fifth session of the Conference of FAO; the fourth annual report, 1948/49, of the International Bank for Reconstruction and Development, which included a chapter on the role of the Bank in economic development (E/1597); a report entitled National and International Measures for Full Employment<sup>7</sup> which was prepared by a group of experts appointed by the Secretary-General in accordance with Council resolution 221 A (IX), and which contained recommendations concerning the stabilization of international investment for economic development; and a report entitled The Effects of Taxation on Foreign Trade and

<sup>1</sup> See Y.U.N., 1948-49, pp. 453-54.

<sup>2</sup> See *ibid.*, pp. 437-38.

<sup>3</sup> U.N.P., Sales No. 1949.II.B.4.

<sup>4</sup> See Y.U.N., 1948-49, pp. 453.

<sup>5</sup> U.N.P., Sales No. 1949.II.B.3.

<sup>6</sup> U.N.P., Sales No. 1949.II.D.2.

<sup>7</sup> U.N.P., Sales No. 1949.II.A.3. See also pp. 466 ff.

Investment,<sup>8</sup> prepared by the Secretariat in accordance with Council resolution 226 (IX).

Although the Council was aware of the concern of the General Assembly with problems of financing economic development, as expressed in General Assembly resolution 306(IV),<sup>9</sup> it also took note of the Secretary-General's statement (E/1602) to the effect that it appeared "that both more definitive data as well as draft recommendations in the field of financing economic development should be available in time for consideration during the eleventh session of the Council". After engaging in a preliminary discussion on the subject,<sup>10</sup> it recognized the need for further study of the problems of financing economic development before it could recommend definitive action. The Council, therefore, decided to defer action on these problems till its eleventh session. To facilitate action at that session, it unanimously decided at its 371st plenary meeting on 2 March 1950 (268 B (X)) that "the Sub-Commission on Economic Development should meet in 1950 and that it should, utilizing fully the studies prepared by the Secretariat and the records of the relevant debates of the Council, formulate practical recommendations for financing economic development of under-developed countries at its next session and make them available in time for consideration by the eleventh session of the Council". It also took account of General Assembly resolution 307(IV)<sup>11</sup> on economic development and international economic and commercial policy, in which it was recommended that the Council should give further attention to "such questions of international economic and commercial policy as may influence the process of development of the economies of under-developed countries, with a view to making recommendations to the General Assembly".

#### b. CONSIDERATION BY THE SUB-COMMISSION ON ECONOMIC DEVELOPMENT AT ITS FOURTH SESSION

The Sub-Commission on Economic Development at its fourth session, 17 April-11 May 1950, therefore concerned itself primarily with the formulation of practical recommendations for financing economic development. In its report (E/CN.80 & Add.1), the Sub-Commission emphasized the major role of domestic effort and domestic resources, including domestic capital, in the development of under-developed countries, but considered foreign and international aid an important supplement for accelerating economic development. Pointing out that both the usefulness

of and the opportunities for obtaining external financing on an increased scale depended to a large extent upon domestic organization and activity, the Sub-Commission stressed the importance of self-help in furthering economic development, stating that "on this foundation rest the hopes and the best opportunities for promoting international arrangements for financing that are needed for further accelerating economic development".

In its review of available foreign financing, the Sub-Commission covered private, governmental and international sources. It concluded that these sources were at present inadequate to provide the foreign financing needed for the large volume of low-yielding and slow-yielding "social and economic overhead" projects in such fields as education, health, housing, transport, communications and power, which were a necessary foundation for continued, accelerated economic development.

After taking into consideration certain advantages of private foreign investments, the Sub-Commission recommended a number of measures which would increase the flow of such capital for the purpose of financing economic development. Primarily, it recommended that under-developed countries subject private enterprise to the fewest possible restraints and controls, accord private investors non-discriminatory treatment, pledge the security of foreign persons and property, assure preference to transfer of earnings and withdrawal of capital if desired in the event of balance of payments difficulties, assure adequate compensation and reasonable transfer of earnings in the event of nationalization of the enterprises, and refrain from imposing inflexible requirements upon foreign investors with respect to percentage of foreign ownership and number or proportion of local directors, managers and employees. The more developed countries, the Sub-Commission held, should encourage private investment by their nationals by entering into bilateral treaties designed to assure fair treatment to the invested capital and entering into tax conventions in order to eliminate double or multiple taxation, by offering unilateral tax incentives and by making provision for long-term government contracts for the purchase of raw materials.

However, deterrents to the expansion of private foreign investment were seen rather in the existing obstacles to the transfer of funds be-

<sup>8</sup> U.N.P., Sales No. 1950.XVI.1.

<sup>9</sup> See Y.U.N., 1948-49, p. 457.

<sup>10</sup> For views of Council members on the subject, see pp. 441-42.

<sup>11</sup> See Y.U.N., 1948-49, pp. 457-58.

tween countries than in the lack of agreement on codes, treaties and general principles. The Sub-Commission concluded that a substantial expansion in private foreign investment was not immediately to be expected, and that an acceleration of private investment commensurate with the needs of under-developed countries would, at best, take a considerable number of years to materialize.

Two of the members of the Sub-Commission did not subscribe to the opinion of the majority concerning private foreign investment. In their view, it was neither desirable nor feasible to discuss at an international level the detailed conditions necessary for the promotion of private investment without much more preparatory work and mutual consultations by the Governments and nationals of the countries concerned. For one thing, detailed international obligations of the type suggested in the draft resolution on the subject would be in conflict with the existing legislation and, in some cases, even of the constitutions of a number of under-developed countries. In addition, it would be a matter of no small difficulty to get the necessary changes made therein, especially if the initiative was to come from an international body rather than from the nationals or the Governments concerned. They also stated that action under this head should emanate from individual Governments—both capital-exporting and capital-importing—rather than from an international body until such time as conditions favour the negotiation of an international treaty on the subject.

With regard to foreign financing through governmental and international agencies, the Sub-Commission was encouraged by the prospects of increasing such financing through the International Bank for Reconstruction and Development and the United States Export-Import Bank in Washington. In this connexion, the Sub-Commission noted with satisfaction the assurance of the representatives of the Bank that the Bank was favourably disposed towards granting loans for financing a series of interrelated projects, relying for repayment on the general credit condition of the country concerned rather than on the self-liquidating character, in terms of foreign exchange, of a specific project. In view of the scope of the low-yielding and slow-yielding basic projects requiring foreign financing, however, the Sub-Commission concluded that there was urgent need for additional sources of funds at lower interest rates and with longer maturities than are presently available.

The Sub-Commission, recognizing that the main financial burden would fall on one particular Member State, did not feel that it should recommend at this time the creation of an international organization to finance economic development. It therefore recommended urgent consideration of the problems by the Governments in a position to provide such funds, and by the Economic and Social Council at its eleventh session. If the necessary response were forthcoming, the Sub-Commission suggested that the creation of such an agency might then be discussed in detail.

The above considerations were embodied in the draft resolutions which the Sub-Commission, in its report, proposed for consideration by the eleventh session of the Council.

The Sub-Commission also suggested that the Council should make appropriate provision for a study dealing with the important problems of unemployment and under-employment in the under-developed countries.

#### c. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

At its eleventh session the Council had before it, in addition to the report of the Sub-Commission, the Experts' report on National and International Measures for Full Employment, the studies which had been previously submitted to the tenth session and a number of other studies, together with the following documents which had become available between the two sessions: Economic and Legal Status of Foreign Investments in Selected Countries of Latin America (E/CN.12/166 & Add. 1 to 9 inclusive).—prepared by the Secretariat for the third session of the Economic Commission for Latin America. Foreign Investment Laws and Regulations in the ECAFE Region (E/CN.11/1 & T/25).—prepared by the Secretariat for the second session of the Committee on Industry and Trade of the Economic Commission for Asia and the Far East. Financing Economic Development (E/C.2/256/-Add. 1).—statement submitted by the International Chamber of Commerce, a non-governmental organization in category A consultative status.

Taking as a basis the proposals of the Sub-Commission, together with the pertinent parts of the report of the experts on full employment, the Council discussed the problems of financing of economic development of under-developed countries at the 90th, 91st and 95th-97th meetings of

its Economic Committee, 27 and 28 July and 10 and 11 August, and at its 381st-385th and 409th plenary meetings, 10-12 July and 12 August 1950.

In addition, the Council had before it a note by the Secretary-General on methods of financing economic development (E/1690) and a report by him on measures being taken by the United Nations and specialized agencies to promote economic development (E/1729).

During the discussions in the Council, the majority of members supported the conclusions of the Sub-Commission, particularly its recommendations (1) that there should be joint participation of domestic and foreign capital in financing development projects in under-developed countries, (2) that more of the developed countries should permit the International Bank for Reconstruction and Development to utilize an increasing amount of their domestic currencies for such of the Bank's loan transactions as involve a demand for such currencies and (3) that foreign financing should not be confined to the direct needs of development projects for foreign expenditures and that international credit organizations should consider a possible reduction of interest rates and an improvement of amortization terms so as to ease the financial burden on the under-developed countries.

With regard to the last-mentioned point, the representatives of the United Kingdom and Iran stressed that unless projects which produced little or no direct financial return (e.g. housing, education, sanitation, power, etc.) were financed, possibilities for other types of investment would be restricted. The United Kingdom representative stated that he agreed with the Sub-Commission that much essential development of a "social overhead" nature could not be financed by the Bank and felt that much more thought should be given to finding a solution for the problem.

It was also agreed in the Council that while under-developed countries should rely first of all on domestic financing, it was impossible for them to develop their resources without help from foreign finance. It was also generally felt that while private foreign investment was extremely important, public or governmental lending was of primary importance.

The representative of Australia pointed out that both the Experts on Full Employment and the Sub-Commission on Economic Development had agreed that (1) it was essential to draw a clear-cut distinction between investments for specific projects which yielded direct returns and those in fields such as health and education which yielded indirect returns, (2) it was most desirable

to promote as much as possible the financing of economic development from domestic capital resources of under-developed countries but that total reliance on domestic resources was impossible, (3) in prevailing conditions the flow of private international investment would be irregular as well as inadequate to meet the world's requirements for economic development and (4) it was essential to supplement private international lending by loans granted under governmental auspices which should not be tied to specific projects. However, they had not been able to reach agreement on how to organize and administer such a flow of capital on a larger and more stable basis. The Experts had recommended expansion of the Bank's functions with appropriate modification of organization while the Sub-Commission had again suggested the creation of a United Nations economic development administration to finance economic development. A third possible approach was action by particular countries.

The representatives of India and Iran favoured the creation of a new international agency. In the opinion of the representatives of Australia and Canada, however, there were already enough international institutions in existence. The representative of Brazil felt that the time was not yet ripe for the establishment of such an agency.

Other members, among them the representatives of Australia, Brazil, Chile and France, agreed with the Experts on Full Employment that the scope of the Bank's operations should be enlarged and diversified to finance general development programmes, including basic social development rather than specific projects.

The representatives of the United States and United Kingdom, while in favour of the Bank's present trend to extend, within its present framework, more loans for development in general, were opposed to any modification of its constitution at this time. The United States representative stated that in his opinion the scope of international capital resources available for development and the methods by which they could be increased should be determined only after further experience had been gained in the actual financing of loans for development. If, in the future, the Bank's resources proved inadequate, then consideration could be given to increasing its lending capacity.

The representative of Belgium maintained that private capital should be the basis of international financing and that it was necessary to develop an international market for capital. The under-developed countries, he felt, should create

a favourable "climate" by improving legislative and administrative machinery and by guaranteeing loans made by private sources. In this connexion he welcomed the Sub-Commission's suggestion regarding guarantees to be given by borrowing countries to their creditors. But, in addition, guarantees should also be provided against debtor countries which defaulted.

While the majority of members agreed that the creation of a favourable "climate" was important, the representatives of Chile, India and the United States pointed out that it was equally the responsibility of the lending countries to create a favourable economic "climate". Public capital, the representative of Chile held, should give an example to private capital and so help create such a "climate".

The representative of Mexico was of the opinion that the element of distrust that existed between capital-exporting and capital-importing countries prevented a favourable "climate" from developing and that the explanation for this distrust lay not in legislative measures adopted by capital-importing countries but in the general political tendency shown in all countries of the world of increasing State intervention in economic life arising out of the difficulties of the world economic situation.

The representatives of Chile, Mexico, India and Brazil questioned the Belgian proposal for the use of sanctions if countries failed to meet their financial obligations. Such action would be a step backwards. Moreover, private capital, while important, should play only one part in financing economic development. The representative of Peru pointed out that the question was to organize sound economic relations throughout the world in an entirely new spirit calculated to produce new results. The representatives of India and Pakistan pointed out that it ultimately was in the interests of industrialized countries to raise the standard of living in eastern countries because the poverty there was the greatest menace to world peace.

The representatives of Mexico and Chile felt that the recommendations of the Sub-Commission on the stimulation of private foreign investment placed foreign investors in a more favourable position than local investors and therefore would tend to discourage the latter. This was running counter to the principle that the economic development of under-developed countries should be ensured primarily by domestic savings.

The United States representative noted that all were agreed that under-developed countries

needed foreign capital—both private and public—to formulate and accelerate their economic development and that it was desirable and necessary to facilitate the international flow of capital for this purpose. It was generally agreed, also, that private capital was of particular importance in furthering economic development. He and the representative of Australia stressed the importance of the technical assistance programme in developing local measures necessary for capital formation in under-developed areas and to channel savings into productive enterprises. The programme would also provide means for helping countries to assess their resources and possibilities and to prepare programmes and projects for development and for international financing.

After a detailed and technical discussion of the proposals of the Sub-Commission, the Economic Committee at its 91st meeting on 28 July referred them to a Drafting Committee which had previously been set up by the Committee when discussing the problem of full employment. The Drafting Committee, consisting of the representatives of Australia, Brazil, Canada, Chile,<sup>12</sup> France, the United Kingdom and the United States met under the chairmanship of the Chairman of the Economic Committee (India) on 2, 3 and 4 August and submitted several resolutions (E/AC.6/L.12/Rev.1) to the Economic Committee for consideration.

In addition to the proposals of the Sub-Commission, the Drafting Committee had taken into consideration the following additional substantive draft resolutions and amendments, as well as several oral proposals and suggestions raised in the debate:

(1) A draft resolution (E/1757) by the representative of Chile to replace the Sub-Commission's proposals on external financing of local currency costs of development, which he felt were not sufficiently definite. The Sub-Commission had recommended that international lending institutions follow flexible policies in making external loans for local currency costs of development and make them at a rate of interest and on terms of amortization which would place the smallest possible burden on the under-developed countries. The Chilean draft resolution was intended to ensure that different types of programmes were combined in an organic whole in order to circumvent inflationary tendencies which might arise from the implementation of certain development schemes. The representative of Chile explained that his draft resolution was based on the principles under which the ECA operated in Europe and was intended to enable the Governments affected to increase available resources for economic development and avoid inflationary tendencies.

<sup>12</sup> The representative of Chile was added to the original composition of the Drafting Committee.

(2) Section 9 of a draft resolution (E/L.67) presented by the representative of the United Kingdom during the discussion of full employment.<sup>13</sup> This section was an amendment to the same Sub-Commission proposal and would recommend that Governments consider within the framework of the Bank broadening the criteria of ordinary Bank lending with a view to laying greater emphasis on the size, composition and financial implications of a borrowing country's investment programme as a whole and less on the detail of selected projects.

(3) Section 8 of the same draft resolution (E/L.67), which would recommend that Governments extend the principle of untied lending to all Governmentally-controlled or guaranteed foreign lending.

(4) A joint draft resolution (E/L.73) presented by the representatives of Chile and the United States, which also contained recommendations for the organization of the Economic and Employment Commission and its Sub-Commissions.<sup>14</sup> The relevant action recommended that Governments promote domestic measures and international agreements to encourage a large and more stable flow of capital exports toward under-developed areas, and establish conditions necessary for participation of foreign private capital in the form either of direct investments or of governmental, private or public corporation bonds, and that governmental and inter-governmental credit organizations consider means of using their funds more effectively to accelerate the rate of economic development in under-developed countries.

The report of the Drafting Committee (E/AC.6/L.12/Rev. 1) was considered at the 95th to 97th meetings of the Economic Committee on 10 and 11 August. The Drafting Committee had proposed three draft resolutions, entitled "A. With the Object of Encouraging Effective Methods of Mobilizing Domestic Capital for the Economic Development in Under-Developed Countries"; "B. With the Object of Encouraging Effective Methods for Increasing the Flow of International Capital for the Economic Development of Under-Developed Countries"; "C. With the Object of Facilitating Further Studies in the Field of International Investment and Price of Primary Products". (For texts, as amended, see below.)

Section A was adopted at the 95th meeting, with minor drafting changes, without comment.

Under Section B, the representatives of Canada and the United States presented joint amendments (E/AC.6/L.13) which would refer to the criteria for the Bank's lending in the preamble to the resolution and delete the paragraph which recommended that Members consider whether the Bank had given sufficient emphasis to the size, composition and financial implications of a borrowing country's investment programme as a whole as distinct from the detailed costs of selected projects. They felt that the inclusion of such a paragraph implied an unjustified criticism of the Bank. They also proposed that the Council

should recommend that governmental and inter-governmental credit organizations also consider means by which funds could be used more effectively to help carry out integrated investment programmes designed to carry forward in a co-ordinated manner development projects in different branches of the country's economy as well as means to accelerate the rate of economic development in under-developed countries.

Those opposing the joint amendments, among them the representatives of the United Kingdom, Pakistan and Peru, felt that the paragraph in question was not a reproof since members were merely asked to consider whether sufficient emphasis was being placed on certain things. The representative of the Bank had said himself that only in exceptional circumstances could local currency costs be financed.

At its 96th meeting, the Committee adopted by 12 votes to none, with 3 abstentions, the paragraph to be inserted in the preamble, as proposed in the joint amendments and further amended by France and Australia (see below, Section C, paragraph 10).

By 11 votes to 4 it adopted the remainder of the proposals in the joint amendments.

Section B, as amended, was adopted in paragraph-by-paragraph votes.

Section C was adopted unanimously without comment.

At the 97th, meeting, the Committee agreed that the paragraphs forming Section B should be rearranged by the Secretariat under the guidance of the Chairman and in keeping with structural suggestions (E/AC.6/L.15) made by the Chilean delegation.

The Council at its 409th meeting on 12 August 1950, after adopting a minor drafting amendment proposed by the United States representative, adopted the resolutions proposed by the Economic Committee (E/1817) unanimously. Resolution 294 (XI) read as follows:

The Economic and Social Council,

Taking note of the report of the fourth session of the Sub-Commission on Economic Development, the experts' report on National and International Measures for Full Employment, the report of the fourth session of the Economic and Employment Commission, and

Considering the studies prepared by the Secretary-General in pursuance of Council resolutions 179 (VIII) and 222 D (IX)

<sup>13</sup> See pp. 470-71.

<sup>14</sup> For organization of Commission and Sub-Commissions, see pp. 79-81.

A. WITH THE OBJECT OF KEEPING UNDER CONTINUING REVIEW PROBLEMS OF FINANCING ECONOMIC DEVELOPMENT

1. Recommends that the Economic, Employment and Development Commission undertake to study and keep under review the nature and magnitude of the problems involved in financing the economic development of under-developed countries, and make recommendations thereon to the Council from time to time; and

B. WITH THE OBJECT OF ENCOURAGING EFFECTIVE METHODS OF MOBILIZING DOMESTIC CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

2. Having regard to the necessity of mobilizing the domestic financial resources of under-developed countries to the fullest possible degree either independently or in conjunction with any foreign funds which may be available for economic development,

3. Considering the importance of promoting the self-generating character of economic development, which requires reinvestment as far as possible of increases of income following upon development, and

4. Considering the desirability of utilizing and pooling the credit standing of established industrial enterprises and financial institutions for facilitating the import of foreign capital,

5. Draws to the attention of Member Governments the report prepared by the group of experts convened by the Secretary-General pursuant to Council resolution 222 D(b) (IX) in which various views and suggestions concerning methods of increasing and channelling domestic savings are discussed; and

6. Commends to the attention of the Governments concerned the desirability of considering the formation in their countries of banking syndicates or development banks with the participation of domestic banks and industrial enterprises, as a means of attracting and channelling foreign investments into essential projects; and

C. WITH THE OBJECT OF ENCOURAGING EFFECTIVE METHODS OF INCREASING THE FLOW OF INTERNATIONAL CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES AND

7. Recognizing:

(a) That a more rapid increase of production in under-developed countries is essential for raising the level of productive employment and the living standards of their populations and for the growth of the world economy as a whole,

(b) That the domestic financial resources of under-developed countries together with the international flow of capital for investment have not been sufficient to assure the desired rate of economic development, and

(c) That such accelerated economic development of under-developed countries requires not only a more effective and sustained mobilization of domestic savings but also an expanded and more stable flow of foreign capital investment,

8. Recommends:

(a) That Governments establish through domestic measures and, if necessary, through bilateral or multi-lateral agreements, conditions to encourage participation

of foreign private capital in desirable economic developments either in the form of direct investment or in the form of investment in bonds of Governments or of private and public corporations;

(b) That Governments of the more developed countries seek to encourage by appropriate means the investment of private capital by their nationals in under-developed countries;

(c) That more of the developed countries take early action, in the light of their balance-of-payments position, to grant permission to the International Bank for Reconstruction and Development to utilize increasing parts of the 18 per cent of their subscriptions which have been pledged to be payable in domestic currencies, for such loan transactions as the Bank may be undertaking and which involve a demand for such currencies, and consider granting permission to the Bank to place its bond issues in their financial markets; and

(d) That Governments extend progressively, so far as their balance-of-payments position and prospects permit, the principle of untied lending to all governmentally controlled or guaranteed foreign lending;

9. Recognizing:

(a) That economic development requires the execution not only of self-liquidating projects but also of projects in such fields as transport, power, communications, public health, educational institutions and housing, which, while not always fully self-liquidating, are justified by reason of their indirect effect on national productivity and national income, and

(b) That with respect to financing of economic development, there is no direct logical connection between the immediate expenditures in local and foreign currencies on the one hand and the desirable amount of domestic and foreign financing, respectively, on the other, and

10. Taking note of the constructive statements made by the representative of the International Bank for Reconstruction and Development at the eleventh session of the Council, and welcoming, as being of special importance in relation to the problem of economic development of under-developed countries, his assurance that, in considering applications for loans, it is the determined policy of the Bank to examine the size, composition and financial implications of a borrowing country's investment programme as a whole, as well as the details of selected projects,

11. Recommends:

(a) That under-developed countries give greater attention to the formulation of integrated programmes of development and to the planning of loan projects for presentation to the International Bank for Reconstruction and Development so as to facilitate the Bank's operations and thereby accelerate the rate of economic development;

(b) That governmental and intergovernmental credit organizations which can assist in the economic development of under-developed countries consider means by which the funds which are at their disposal can be used more effectively to help carry out integrated investment programmes, designed to carry forward in a co-ordinated manner development projects in different branches of the country's economy, and in general to accelerate the rate of economic development of under-developed countries;

(c) That institutions providing international loans, in considering the amount of external finance required

in connection with any project, give appropriate consideration not only to the direct foreign costs but also to the foreign costs which tend to arise indirectly from the additional claim which the projects make on local labour and other resources, and from the additional incomes thus created; and

(d) That these institutions make any such loans at rates of interest and on terms of amortization designed to place the smallest feasible burden on the exchange availabilities of the under-developed countries, consistent with the maintenance of these institutions as self-supporting entities;

**D. WITH THE OBJECT OF FACILITATING FURTHER STUDIES IN THE FIELD OF INTERNATIONAL INVESTMENT AND PRICES OF PRIMARY PRODUCTS**

12. Considering the great importance for the promotion of private foreign investments of assurances of ability to transfer earnings and withdraw capital in the currency in which the original investment has been made, and

13. Considering, furthermore, that such assurances of ability to transfer raise a number of technical difficulties, some of them closely related to the rights and obligations of members of the International Monetary Fund,

14. Expresses the opinion that the practical conditions under which such assurances can be made effective have not so far been sufficiently examined at the technical level;

15. Requests Member Governments to provide the Secretary-General and the International Monetary Fund with such statistical and other data as may be necessary for the carrying out of the studies referred to below;

16. Recommends that the International Monetary Fund be requested to assemble and analyse, in consultation with the International Bank for Reconstruction and Development, and when appropriate with other interested international agencies, the statistical and other data bearing upon the capacity of under-developed countries to service investments of foreign capital, with special reference to:

(a) The proportion of the foreign exchange receipts of such countries currently absorbed by services on foreign investment as compared with the past periods;

(b) The proportion of foreign exchange receipts of more developed countries which, in earlier stages of their development, has been absorbed by services on foreign investment in these countries;

(c) Statutory and administrative measures designed to provide for servicing foreign investment in times of exchange stringency; and

17. Requests the Secretary-General, in co-operation with the interested international agencies and within the resources available, to undertake a study of the relation of fluctuations in the prices of primary products to the ability of under-developed countries to obtain foreign exchange.

## 2. Technical Assistance for Economic Development under General Assembly Resolution 200(III)

To deal with economic and social development of under-developed areas, four inter-related programmes have been established by the General

Assembly and the Economic and Social Council on technical assistance for economic development, training in public administration, advisory social welfare services (all of which operate on separate budgets within the United Nations regular budget) and the so-called Expanded Programme of Technical Assistance. The Expanded Programme is financed by voluntary contributions and includes the work of the specialized agencies, whose programmes are co-ordinated through the Technical Assistance Board. In administering these four inter-related programmes, the Technical Assistance Administration, established in 1950, makes no distinction as to the source of funds.

Under General Assembly resolution 200(III)<sup>15</sup> the Secretary-General was requested to report to each session of the Council on the measures he had taken in compliance with the provisions of the resolution. Accordingly he submitted his third and fourth reports (E/1576, E/1700) to the tenth and eleventh sessions of the Council, respectively.

The Secretary-General pointed out that, under the 1950 programme, sixteen countries had by 1 June 1950 requested expert advice in furtherance of their plans for economic development. The experts made available numbered approximately 50 and represented some twenty different nationalities. It could thus be said that the programme of technical aid to the less advanced countries combined and made use of the experience of many nations with different social patterns and cultural traditions. The Secretary-General reported that a group of experts in public administration and in agricultural, industrial, geological and other fields began its work in Afghanistan in June; that a comprehensive team of experts organized under General Assembly resolutions 58(I)<sup>16</sup> and 200(III), and recruited in consultation with the specialized agencies concerned, was at that time in Bolivia advising the Government on a wide range of subjects concerning its development programme; that several experts had visited Chile to review economic policies bearing on problems of economic stability in relation to Chile's development needs and to discuss with the Chilean authorities the country's public finance structure; and that a further group of experts had visited Ecuador to undertake basic investigations and advise on the preparation of legislation in the fields of taxation, public finance, customs organization, public administration, civil service and census techniques. Negoti-

<sup>15</sup> See Y.U.N., 1948-49, pp. 437-38.

<sup>16</sup> See also Advisory Social Welfare Services, p. 591.

ations were in progress for the dispatch to Iran under General Assembly resolutions 58(1) and 200(III) of an expert mission in the fields of social questions, public administration, public finance and customs organization. In response to a request from the Government of India in connexion with its sponsorship of a pilot reclamation and development project, a soil conservation expert had been appointed in consultation with the Food and Agriculture Organization, and it was planned to make available the services of a community planning and housing expert under General Assembly resolution 58(I). Individual experts were, furthermore, rendering advice in a number of specific fields in response to requests from Brazil, Burma, Lebanon, Mexico, Paraguay, the Philippines and Thailand. Requests had been received from Yugoslavia for extensive technical assistance involving the assignment of experts and the provision of semi-industrial and laboratory appliances. A further clarification of the scope of these requests was being sought. The Secretary-General further informed the Council that he had appointed a resident representative in Haiti, whose first task was to advise the Government on the implementation of the recommendations of the United Nations Mission which visited that country in 1948, and to help arrange for the provision, of such continued technical assistance as the Government might request. A similar appointment of a resident representative was being made in Pakistan. Expert advice in a number of specific fields was also being rendered by individual experts in both countries.

The Secretary-General reported that, under the 1950 fellowship programme, fellowships for economic development had been awarded to 68 candidates selected from a total of 276 candidates nominated by 28 Member Governments. The principal fields of study of the fellowship holders included economic geology, coal mining, photogrammetry, statistical services, regional economic development techniques, co-operatives, agricultural and industrial credits, hydro-electric and thermal-electric power production, distribution and utilization, fertilizer manufacture, telecommunications, railroad operation and maintenance, airport operation and maintenance, public finance and fiscal administration, livestock management, plant breeding, seed production and storage, irrigation techniques, utilization of forest products and organization of research facilities in agriculture. The fellowship holders were using host facilities made available by the following thirteen Member States: Australia, Belgium, Brazil, Can-

ada, Denmark, France, India, Mexico, Netherlands, New Zealand, Sweden, United Kingdom and United States.

The Secretary-General further informed the Council that under paragraph 3(c) of General Assembly resolution 200(III), which provides for the organization of training institutes, the Statistical Office of the United Nations and the Food and Agriculture Organization had collaborated in census-training centres in Cairo and New Delhi; and that an inter-American seminar on biostatistics would be organized jointly by the United Nations and the World Health Organization in September 1950. The Asian Centre on Agricultural and Allied Projects, sponsored jointly by the Government of Pakistan, the United Nations, the Food and Agriculture Organization and the International Bank for Reconstruction and Development, would be held from 1 October to 22 December 1950 at Lahore, Pakistan. The centre would consist of a training institute on economic appraisal of development projects, to aid participants in formulating such projects for subsequent action by administrative officials and by national and international financial institutions. The Secretary-General further reported that in implementation of paragraph 3(d) of General Assembly resolution 200(III) the beginnings of a clearing-house service had been established to handle specific inquiries for technical information and for advice on the location of technical assistance personnel, equipment and supplies.

The Secretary-General drew special attention to various practical considerations affecting the implementation of the programme and to a number of difficulties encountered during day-to-day operations. In his third report, he anticipated that future efforts under resolution 200(III) would be greatly facilitated by the General Assembly's decision to place such activities on a continuing basis, since services could henceforth be planned without the restraints imposed by the financial necessity of completing action within a calendar year. He also advised that the programme of the International Centre for Training in Public Administration and the technical assistance programme under resolution 200(III) would be integrated and in essence be as a single programme. In addition, while there would be two separate sources of funds for technical assistance, on the operational level he had decided to ensure complete administrative integration of the activities of the expanded programme and the programme under 200(III) irrespective of the source of the funds which would be used to

finance them. In his fourth report, the Secretary-General drew particular attention to the appointment in certain countries of resident technical assistance representatives, and emphasized that such appointments could greatly contribute towards the avoidance of confusion which might otherwise arise from a multiplication of channels for technical assistance, and that such representatives would also assist under-developed countries which do not already have appropriate co-ordinating machinery to view their requirements for technical assistance from the standpoint of the over-all development needs of the country.

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

The Council at the 82nd meeting of its Economic Committee on 9 February and at its 349th plenary meeting on 13 February briefly reviewed the third report (E/1576) of the Secretary-General, commending the work accomplished in implementing resolution 200(III).

Among the few specific points raised, the representative of Pakistan expressed his belief that the expanded technical assistance programme and the regular United Nations programme should be co-ordinated, with the general objective of optimum utilization of resources. The representative of Brazil thought that while the programme of the International Centre for Training in Public Administration<sup>17</sup> should be co-ordinated with the regular technical assistance programme under resolution 200(III), its independent structure should be preserved. The representative of France considered that there was a need for a definite policy on the implementation of the programme of expert advice and that the United Nations should both centralize and disseminate information. He further considered that some fellowships should be reserved for experts who were less trained but whose course of study might be lengthened, that the requirement that candidates should know the language, of the host country was necessary but should not be too strictly applied and that a request should indicate three host countries in order of preference which could be changed only after consultation with the countries concerned.

The Economic Committee (E/1604) on 9 February and the Council (268(X)) on 13 February 1950 unanimously adopted a resolution which took note of the third report and expressed satisfaction with the progress achieved during the year, notwithstanding the difficulties encountered.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The Council considered the fourth report of the Secretary-General (E/1700 & Add. 1) at its 412th plenary meeting on 15 August 1950. In view of the fact that resolution 200(III) requires the Council to make recommendations concerning any budgetary action that may be required by the General Assembly, the Council considered the Secretary-General's proposal that an amount equal to that appropriated for 1950 again be appropriated for 1951. The representative of the United Kingdom commended the Secretary-General for the modesty of his proposal. The representative of France also expressed the view that, with the exception of the origin of the funds, no administrative distinction need be made between the technical assistance programme which is administered under General Assembly resolution 200 (III) and that part of the expanded programme for technical assistance which is to be administered by the United Nations under Council resolution 222 A (IX) and General Assembly resolution 304(IV).

The Council also had before it a policy matter, deferred from its tenth session (E/1603) dealing with a proposal by Chile (E/AC.6/L.1 & Corr. 1) that the General Assembly so amend resolution 200(III) as to make eligible for technical assistance under this resolution all those non-member countries which are responsible for their international relations and participate as associate members in the work of any of the regional economic commissions. This question had grown out of a somewhat similar proposal which had been submitted too late for consideration by the Second Committee at the fourth session of the General Assembly. In view of the fact, however, that the non-members concerned had meanwhile become eligible for similar technical assistance under the expanded programme by virtue of their membership in one or more of the specialized agencies participating in the latter programme, the representative of Chile withdrew the draft resolution. The representatives of France and the United Kingdom, nevertheless, took the opportunity to point out that they would have supported the proposal, and indicated that they might reopen the issue in the future should the circumstances require it.

The Council unanimously adopted the draft resolution proposed by the Secretary-General (E/1700), with minor amendment, as resolution

<sup>17</sup> See pp. 454-56.

291 A (XI). In it the Council expressed its satisfaction with the Secretary-General's report and recommended that the General Assembly (1) approve the same amount for technical assistance in 1951 as in 1950 and (2) recommend that requests for technical assistance for economic development under resolution 200(III), which cannot be financed with funds provided in the regular budget, should be eligible for financing under the expanded programme of technical assistance.

### c. ACTIVITIES DURING 1950

By the end of 1950 action had been planned or undertaken under resolution 200(III) on requests for expert advice from the following sixteen countries: Afghanistan, Bolivia, Brazil, Burma, Chile, Ecuador, Haiti, India, Iran, Lebanon, Mexico, Pakistan, Paraguay, the Philippines, Thailand and Yugoslavia. The services of over 50 experts were made available, in some cases through the co-operation of the specialized agencies. The assistance rendered covered a wide field and included, besides general problems of economic development, such questions as raw materials utilization, industrial development, public finance, public administration, fiscal questions, development finance, organization of statistical services, customs administration, mining, electric power, transport, cottage industries, irrigation, improvement of livestock, fisheries, soils analysis, forestry and tropical agriculture.

Thirty Member States nominated 306 candidates for fellowships, including nine from Non-Self-Governing and Trust Territories. Awards were made to 93 of these candidates to study in thirteen Member States. The principal fields of study included industrial development, statistics, development of land and water resources, transport and communications, co-operatives in economic development, and combined resource development.

In addition to the provision of expert advice and the award of fellowships to experts from the under-developed countries for study abroad, technical assistance is provided to Member Governments under resolution 200(III) through the organization of training institutes, seminars and meetings of experts to discuss problems of special concern to the under-developed countries. The two main activities of this type during the year were the Asian Centre on Agricultural and Allied Projects in Lahore, Pakistan, from October to December, and the Inter-American Training Semi-

nar for Biostatistics in Santiago de Chile, from 25 September to 16 December.

## 3. Technical Assistance under the Expanded Programme of Technical Assistance for Economic Development

### a. TECHNICAL ASSISTANCE CONFERENCE

In accordance with Council resolution 222 A (IX) and General Assembly resolution 304 (IV),<sup>18</sup> the Secretary-General convened the United Nations Technical Assistance Conference at Lake Success on 12 June 1950. All Members of the United Nations were invited as well as all other Governments who, while not Members of the United Nations, were members of one or more of the specialized agencies participating in the expanded programme through their membership on the Technical Assistance Board (TAB). Representatives of the specialized agencies were also invited. The purposes of the Conference were to ascertain the total amount of contributions which would be made available by Governments for the execution of the expanded programme of technical assistance, and to obtain the final consent of the participating Governments to the proportionate shares of the total contributions which would be allotted to the various participating organizations, as well as their consent to the other financial arrangements set out in Council resolution 222 A (IX). The Technical Assistance Conference met from 12 to 14 June 1950. Many of the delegations, both at the Conference and later at the eleventh session of the Economic and Social Council, expressed their satisfaction regarding the careful preparations which had preceded the Conference and which had made it possible for it to conclude its business expeditiously and by unanimous action. Governments declared their intention of making available for the special account for technical assistance, in the first period of operation up to 31 December 1951, a sum slightly exceeding the equivalent of \$20,000,000.

The Governments of the following States were represented at the Conference by delegations:

Afghanistan	Burma	Cuba
Argentina	Canada	Denmark
Australia	Ceylon	Ecuador
Austria	Chile	Egypt
Belgium	China	El Salvador
Bolivia	Colombia	Ethiopia
Brazil	Costa Rica	Finland

<sup>18</sup> See Y.U.N., 1948-49, pp. 443-46, 452.

France	Liberia	Thailand
Greece	Luxembourg	Turkey
Haiti	Mexico	Union of
Honduras	Monaco	South Africa
India	Netherlands	United Kingdom
Indonesia	New Zealand	United States
Iran	Norway	Uruguay
Ireland	Pakistan	Venezuela
Israel	Philippines	Yemen
Italy	Sweden	Yugoslavia
Korea	Switzerland	
Lebanon	Syria	

The following specialized agencies and inter-governmental organizations were represented:

International Labour Organisation  
 Food and Agriculture Organization of the United Nations  
 United Nations Educational, Scientific and Cultural Organization  
 International Civil Aviation Organization  
 World Health Organization  
 International Bank for Reconstruction and Development  
 International Monetary Fund  
 International Refugee Organization  
 International Meteorological Organization  
 Inter-governmental Maritime Consultative Organization  
 Organization of American States

The Conference adopted a Final Act which included resolutions (I) on the subject of contributions from Governments to the expanded programme of technical assistance; and (II) on the financial arrangements concerning the expanded programme of technical assistance through the United Nations and the specialized agencies, and reproducing the financial arrangements set out in paragraph 9 of Council resolution 222 A (IX). The text of these resolutions follows.

#### RESOLUTION I CONTRIBUTIONS FROM GOVERNMENTS

The United Nations Technical Assistance Conference.

Believing that world peace and prosperity depend on a rising standard of living among all peoples and particularly among the peoples of the countries which are now economically under-developed,

Being impressed with the significant contribution to economic development that can be made by an expansion of the international interchange of technical knowledge and skills,

Noting the recommendations contained in resolution 304 (IV) adopted by the General Assembly of the United Nations on 16 November 1949 regarding an expanded programme of technical assistance for economic development of under-developed countries,

1. Notes with satisfaction that the total amount of monetary sums and domestic credits hitherto ascertained to be made available from contributing Governments during the first financial period of the operation ending

31 December 1951 for the expanded programme of technical assistance through the United Nations and the specialized agencies is equivalent to approximately \$20,012,500;

2. Notes further that, by indicating the amounts listed in the schedule appended hereto (Annex I) each of the contributing Governments has declared that it will, so far as its appropriate constitutional bodies authorize and, where necessary, appropriate funds, make available such amounts to the expanded programme of technical assistance during the first financial period of its operation;

3. Urges that contributions for the first period of operation be made available as soon as possible to the special account for technical assistance for economic development to be set up and administered by the Secretary-General of the United Nations in accordance with the provisions of paragraph 8 of resolution 222A (IX) of the Economic and Social Council and paragraph 3 of resolution 304 (IV) of the General Assembly.

#### ANNEX I

Governments	Amounts
Afghanistan	Afghanis 119,084
Argentina	Argentinian pesos 1,000,000
Australia	Equivalent of \$400,000
Austria	Austrian schillings 500,000
Belgium	Belgian francs 13,500,000
Bolivia	Bolivianos 750,000
Brazil	Cruzeiros 8,500,000
Burma	Equivalent of \$7,500
Canada	Canadian \$850,000
Ceylon	Equivalent of \$15,000
Chile	Chilean pesos 5,400,000
China	\$ 10,000
Colombia	Colombian pesos 100,000
Costa Rica	\$5,000
Cuba	Cuban pesos 50,000
Denmark	Danish kroner 660,000
Ecuador	Suces 94,500
Egypt	Egyptian £ 28,500
El Salvador	\$5,000
Ethiopia	Equivalent of \$20,000
Finland	
France	French francs 422,625,000
Greece	Equivalent of \$5,900
Haiti	Haitian gourdes 30,000
Honduras	Lempiras 16,000
India	Equivalent of \$250,000
Indonesia	Rupiah 463,000
Iran	Equivalent of \$40,000
Ireland	
Israel	Israeli £10,000
Italy	Equivalent of \$93,000
Korea	\$5,000
Lebanon	Equivalent of \$6,500
Liberia	\$8,000
Luxembourg	Equivalent of \$2,500
Mexico	Mexican pesos 300,000
Monaco	French francs 1,000,000
Netherlands	Florins 1,520,000
New Zealand	New Zealand £45,000
Norway	Norwegian kroner 250,000
Pakistan	Pakistani rupees 467,000
Philippines	Philippine pesos 100,000
Sweden	Swedish kroner 500,000
Switzerland	Swiss francs 1,000,000

Governments	Amounts
Syria .....	Syrian £25,000
Thailand .....	.....
Turkey .....	Equivalent of \$182,000
Union of South Africa .....	.....
United Kingdom .....	£760,000
United States .....	\$12,007,500
	(provided this does not exceed 60 per cent of the total amount made available by contributing Governments as indicated in this schedule)
Uruguay .....	Uruguayan pesos 151,900
Venezuela .....	\$44,000 or equivalent
Yemen .....	Indian rupees 20,000
Yugoslavia .....	Dinars 2,500,000

## RESOLUTION II

The United Nations Technical Assistance Conference

Approves the following financial arrangements recommended in paragraph 9 of resolution 222 A (IX) of the Economic and Social Council:

(a) Contributions shall be made by Governments in such forms and subject to such conditions as may be agreed between the Secretary-General, after consultation with the Technical Assistance Board established pursuant to resolution 222 A (IX) of the Economic and Social Council, and the contributing Governments, provided that contributions shall be made without limitation as to use by a specific agency, or in a specific country or for a specific project;

(b) The Secretary-General shall allot contributions received during the first fiscal year as follows:

(i) The first \$10,000,000 in contributions shall automatically be available for distribution to the participating organizations for the expanded technical assistance programme;

(ii) Of the second \$10,000,000 of contributions received, 70 per cent shall be automatically available for distributions to the participating organizations and 30 per cent shall be retained for subsequent allocations, bearing in mind the desirability of retaining an appropriate proportion of convertible currencies;

(iii) All contributions above \$20,000,000 shall be similarly retained;

(c) Contributions automatically available for distribution to the participating organizations, in accordance with sub-paragraph (b) (i) and (ii) above, shall be transferred by the Secretary-General to the organizations in accordance with the following percentages:

	Per cent
United Nations .....	23
International Labour Organisation .....	11
Food and Agriculture Organization .....	29
United Nations Educational, Scientific and Cultural Organization .....	14
International Civil Aviation Organization .....	1
World Health Organization .....	22
Total .....	100

(d) Contributions retained under sub-paragraph (b) (ii) and (iii) above shall be allotted by the Technical Assistance Board in such a manner as it may decide and at such time as it may decide, taking into consideration all relevant factors, in particular the amounts and kinds of resources on hand and receivable, the technical assistance requests received which fall within the field

of the several participating organizations, the uncommitted balances held by them, and the need for the retention of any reserves to meet unforeseen requests from Governments;

(e) The Technical Assistance Board shall determine the manner in which different currencies and services or materials can be most effectively utilized;

(f) The amounts received by the participating organizations shall be available to them for the purpose of assuming obligations or commitments during the fiscal year in which these amounts are received, but actual expenditures shall be allowed to extend over a period of not more than the two ensuing fiscal years;

(g) The Secretary-General and the executive heads of the other participating organizations shall, after consultation, make appropriate arrangements for the audit of contributions and expenditures under this programme.

The Conference also took account of the fact that several Governments were not in a position to announce contributions during the Conference but that they contemplated submitting such amounts after the end of the Conference. The Conference requested the Secretary-General to communicate to the Governments invited to the Conference the additional amounts announced by Governments notified to him after the close of the Conference. As of 31 December 1950<sup>19</sup> the following additional contributions had been announced:

Governments	Amounts
Ireland .....	£5,000
Finland .....	Finnish marks 1,155,000
Iraq .....	Equivalent of \$5,000
Guatemala .....	\$5,000

## b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The question was discussed by Council at the 1st to 5th meetings of its Technical Assistance Committee (TAC) from 2 to 15 August and at its 412th and 413th plenary meetings on 15 August 1950. The Council had before it the report by the Secretary-General (E/1733) briefly summarizing the work of the Conference and the report of the Technical Assistance Board (E/1742). The latter dealt with the Conference, the establishment of the Board, the work it had undertaken and arrangements with regional organizations.

During the discussion in the Committee, the following comments and suggestions were made.

Many members stressed the importance which Governments attached to the technical assistance activities of the United Nations and the special-

<sup>19</sup> A contribution of Baht 425,000 from Thailand was announced in April 1951.

ized agencies. The economic development of the under-developed countries, they felt, could contribute much towards promoting conditions of world peace and security. In this connexion, the international programme of technical assistance had a vital role to play. The Committee was impressed by the variety and scope of technical assistance requested from, or being rendered by, the international agencies to more than 50 countries. The Committee also noted with interest that, although the expanded programme provided for in Council resolution 222 (IX) and General Assembly resolution 304(IV) had only recently come into being, many of the pending requests were already being considered under the new programme.

The implementation of the programmes to which the requests for advice referred would represent an immense effort on the part of the more and the less developed countries alike. Several representatives, among them the representatives of Canada, France and the United States, expressed the opinion that special attention should be given to the achievement of a better balance in the technical assistance to be rendered under the expanded programme in terms of the economic and social needs of the recipient countries, and that the United Nations and specialized agencies should continue to assist Governments at their request in ascertaining the technical assistance requirements of the countries concerned in relation (1) to their own economic plans; (2) to the resources at the disposal of the United Nations and specialized agencies; and (3) to current or projected programmes or requests for technical assistance from all sources. The representative of Canada was of the opinion that the appointment for this purpose of resident technical assistance representatives, wherever appropriate, as discussed in the report of the Technical Assistance Board, would be particularly desirable. The Committee hoped that TAB would, as the programme developed, be in a position to set out criteria to govern the selection of technical assistance projects, especially in view of the limited resources at the disposal of the participating organizations.

The Committee noted with satisfaction the declarations made by some Governments that they envisaged making available to TAB information on their bilateral or regional programmes of technical assistance. The view was expressed by the representative of Australia that the existence of such bilateral or regional programmes should not affect the eligibility of recipient coun-

tries to receive technical assistance requested from the United Nations and specialized agencies in accordance with the principles laid down by the Council; the assistance provided through bilateral and regional programmes would be complementary to that provided through the United Nations and the specialized agencies and not a substitute.

Reference was made to the need for full information to be supplied by TAB to TAC in order to enable TAC to carry out the duties entrusted to it with full effectiveness. Inter alia, TAC should receive, within a reasonable period of time, information which would enable it to make an evaluation of the actual results being achieved and to be expected from the expanded programme.

The co-operative spirit which the various participating organizations had shown in accepting the conditions and guiding principles laid down in Council resolution 222 (IX) and to the work of the various secretariats in carrying through the initial stages of the work was praised by the members of the Committee. It was noted that TAB, consisting of representatives of the participating organizations, had had the full co-operation of the International Monetary Fund and of the International Refugee Organization, whose representatives had attended its meetings. The Board and the participating organizations should be given every support by Governments to proceed efficiently and with the necessary freedom of action with their work.

The Committee felt that the expanded programme had made a good start with the pledging of over \$20,000,000 by Governments at the Technical Assistance Conference and with the establishment of TAB in effective working order. As regards contributions, the Committee noted that funds had already been made available by certain Governments, although the Technical Assistance Conference had only been recently concluded. It was clear that, now that all the preparatory steps had been taken and the machinery had begun to operate, the under-developed countries could expect action on the programme and could look forward with confidence to its benefits.

The Committee took a number of specific decisions regarding the organization of its work:

- (1) Its sessions should be held twice a year, immediately before or during the early part of Council sessions, as long as the Council held two sessions a year; and the Chairman of the Committee should be authorized to call further sessions of the Committee if and when necessary
- (2) TAB should transmit to TAC, on a monthly basis, lists of requests received by participating organizations;

these lists should be circulated only to members of TAC (3) Analytical reports, describing activities and potential projects, and covering questions of policy, administration and finance, under the expanded programme, should be submitted by TAB to TAC twice yearly, normally at the sessions held in conjunction with sessions of the Council.

The Technical Assistance Committee unanimously recommended (E/1833) that the Council note its first report and the first report of the Technical Assistance Board (E/1742) and transmit the records of the Council and Committee discussions to TAB and the organizations represented on it for guidance in their work.

Following minor drafting changes, the Council, at its 412th plenary meeting on 15 August, unanimously adopted the proposed resolution (E/1833). At its 413th meeting, however, the representative of India expressed the opinion that the Council should also note the Secretary-General's report on the Technical Assistance Conference (E/1733). The Council agreed that such a paragraph should be included in the final resolution. In resolution 291 B (XI) the Council therefore noted with satisfaction the Secretary-General's report on the Conference, noted the first reports of the Technical Assistance Committee and the Technical Assistance Board and transmitted the records of the Council and Committee discussions to the Technical Assistance Board.

### c. ACTIVITIES DURING 1950

By 31 December 1950, approximately 265 requests for assistance under the expanded programme had been received from 55 Governments. Of these, the United Nations received 48 requests (including certain activities under Assembly resolutions 58(I) and 200(III)), ILO received 16; FAO, 62; UNESCO, 39; ICAO, 19; and WHO, 81, 24 of which have been transferred to the regular WHO programme. Six of the 265 requests were submitted by the administering authorities on behalf of five Non-Self-Governing Territories.

One hundred and forty-five projects had been initiated by the United Nations and the participating organizations in 38 countries as follows: United Nations, 21; ILO, 13; FAO, 58<sup>20</sup>; UNESCO, 13<sup>20</sup>; ICAO, 12; and WHO, 28. These required the services of approximately 513 experts and the provision of a considerable number of fellowships, a total estimated cost, inclusive of incidental equipment, of \$2,106,680. From agreements then under negotiation, 150 additional projects were expected to result.

In addition, the Bank had received eight requests and had initiated six. The Fund, which generally does not report requests received to TAB, stated that it had undertaken sixteen projects during the period.

By the end of 1950, the United Nations and the specialized agencies<sup>21</sup> were operating in 43 countries as follows:

Latin America: Bolivia, Fund; Brazil, United Nations; Chile, WHO; Colombia, United Nations, ILO, FAO, UNESCO, ICAO, WHO, Fund; Costa Rica, FAO, WHO; Cuba, Bank, Fund; Dominican Republic, WHO; Ecuador, United Nations, ILO, FAO, UNESCO, WHO, Fund; Guatemala, United Nations, ILO, FAO, Bank; Haiti, United Nations, FAO; Honduras, FAO, Fund; Mexico, ILO, UNESCO, WHO; Nicaragua, ICAO, Fund; Paraguay, Fund; Peru, FAO, WHO, Fund; El Salvador, ILO, WHO; Uruguay, FAO, Bank; Venezuela, WHO

Middle East: Egypt<sup>1</sup>, ICAO, Fund; Iran, UNESCO, ICAO, WHO; Iraq, United Nations, FAO, UNESCO, ICAO, Bank; Israel, ILO, FAO, ICAO; Jordan, FAO; Lebanon, UNESCO, ICAO, WHO, Fund; Saudi Arabia; FAO, WHO; Syria, FAO, WHO; Turkey, WHO, Bank

Asia and Far East: Afghanistan, United Nations, FAO, WHO; Burma, United Nations, ILO, FAO; Ceylon, FAO, UNESCO, WHO; India, United Nations, FAO, UNESCO, WHO; Indonesia, United Nations, ILO, FAO, UNESCO, ICAO, WHO; Pakistan, ILO, FAO, UNESCO, ICAO; Philippines, United Nations, Fund; Thailand, United Nations, ILO, FAO, UNESCO, ICAO

Europe: Finland, ICAO, Fund; Greece, Fund; Iceland, Bank, Fund; Italy, United Nations, Fund; Yugoslavia, United Nations, FAO

Africa: Ethiopia, ICAO, WHO; Liberia, UNESCO, WHO; Libya, United Nations, FAO, UNESCO, WHO, Fund

The United Nations co-operates in the Expanded Programme through the Technical Assistance Administration, created during the year. The major fields in which technical assistance is provided are industrial development, road, rail, and inland water transport, public finance and fiscal policies, public administration and social welfare. During 1950 the United Nations provided, or was about to provide, for example, a technical assistance resident representative in Colombia to be responsible for co-ordinating the work there of all the agencies. At the end of the year, the United Nations was recruiting for Colombia experts in public utilities, harbour management, central government and local government finance, tax administration, and price and production statistics.

<sup>20</sup> FAO and UNESCO in their reports included only projects on which agreements have already been signed with Governments.

<sup>21</sup> For specific activities of the specialized agencies, see Part II of this volume.

Experts were sent to Ecuador and Mexico to assist them in using available power resources, including lignite. A social welfare adviser had helped Guatemala to organize a school for training workers for various social services.

In Afghanistan, following an exploratory mission, technical experts were working with the Government to overcome the lack of power and transport facilities. An oil geologist was surveying possible oil resources. A small industries expert advised the Burmese Government on the rehabilitation of certain industries affected by the war, such as paper making and sugar refining, as well as on the organization of marketing for cottage industry output.

The United Nations also sent statisticians to Thailand and Lebanon, among other countries, to aid governments in organizing their basic statistical services.

One request pending at the end of the year was for an expert to assess the possibilities of harnessing the volcanic steam of Santa Lucia, British West Indies, to end the power shortage there.

An important part of the programme is the providing of fellowships for the training of local officials abroad. An Indian hydro-electric engineer, for example, was sent to Canada to study and observe the practices in that country in the use of hydro-electric power in industries. In addition to awarding fellowships to individuals, the United Nations has joined with other agencies to provide a faculty of experts for a regional training institute on how to evaluate the economics of development projects. Fifty-five officials of eight countries in South East Asia spent the last three months of 1950 at Lahore, Pakistan, on such a study.

#### 4. Training for Apprentices and Technical Workers

At its eleventh session the Council had before it at its 395th meeting on 20 July a report (E/1705 & Add. 1) from the International Labour Organisation in response to General Assembly resolution 201 (III).<sup>22</sup> The report dealt with arrangements to facilitate the admission of candidates to the world's centres of training for apprentices and technical workers, from countries suffering from a lack of qualified personnel necessary to the development of their national economy.

The report dealt with the nature and scope of the problem and plans for assembling and making available to the countries concerned technical documentary materials on methods of vocational training, for making technical assistance available in introducing modern systems and methods of vocational training in countries planning economic development, and for assistance in the organization and development of technical training abroad. ILO outlined the framework of its programme, indicating the staff to whom it would apply and the types and purposes of the training. The programme would comprise: a study of the needs of the various countries in regard to vocational training abroad; a study of the training possibilities open to foreigners in the various countries and of their development; and a study of measures to solve the general or specific problems raised by training abroad (in particular, choice of candidates, preparation of programmes of study, control of the results of training, financing, problems of exchanges, etc.). ILO stated that a start had already been made to put the programme into effect in co-operation with the other international organizations concerned.

In introducing the report, the representative of the ILO, *inter alia*, pointed out that the efforts devoted to the extension of external opportunities in the field of technical training could be effective only if they were accompanied by efforts directed toward the systematic organization of technical training within countries which were suffering from a lack of qualified personnel necessary to the development of their national economy. ILO was consequently intensifying its efforts, in various parts of the world, to build up vocational training programmes within countries at the same time as it organized and developed opportunities for training abroad.

During a brief discussion the members of the Council commended ILO on the work it had undertaken. Since a number of representatives had emphasized the close relationship between the technical assistance programme and the programme for the training of apprentices and technical workers, the President suggested that a paragraph should be added to the draft resolution (E/L.71) proposed by France which would draw the attention of the Technical Assistance Board and the organizations participating in the expanded programme of technical assistance to the report. The representative of France accepted this suggestion as well as several drafting changes suggested by the representative of India.

<sup>22</sup> See Y.U.N., 1948-49, p. 438.

The amended draft resolution was adopted unanimously at the same meeting. By resolution 293 (XI) the Council drew the attention of the Technical Assistance Board and the organizations participating in the expanded programme of technical assistance to the ILO report; noted the work accomplished by ILO; and recommended that ILO pursue and develop, in co-operation with the United Nations and other specialized agencies concerned, its extended programme in this sphere in accordance with the proposals outlined in the report. The resolution further recommended that Member States give their full co-operation in the task undertaken by ILO of extending the possibilities of providing training facilities abroad for apprentices and technical workers.

### 5. Programme for Training in Public Administration under General Assembly Resolution 246(III)

The General Assembly at its third session had resolved (246(III))<sup>23</sup> that an International Centre for Training in Public Administration should be established under the direction of the United Nations and at its fourth session had approved an amount of \$145,000 for the operation of the centre in 1950.

#### a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

At its 371st meeting on 2 March 1950 the Council had before it a report, prepared by the Secretary-General (E/1577), on the arrangements considered desirable to co-ordinate the programme of training in public administration with the programme of technical assistance. He reported that it was proposed to organize the International Centre for Training in Public Administration within the Department of Economic Affairs and to develop its activities as an integral part of the whole technical assistance programme. He further informed the Council that certain functions common to the two programmes, such as fellowships, scholarships, seminars and allied activities, were already being planned and organized jointly and would be carried out jointly. In other activities, the Centre would serve as a consultative unit "with respect to all administration aspects of such substantive activities as may arise under the technical assistance programme".

The representatives of France and Belgium felt that it was not the intention of the authors of the two programmes that the International

Centre should permanently become an integral part of the technical assistance programme as was implied in the draft resolution proposed by Brazil (E/L.38). They therefore proposed (E/L.39) to insert a reference to the year 1950, since undoubtedly the major part of the Centre's programme during this year would be linked with technical assistance. The representative of Brazil accepted this amendment.

The Committee adopted by 10 votes to 2, with 3 abstentions, a United Kingdom amendment to refer to training in public administration rather than specifically to the Centre's programme. The amended Brazilian resolution (E/L.38) was unanimously adopted as resolution 269 (X). By this resolution the Council noted the report of the Secretary-General on the arrangements considered desirable to co-ordinate during the year 1950 the programme of training in public administration with the programme of technical assistance and requested that a report on the final arrangements be submitted to a subsequent session of the Council.

#### b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The Secretary-General accordingly submitted to the eleventh session of the Council a report (E/1708 & Add. 1 & Add. I/Corr. 1) on the progress of the Centre, describing the work (see below) which had been undertaken and the general plan according to which it would be carried forward. The report stated that it was expected that the organization of the Centre would be completed in 1951.

The Council considered the report at its 379th and 380th plenary meetings on 5 July 1950. During the discussion several representatives, including those of Australia; Canada, Denmark, France, India, the United Kingdom and the United States, stressed that the Centre should not, as a result of a misunderstanding of the Assembly's intention in resolution 246(III), become an academic institution for training on a purely theoretical plane divorced from the practical problems of public administration. The United Kingdom representative pointed out that the Secretary-General's report showed clearly that the phrase "international centre" was to be interpreted in the broad sense of an office for administrative co-ordination and not in the narrower sense of a particular geographic location. The representatives of Brazil and China felt that the establishment of a central unit was essential.

<sup>23</sup> See Y.U.N., 1948-49, p. 480.

The Council, by 6 votes to 3, with 5 abstentions, rejected an oral Brazilian amendment which proposed that the title should read "International Centre for Training in Public Administration", as originally drafted, instead of "Programme for training in public administration", which had been accepted by Peru.

Several representatives, among others the representatives of Brazil and the United States, expressed concern at the slow pace at which the programme was being implemented. The majority expressed satisfaction at the arrangements made by the Secretary-General to co-ordinate the programme of training in public administration with the programmes of technical assistance.

Following the acceptance by the representatives of Peru of several drafting amendments, presented by France, the Council voted on the other proposed amendments to the Peruvian draft resolution (E/L.49).

By 8 votes to 6, the Council rejected an amendment by India (E/L.55) which would delete the recommendations for Assembly action, thereby making the recommendations stem from the Council itself. However, the representative of Peru accepted a Canadian amendment (E/L.54) which would have the same effect as the Indian proposal except that it would retain the paragraph which noted with approval that the Secretary-General had included in the 1951 budget the same amount as was appropriated in 1950.

On the suggestion of the representatives of India and Canada, the Council agreed that the Council should, itself, recommend action, rather than call on the Assembly to do so.

By 11 votes to 3, with 1 abstention, the Council adopted a Canadian amendment (E/L.54) which would recommend that additional activities undertaken in the field of training in public administration at the request of Member Governments should be considered under the Expanded Programme rather than commit the Council to definite financial action under the Expanded Programme.

Following the adoption of another drafting amendment suggested by India, the Council, at its 380th meeting on 5 July 1950, unanimously adopted the draft resolution (E/L.49), as amended. Resolution 292 (XI) read as follows:

The Economic and Social Council

Notes with approval the arrangements made by the Secretary-General and contained in document E/1708 submitted to the Council in accordance with Economic and Social Council resolution 269(X); and further

Notes with approval that the Secretary-General has included in the budget for 1951 the same amount as

was appropriated by the General Assembly in 1950 for the purpose of carrying out the activities authorized under General Assembly resolution 246(III); and

Recommends that additional activities undertaken in the field of training in public administration at the request of Member Governments should be considered under the Expanded Programme for Technical Assistance.

#### c. ACTIVITIES DURING 1950

The first seminar of the Public Administration Programme opened at the United Nations Headquarters on 30 October and was scheduled to close on 30 January 1951. The seminar, the subject of which was public personnel management, was attended by officials from the following nineteen Member States: Australia, Belgium, Canada, China, Colombia, Costa Rica, Denmark, Ecuador, Egypt, France, Haiti, Israel, Norway, Pakistan, Philippines, Thailand, United Kingdom, United States and Uruguay.

One hundred and twenty-three nominations for scholarships in public administration were submitted during 1950 and 32 fellowships and 25 scholarships awarded to candidates from 24 countries. The fellowships and scholarships were provided mainly in the following fields: principles of public administration; public finance and fiscal policies; principles of organization; public personnel administration; administrative regulations; administrative planning; government corporations; public relations; state and municipal administration; organization and management of services for purchase and control of supplies; public utilities regulation and related problems; and administrative regulation and adjudication.

The Secretary-General entered into an agreement with the International Institute of Administrative Sciences of Brussels covering the provision of documentary material to the United Nations on such subjects as the improvement of administrative practices, organization and methods, structure and operation of central government, problems of personnel administration, budget management and fiscal administration.

By the end of 1950 the Institute had already undertaken several projects, including a report on the value of central "organization and methods" offices within government administrations and a draft model statute or regulation outlining their structure and defining their functions; a manual on the technique of conducting studies of administrative organization and methods within national administrations; a guide to the establishment of civil service systems in countries which at present do not have such systems or wish to improve

their present systems; a report, based on administrative surveys of national governments, summarizing the problems to be dealt with in the conduct of administrative surveys; and a summary report on the central administrative planning and coordinating facilities which governments are setting up to deal with public administration matters.

## 6. General Consideration of Economic Development by the Assembly at Its Fifth Session

The General Assembly considered the over-all question of economic development of under-developed countries at the 119th to 135th meetings of its Second Committee from 9 October to 8 November and at its 312th plenary meeting on 20 November 1950.

### a. GENERAL DEBATE IN THE SECOND COMMITTEE

During the general debate in the Second Committee from 9 to 19 October the General Assembly discussed the general principles which should govern action with regard to the economic development of under-developed countries and which would ensure smooth international co-operation, the existing obstacles to and the problem of financing economic development, and the United Nations programmes of technical assistance.

Primary attention was paid to the question of financing economic development. In this connexion the Committee discussed the role of domestic capital resources and how it could be increased; how far the needs could be met by the present sources of foreign finances (private, governmental and international); and what part could be played by bilateral arrangements, private capital and international agencies, especially the International Bank for Reconstruction and Development. The question of the desirability of creating a new international agency for financing economic development was again discussed and the need for giving special attention to non-self-liquidating projects was stressed. It was generally agreed that much remained to be done to further economic development, particularly in making specific and practical recommendations for international action for its financing.

As in the Council, it was generally agreed that while under-developed countries should contribute as much as possible toward their development from their own resources, their scale of production

was too low to leave a margin for savings, and therefore external financing was necessary.

The representatives of India, Pakistan and the Philippines pointed out that it was futile to expect substantial domestic savings in countries where the masses had a sub-marginal existence and inflation had depleted the middle class, the major source of such savings. The representative of Iran thought that if basic projects had to be financed through domestic savings, inflation would result. The representative of Yugoslavia stressed that if domestic resources were relied on completely they would upset the fixed relationship between investment and consumption and cause a rapid change in the structure of the national economy; this would inevitably lead to social repercussions and would endanger the stability of the national currency.

The representative of France pointed out that it should also be remembered that improvements in the productivity of under-developed countries might temporarily disturb their balance of payments. The exports of such countries depend more on an increased national income in the larger importing countries than on a decrease in their own production costs.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland the Ukrainian SSR and the USSR felt that funds should come mainly from the internal resources of the under-developed countries. Foreign finances should be provided only as an additional source and national sovereignty must be assured.

The United Kingdom representative pointed out that development needs were no longer being met by the flow of private capital as they had been in the nineteenth and early twentieth centuries. War had weakened the economies of the Western European countries which had during that period supplied most of the capital to the rest of the world. Economic troubles since the First World War had discouraged investors from risking capital abroad. Moreover, returns expected from investments abroad were often no greater than those expected from home investment and involved much greater risk. Another difficulty was that, as far as the United States was concerned, a substantial portion of the existing private capital was in trust funds and thus not available. The representative of the USSR, however, claimed that, instead of declining, the rate of profit on foreign investment was in fact increasing visibly.

The representatives of Brazil, Chile and Colombia, among others, maintained that developed countries should undertake more conscious direc-

tion of foreign investment policy to ensure a more stable and adequate flow of capital to under-developed countries.

The representative of New Zealand considered that the United Nations should direct its attention to giving full information and advice on how to attract foreign capital. The principle of untied lending, he stressed, should be increasingly observed in all governmentally controlled or supported foreign lending.

The representatives of Brazil, Colombia and the Philippines felt that inducements had to be offered to attract foreign capital, while the representative of India thought that such attempts would be difficult, if not in vain, as long as opportunities for capital investment existed in the lending countries themselves.

The representative of Mexico thought that investments should promote activities likely to lay a sound basis for development despite the absence of immediate profits. He felt that they were refusing to recognize the reality that foreign capitalists were no longer seeking investment privileges to which they had been accustomed and it was this, not a lack of favourable conditions, that had slowed the flow of foreign capital.

The representative of China warned against private loans impairing the sovereignty of under-developed countries.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR held that under-developed countries must be able to build up national industries, including heavy industries, and develop their agriculture. Governmental methods must be taken within the under-developed countries themselves to create favourable conditions for industrial development. The situation would improve, they felt, if under-developed countries ceased to be appendages of developed countries and mere economic outlets and sources of cheap labour. Financing of economic development would be easier if the shares of national income which now left the country to pay profit to foreign shareholders or in repayment of foreign debts remained within the country. Internal resources would then be ample to finance economic development. Foreign loans, they stressed, should be made without economic, political or military conditions which would place the lender in a privileged position. Rapid economic development was possible if appropriate social and political conditions prevailed.

The representatives of Egypt, Iran, Iraq, Lebanon, Syria, Turkey and Yemen considered that private investments from abroad were insufficient

and likely to interfere with the independence of the borrowing country. More emphasis, therefore, should be placed on investments by Governments or international agencies.

The representative of Brazil suggested that under-developed countries could conclude bilateral agreements with capital-exporting countries for joint development plans.

The representative of Haiti once again suggested that a financial security covenant should be drawn up to safeguard foreign investors against the risks of excessive taxation, nationalization, confiscation or exchange control, and to safeguard the beneficiary countries against foreign control and domination.

The representative of Yugoslavia felt that too much attention had been paid to financing from private sources and that such financing would only achieve positive results if concentrated under the control of the Bank. He suggested that in order to meet the financial needs of under-developed countries which could not be met from these sources, a solution might be found by considering new methods of financing from international public funds.

A number of representatives, including those of Belgium, Chile, Egypt, France, Iran, Iraq, Lebanon, Syria, Turkey and Yugoslavia, were of the opinion that the Bank's operations should be expanded and liberalized. In this connexion the United States representative noted with approval the new policies of the Bank, such as the wide geographical distribution of its loans, the enlargement of its technical assistance activities, the broader scope of the projects it was financing, and the promise of greater flexibility with regard to financing local currency costs. The representative of Greece, among others, felt that it should be transformed from an institution relying on private lending to one relying on public lending and should be enabled to borrow from Governments to make loans for general development purposes. The representative of Brazil thought that a separate department should be set up within the Bank, while the representatives of India, Iran, Turkey, the Philippines and Pakistan supported the creation of a new international agency. The representative of Pakistan suggested that a financial assistance board set up to deal with the financial needs of under-developed countries particularly in respect to non-self-liquidating projects might be empowered to grant long-term loans at low rates of interest. It could also issue bonds for subscription by all the people of the world who believed in United Nations objectives. He thought that certain Govern-

ments and agencies might be prepared to make loans to such a body.

Several representatives, among them those of Australia, Greece, India, the United Kingdom and the United States, stressed the importance of financing those projects which yield no direct financial return—such as roads, bridges, and schools—but which are basic to the development of large-scale agricultural, industrial or commercial projects. It was pointed out that while the other types of project, which would have direct though possibly no immediate returns—such as railways, mining, light industries—had been financed to some extent by private investment and Bank loans, the former type of project did not lend itself to private investment.

The representative of Australia felt that rapid progress in financing non-self-liquidating projects could best be tackled on a regional basis as was, for example, being done under the Commonwealth Plan to aid Southeast Asia.

With regard to the United Nations programmes for technical assistance, the Second Committee praised the work which had been accomplished.

In discussing the general principles involved in carrying out technical assistance programmes, the representative of Iraq stressed that any such programme must aim at developing both agriculture and industry. If agriculture alone were stressed, development would be painfully slow.

The representative of Saudi Arabia wanted a more precise definition of technical assistance. He considered that standards should be set up to determine the urgency, priority and amount of aid which various regions were entitled to request, taking into account political factors. For example, he held that it would be unfair in the Middle East to give priority to a State with a considerable force of trained immigrant labour and access to foreign capital.

The Ukrainian SSR representative stressed that technical assistance must have as its aim full economic and political independence of recipient countries and assistance given only on request. The representative of Yugoslavia held that the country concerned should have exclusive rights in deciding upon programmes and projects and that the specialized agencies should not insist on their own conceptions of economic development in giving technical assistance. The representatives of the Byelorussian SSR and the USSR stressed that assistance should correspond to the needs of the recipient country's economy and not to the requirements of the world's market.

The representative of Poland was of the opinion that by separating technical assistance from the general question of economic development, and by limiting the studies and debates to financing, the problem of furthering development had been transformed into an effort to extend the field for profit-making investments.

The representative of Mexico suggested that the scope of the technical assistance programme should be broadened. It should be co-ordinated with financial assistance, assistance should be distributed on an equitable basis, close adherence should be maintained to the basic principles guiding the programme, concrete assistance rather than investigations should be emphasized, staff selected should be conversant with the problems of the country concerned and assisted by qualified staff from the recipient country, and technical assistance should not become a pretext for intervention in the internal affairs of the recipient country.

Among the specific suggestions for implementing the technical assistance programmes, was that of the representative of Turkey, who urged that inter-regional activities should be undertaken to complement the technical assistance programmes. With regard to the expanded programme of technical assistance, the representative of China stressed the need for employing experts familiar with the areas to which they were sent, and the representative of Yemen suggested that the programme be increased by means of more fellowships and more experts. The representative of Haiti felt that the costs of maintaining experts were too high for small countries and suggested that the beneficiary Government should be responsible only for the board and lodging of United Nations experts, the United Nations bearing the other expenses.

The representative of Bolivia noted that the fate of the expanded programme of technical assistance would depend on its administration. Among other things, dissipation of efforts should be avoided; Member Countries should concentrate their requests upon a group of related problems; every country should be prepared to contribute to the expenditures which technical aid entailed; and every ministry and public undertaking should make every possible effort to recover the funds it had invested by putting the expert advice into practice. The representative of Greece thought that the Bank should participate in the technical assistance programmes and that its work should be co-ordinated with that of other participating agencies.

b. FINANCING ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

The Second Committee had before it two draft resolutions on the financing of economic development of under-developed countries. The first (A/C.2/L.35 & Add.1), submitted jointly by Egypt, Iraq, Lebanon, Syria, Yemen and Yugoslavia, suggested that the Economic and Social Council on the basis of the work of an inter-governmental committee to be established by the Council for this purpose, should consider and report to the sixth regular session of the General Assembly on the extension of the international machinery through which international public funds could be made available to accelerate economic development.

The representative of Cuba spoke in favour of the resolution. Those opposing it, among them the representatives of Australia and the United States, were not in favour of the establishment of a special agency to finance development, which they felt the draft resolution implied.

The second draft resolution (A/C.2/L.38), submitted jointly by Pakistan and the United Kingdom, recommended that the Economic and Social Council should consider in greater detail the problem of financing non-self-liquidating projects which were basic to economic development and work out plans for implementation.

The Committee discussed the draft resolutions at its 127th meeting on 19 October, together with the relevant amendments. The first amendment submitted by Cuba (A/C.2/L.40) to the joint draft resolution proposed by Egypt, Iraq, Lebanon, Syria, Yemen and Yugoslavia (A/C.2/L.35 & Add.1) suggested that the International Bank for Reconstruction and Development make concurrently a study on the same subject with a view to the adoption of a more active and liberal financing policy; the second, submitted by Greece (A/C.2/L.43) to the joint Pakistan and United Kingdom draft resolution (A/C.2/L.38), substituted a new text for the last paragraph of that draft resolution recommending that the Economic and Social Council continue to consider the problem of financing economic development, and work out schemes for the expansion and steadier flow of foreign capital with special attention to the financing of non-self-liquidating projects. The representatives of Pakistan and the United Kingdom agreed to an oral amendment by the United States to indicate that a number of those basic social and economic development projects—particularly public health and educational institutions

—because of the fact that they were non-self-liquidating, were sometimes not capable of being serviced through existing sources of foreign finance. Since the Committee had welcomed the Bank's efforts to service non-self-liquidating projects, the United States representative considered it should not "recognize" that "most" of such projects were not capable of being serviced by the Bank.

The Second Committee set up a Sub-Committee consisting of the representatives of Cuba, Egypt, Greece, Pakistan, United Kingdom, United States and Yugoslavia, to draft a resolution based on the two original draft resolutions and the relevant amendments. The Sub-Committee met once and unanimously agreed on the text of a resolution (A/C.2/L.46), which was considered by the Second Committee at its 128th meeting on 31 October and unanimously adopted (A/1524B). The General Assembly, at its 312th meeting on 20 November 1950, without discussion unanimously adopted the resolution proposed by the Second Committee as resolution 400 (V). It read as follows:

The General Assembly

Taking note of the report of the fourth session of the Sub-Commission on Economic Development, the experts' report entitled "National and International Measures for Full Employment", the report of the fourth session of the Economic and Employment Commission to the Economic and Social Council, and the report of the Economic and Social Council to the fifth session of the General Assembly,

Taking note further of the studies prepared by the Secretary-General in pursuance of Economic and Social Council resolutions 179(VIII) and 222D(IX),

Recognizing that a more rapid economic development of under-developed countries, in particular an increase of their production, is essential for raising the level of productive employment and the living standards of their populations, for the growth of the world economy as a whole and for the maintenance of international peace and security,

Recognizing further that, although the economic development of under-developed countries depends primarily upon the efforts of the people of those countries, the necessary acceleration of that development, on the basis of their own plans and programmes, requires not only technical but also financial assistance from abroad, and particularly from the more developed countries,

Considering that the domestic financial resources of the under-developed countries, together with the international flow of capital for investment, have not been sufficient to assure the desired rate of economic development, and that the accelerated economic development of under-developed countries requires a more effective and sustained mobilization of domestic savings and an expanded and more stable flow of foreign capital investment,

Being convinced that the volume of private capital which is currently flowing into under-developed coun-

tries cannot meet the financial needs of the economic development of the under-developed countries and that those needs cannot be met without an increased flow of international public funds,

Taking account of the fact that some basic development projects are not capable of being adequately serviced through existing sources of foreign finance although they contribute directly or indirectly to the increase of national productivity and national income,

1. Recommends that the Economic and Social Council, in giving further study to the problem of the financing of economic development, consider practical methods, conditions and policies for achieving the adequate expansion and steadier flow of foreign capital, both private and public, and pay special attention to the financing of non-self-liquidating projects which are basic to economic development;

2. Calls upon the governments of all Member States and the specialized agencies concerned to submit to the Economic and Social Council any proposals bearing upon the present resolution;

3. Requests the Economic and Social Council to submit its recommendations to the sixth session of the General Assembly.

#### c. LAND REFORM AND DEVELOPMENT OF ARID LAND

The Committee, at its 127th meeting, also began discussion of the draft resolution submitted by Poland (A/C.2/L.36), which proposed that the Council, at its thirteenth session and on the basis of a report to be prepared by the Secretary-General, draw up recommendations for improving the conditions of landless peasants, and those with small and medium-sized holdings by (a) land reforms; (b) governmental aid through cheap agricultural credit facilities and comprehensive technical assistance; (c) construction of small factories and workshops for making and repairing essential agricultural machinery, equipment and spare parts; (d) easing the tax burden; and (e) other welfare measures.

During the discussion at the 127th, 128th and 129th meetings on 9 and 31 October and 1 November, the majority supported the proposal in principle, although a number of amendments were presented.

The representative of the United Kingdom thought that the Polish resolution prejudged the findings of the investigation called for and he agreed with the representatives of Canada and South Africa that to call for more reports would delay immediate action. He proposed (A/C.2/L.52) that the Council act, in consultation with FAO and other specialized agencies concerned, to provide Governments of under-developed countries with expert advice: (a) for developing land

reform plans; (b) for rendering financial aid to farmers through agricultural credit facilities; (c) for constructing workshops to repair and service agricultural machinery and (d) for other measures to promote the welfare of agricultural communities.

The representative of Egypt supported this amendment and wished also to refer (A/C.2/L.51) not only to agrarian reforms, but also to development of arid zones and the need for the United Nations to devote more attention to the problem of the landless peasants and those with small and middle holdings.

The representative of Cuba suggested (A/C.2/L.41) that in addition to the measures recommended for improving conditions, mention should be made of measures for the satisfactory utilization of large agricultural estates in cases where their retention was necessary owing to the type of agriculture carried on.

The representative of Poland accepted a Cuban amendment (A/C.2/L.41) to paragraph (c) of his draft resolution, to indicate that the factories and shops should also be used for storage of spare parts and that they should be financed either by direct state action or through suitably-financed co-operative groups.

The United States representative stated that he agreed with the principle in the draft resolution that land should belong to those who cultivated it. His amendment (A/C.2/L.54) was designed to facilitate and promote family-owned and operated farms and rural co-operatives for the benefit of small farmers. This amendment was supported by the representatives of Venezuela, Chile and Greece.

The representative of Haiti (A/C.2/L.47/Rev.1) suggested that where the words "backward countries" appeared, they should be replaced by the words "under-developed countries". All under-developed countries which might apply for technical aid were not necessarily backward. He also proposed that the Secretary-General should report on the agrarian structure of under-developed countries, and on "methods for improving (in countries suitable therefor) the conditions of the landless peasants who constitute the agricultural force, with a view to securing them in possession of inalienable family holdings".

The representative of Yugoslavia presented an amendment (A/C.2/L.48) to indicate that industrialization should play a prominent part in development.

The Second Committee, at its 129th meeting, decided to refer the draft resolution and amend-

ments to a sub-committee consisting of the representatives of Cuba, Egypt, Haiti, Poland, the United States, the United Kingdom and Yugoslavia. The representative of FAO also participated in the work of the Sub-Committee which met on 2 November and unanimously agreed on two draft resolutions (A/C.2/L.60)—one on land reform and the other concerning the development of arid land. The latter was based on the proposals of the Egyptian representative (A/C.2/L.51) (see above). The Second Committee considered these draft resolutions at its 134th and 135th meetings on 8 November.

#### (1) Land Reform

The Committee rejected the following amendments to the draft resolution proposed by the Sub-Committee:

- (i) A Peruvian oral amendment, which would have the Council, when making recommendations for the improvement of conditions of agricultural populations, take into account such factors as the industrial growth and the foreign trade of the countries concerned (rejected by 24 votes to 2, with 19 abstentions),
- (ii) An Argentine oral amendment, to delete the word "small" in reference to factories and workshops, to delete the reference to "most essential" agricultural machinery, and to delete the words "locally based" in reference to the enterprises for the processing of agricultural products (rejected by varying votes).
- (iii) A Haitian amendment (A/C.2/L.64), which would refer to the need for providing landless peasants with inalienable family holdings (rejected by 16 votes to 3, with 26 abstentions).

The representative of Uruguay asked for a clarification of the nature of the study requested of the Secretary-General, especially with reference to sub-paragraph (a) on the institution of appropriate land reforms. The Secretary of the Committee explained that the sub-paragraph concerned one of the methods for improving the conditions of the agricultural populations, and stated that the phrase "institution of appropriate land reform" comprised the entire complex of relationships between ownership of land and the actual cultivation of land and that the Council was to consider such reforms of those relationships as would tend to remove any which impede economic development and depress the standard of living of agricultural workers and tenants and of small and medium-sized farmers.

It was agreed that the explanation would be embodied in the Rapporteur's report.

The draft resolution as proposed by the Sub-Committee (A/C.2/L.60 A), with minor drafting amendments, was adopted by the Second Committee (A/1524 C) at its 135th meeting on 8 November, by 50 votes to none, with 1 absten-

tion. The General Assembly, at its 312th plenary meeting on 20 November 1950, without further discussion, adopted the proposal unanimously as resolution 401(V). It read as follows:

The General Assembly,

Bearing in mind the many resolutions adopted by the General Assembly and by the Economic and Social Council concerning the economic development of under-developed countries in which industrialization as well as the development of agriculture must play an essential part,

Considering, however, that agrarian conditions which persist in many under-developed countries and territories constitute a barrier to their economic development because such conditions are a major cause of low agricultural productivity and of low standards of living for the populations of those countries and territories,

Convinced that immediate steps should be taken to study the extent to which existing agrarian conditions hamper the economic development of under-developed countries as well as to assist Governments, at their request, in the utilization of the facilities available in the United Nations and the specialized agencies for the improvement of such conditions,

1. Recommends that the Secretary-General, in cooperation with the Food and Agriculture Organization and in consultation with other appropriate specialized agencies, prepare and submit to the thirteenth session of the Economic and Social Council an analysis of the degree to which unsatisfactory forms of agrarian structure and, in particular, systems of land tenure, in the under-developed countries and territories impede economic development and thus depress the standards of living especially of agricultural workers and tenants and of small and medium-sized farmers;

2. Calls upon the Economic and Social Council to consider the analysis referred to above and to prepare recommendations to the General Assembly with a view to the improvement of the conditions of agricultural populations, paying special attention to such measures as the following:

- (a) Institution of appropriate land reform;
- (b) Appropriate action on the part of the governments concerned to render financial aid to agricultural workers and tenants and to small and medium-sized farmers through cheap agricultural credit facilities, comprehensive technical assistance and the promotion of rural co-operatives;
- (c) Construction or development, either by direct government action or suitably financed co-operative groups, of
  - (i) Small factories and workshops for the manufacture, maintenance, repair and servicing of the most essential agricultural machinery and for the storage of spare parts;
  - (ii) Locally-based enterprises for the processing of agricultural products;
  - (d) Taxation policies designed to lighten, to the greatest possible extent, the tax burden on tenants and small and medium-sized farmers;
  - (e) Promotion of family owned and operated farms and of co-operative farms, as well as of other measures to promote the security of tenure and the welfare of agricultural workers and tenants and of small and medium-sized farmers;

3. Recommends to the governments of the under-developed countries concerned that they avail themselves of the facilities available to them through the United Nations expanded programme of technical assistance, in order that they may obtain expert advice in the planning of such measures as those listed in the preceding paragraph, for the purpose of improving agrarian conditions.

#### (2) Development of Arid Land

In the course of the discussion of the draft resolution on the development of arid land, the representative of the USSR objected to the implication that an increase in the population was undesirable. He thought, rather, that the resolution should point out that it was essential to develop national resources which would satisfy the needs of a growing population. He therefore presented an oral amendment suggesting the deletion of the paragraph. He agreed, however, to the amendment which was put forth by the representative of Egypt and finally accepted by the Committee (see below, (b)). The Committee, by 24 votes to 11, with 10 abstentions, rejected an oral amendment by Colombia to replace the word "arid" with the word "uncultivated" wherever it occurred.

The draft resolution as proposed by the Sub-Committee (A/C.2/L.60 B), as amended, was unanimously adopted by the Second Committee (A/1524 D), at its 135th meeting on 8 November, and by the General Assembly, at its 312th plenary meeting on 20 November 1950, (402-(V)). It read as follows:

The General Assembly,

Considering that:

(a) One of the basic reasons for the low standard of living in certain under-developed countries is the inadequate extent of the areas at present under cultivation,

(b) The continual increase in the populations of these countries requires the adoption of appropriate and urgent measures for the development of their resources,

(c) It is essential in the above circumstances, if the equitable distribution of land is to be promoted and the standard of living raised, that, among other measures, the areas at present under cultivation be increased by the development of arid zones,

(d) The Economic and Social Council, in resolution 324 D (XI) of 9 August 1950, has recommended an intensification of scientific research to promote the economic and social progress of mankind and has recognized the necessity for co-ordinating the efforts of the various competent bodies of the United Nations and the specialized agencies in order to study the problems of the arid zones both in their scientific and in their practical aspects,

1. Recommends that the Secretary-General prepare, in collaboration with the competent specialized agencies, a report on the practical measures adopted for the

study of the problems of arid zones and on the technical and financial means employed by the specialized agencies for this purpose;

2. Invites the Secretary-General to submit his report on this matter not later than to the fourteenth session of the Economic and Social Council;

3. Calls upon the Economic and Social Council to examine the report and, with a view to facilitating and encouraging the development of arid land, to consider such measures as:

(a) Devoting sufficient technical and financial means to the study of the relevant scientific and practical problems;

(b) Promoting and co-ordinating the activities of the United Nations and the specialized agencies to that end;

(c) Furnishing appropriate technical assistance to the governments concerned.

#### d. VOLUME AND DISTRIBUTION OF NATIONAL INCOME IN UNDER-DEVELOPED COUNTRIES

The Committee discussed, at its 129th to 133rd meetings from 31 October to 3 November, a draft resolution submitted by Poland (A/C.2/L.37) requesting the Secretary-General to submit to the Economic and Social Council a report on the level and distribution of national income in under-developed countries and territories, with particular regard to the part of the income accruing to foreign companies or used for the liquidation of foreign debt. The proposal was supported in general by the representatives of Brazil, Burma, Czechoslovakia, Egypt, India and the USSR. Among those opposed were the representatives of Belgium, Haiti, New Zealand, Peru, the United Kingdom and the United States. An amendment proposed by Cuba (A/C.2/L.42) specified in greater detail the nature of the proposed study. An amendment submitted by Yugoslavia (A/C.2/L.49) proposed that the references to foreign debt and foreign companies and firms be accompanied by words "private and other". These two amendments were accepted by Poland and incorporated in a revised draft of its proposal (A/C.2/L.37/Rev.1).

To this revised text, Chile proposed to add two paragraphs (A/C.2/L.54): to recommend that the under-developed countries give special consideration to studies relating to the calculation of national income and its distribution and that such studies should be made in connexion with those recommended by resolution 294 D (XI)<sup>24</sup> of the Economic and Social Council, in order to avoid duplication of effort. The representative of Cuba proposed (A/C.2/L.55) to amend the first para-

<sup>24</sup> See p. 445.

graph of the preamble to indicate the desirability of knowing the volume of national income and the effect of its distribution on the rate of economic development in under-developed countries, in connexion with the mobilization of resources for the acceleration of economic development. Subsequently, both Chile and Cuba withdrew their respective amendments and submitted a joint draft amendment (A/C.2/L.56), substituting for the revised Polish draft a new single text which incorporated these points. The Committee agreed to consider this amendment as a new proposal. An oral amendment to the revised Polish draft was made by France, to change the word "constitutes" to "may constitute" in the third paragraph of the preamble; this amendment was adopted by the Committee. The revised Polish draft resolution was then voted on paragraph by paragraph. Since the operative part of the proposal was rejected by 24 votes to 16, with 7 abstentions, the Chairman declared the entire proposal to be rejected.

The joint draft resolution proposed by Chile and Cuba (A/C.2/L.56) proposed that the General Assembly should recommend that under-developed countries should devote special attention to the national income studies; request the Secretary-General to give favourable consideration to requests for technical assistance for this purpose; and request the Economic and Social Council to study and report on the volume and distribution of national income in those countries, particularly with respect to the various income groups and the ability of countries to meet their foreign commitments arising from loans and investments. These studies were to take into account the statistical data compiled by the Secretary-General and were to be made in connexion with the studies recommended by Economic and Social Council resolution 294 D (XI).

The Committee adopted, by 40 votes to 1, with 1 abstention, an amendment by Poland (A/C.2/L.57), directing the Secretary-General to prepare and submit to the Economic and Social Council a report to enable it to carry out the request of the General Assembly, but rejected by 24 votes to 8, with 13 abstentions, another amendment by Poland (A/C.2/L.57), which would require the Council to report in particular on the parts of the national income used for servicing of foreign debts, instead of reporting on the ability of the countries to meet their foreign commitments arising from loans and investments. The sponsors of the joint draft resolution then accepted an amendment by Peru (A/C.2/L.59), which would require the Council to study and report on the

amounts used by the under-developed countries to meet their foreign commitments, instead of on their ability to meet them. By varying votes, the Committee also adopted amendments proposed by the United States (A/C.2/L.61), to refer in the preamble to Economic and Social Council resolution 299 E (XI);<sup>25</sup> to request not only the Secretary-General but also the specialized agencies concerned to give favourable consideration to requests of under-developed countries for technical assistance in their national income studies; and to reword the final paragraph of the draft resolution. On the basis of an amendment proposed by Uruguay (A/C.2/L.58), the sponsors of the joint draft resolution agreed to substitute the words "respective proportions" for the word "relations" in the operative part. The Committee, however, rejected, by 23 votes to 7, with 9 abstentions, the Uruguayan proposal to replace the word "ability" in the operative part by the words "financial ability".

The joint draft resolution proposed by Chile and Cuba, as amended, was adopted by the Committee (A/1524 E) by 38 votes to none, with 8 abstentions.

The General Assembly, without discussion at its 312th plenary meeting on 20 November 1950, unanimously adopted the resolution proposed by the Second Committee as resolution 403 (V). It read as follows:

The General Assembly,

Considering that, in order to mobilize better their resources with a view to accelerating their economic development, it is desirable that the under-developed countries should have knowledge of their national income and its distribution,

Noting Economic and Social Council resolution 299 E (XI) of 12 July 1950 concerning national income and social accounts,

1. Recommends that the under-developed countries should devote special attention to studies directed towards the calculation of their national income and its distribution;

2. Requests the Secretary-General and the specialized agencies concerned to give the most favourable consideration possible to requests for technical assistance made for the above purpose;

3. Requests the Economic and Social Council to study and report on the volume and distribution of national income in the under-developed countries, with special reference to:

(i) The various income groups and the respective proportions between them;

(ii) The amounts used by these countries to meet their foreign commitments arising from loans and investments, public and private, and the payment of services;

<sup>25</sup> See pp. 493-94.

4. Directs the Secretary-General to prepare and submit to the Economic and Social Council a report to enable it to carry out the request made in paragraph 3 above;

5. Requests the Secretary-General, in carrying out studies relating to the present resolution, to avoid any duplication with the study recommended in paragraph 16 of Economic and Social Council resolution 294 D (XI) of 12 August 1950.

#### e. ECONOMIC DEVELOPMENT AND INTERNATIONAL ECONOMIC AND COMMERCIAL POLICY

A draft resolution submitted by Cuba (A/C.2/L.39), reaffirming General Assembly resolution 307(IV)<sup>26</sup> on international commercial policy, and requesting the Secretary-General to submit to the sixth session of the Assembly a report on the effect of international commercial policy on economic development plans, was considered at the 133rd and 135th meetings of the Second Committee on 3 and 8 November. Two amendments were submitted: one by the Ukrainian SSR (A/C.2/L.53), another by Greece (A/C.2/L.62). The first was designed to express the fact that the position of certain countries as regards their imports and exports is an important factor in economic development, instead of stating that the economic welfare of most countries depends at least in some degree on their imports and exports, and that these imports and exports are directly affected by prevailing commercial policies. The second would request the group of experts appointed under Council resolution 290(XI)<sup>27</sup> to pay due attention to the influence that prevailing commercial policies have on national plans for economic development of under-developed countries. The representative of Cuba agreed to revise his draft resolution (A/C.2/L.39/Rev.1) to incorporate the substance of these two amendments and the representatives of the Ukrainian SSR and Greece therefore withdrew them as such. Two amendments were then proposed by Canada (A/C.2/L.63) to the revised draft. The first, which proposed to delete the words "at least in some degree" in the first paragraph of the preamble of the revised draft, was adopted by the Committee by 39 votes to none, with 7 abstentions. The representative of Canada withdrew a second amendment in favour of an oral amendment by Chile, to the effect that the United Nations and its specialized agencies must thoroughly and continuously study this problem. The Chilean amendment was accepted by the representative of Cuba. The draft resolution submitted by Cuba, as amended, was unanimously adopted by the

Committee (A/1524 F) at its 135th meeting on 8 November and by the General Assembly (404(V)), at its 312th plenary meeting on 20 November 1950. It read as follows:

The General Assembly,

Considering that the economic welfare of most countries depends on their imports and exports, and that these imports and exports are directly affected by prevailing commercial policies,

Considering further that the United Nations and its specialized agencies must thoroughly and continuously study the extent to which prevailing commercial policies influence the plans for economic development of under-developed countries,

Reaffirms General Assembly resolution 307(IV) of 16 November 1949 concerning economic development and international economic and commercial policy, and requests that the group of experts, to be appointed by the Secretary-General under Economic and Social Council resolution 290(XI), paragraph 13, after consultation with the Executive Secretary of the Interim Commission for the International Trade Organization, pay due attention to the influence that prevailing commercial policies have on national plans for the economic development of under-developed countries.

#### f. TECHNICAL ASSISTANCE ACTIVITIES UNDER GENERAL ASSEMBLY RESOLUTION 200(III)

The draft resolution on this subject recommended by the Economic and Social Council (291 A (XI))<sup>28</sup> was considered by the Second Committee at its 127th meeting. The representative of Egypt pointed out that the sum voted for the 1950 budget had been \$539,000. However, it had been reduced later to \$508,420 because of economies resulting from the devaluation of currencies. The funds of the special account were already inadequate, he felt, and the regular programme should not be financed from it. He presented an amendment to make certain that the full \$539,000 should be voted again, but later withdrew it on the understanding that the Rapporteur's report would indicate that the Committee desired the figure to be not less than this amount.<sup>29</sup> The draft resolution as proposed by the Council (A/1359) was unanimously adopted at the 127th meeting of the Second Committee on 19 October and at the 312th plenary meeting of the General Assembly on 20 November 1950 (399(V)). It read as follows:

The General Assembly,

Having decided at its fourth session (resolution 305(IV)) that the regular budget of the United Nations

<sup>26</sup> See Y.U.N., 1948-49, pp. 457-58.

<sup>27</sup> See pp. 472-74.

<sup>28</sup> See p. 448.

<sup>29</sup> The total appropriation for these technical assistance activities as finally approved by the General Assembly was \$479,400.

should continue to provide for the activities authorized by General Assembly resolution 200(III),

1. Notes with approval that the Secretary-General has included in the budget of the United Nations for the year 1951 the same amount as was appropriated by the General Assembly in 1950;

2. Recommends that the requests for technical assistance for economic development received by the Secretary-General in accordance with resolution 200(III) which cannot be financed with funds provided on the regular budget of the United Nations, should be eligible for financing from the special account for technical assistance for economic development established in accordance with General Assembly resolution 304(IV) and with the actions of the Technical Assistance Conference convened by the Secretary-General under the terms of Economic and Social Council resolution 222A(IX).

## 7. Other Related Activities

### a. UNITED NATIONS SCIENTIFIC CONFERENCE ON THE CONSERVATION AND UTILIZATION OF RESOURCES

At its tenth session, the Council had before it a report<sup>30</sup> by the Secretary-General (E/1579 & Add.1) on the Conference held at Lake Success, from 17 August to 6 September 1949, under Council resolution 32(IV).

The report summarized the scope of the discussions which took place in the plenary meetings and in the meetings of the six sections of the Conference—minerals, fuels and energy, water, forests, land, and wild-life and fish resources.<sup>31</sup> It indicated that the Conference had proved fruitful, and suggested that the Council might wish to continue the collaboration of the experts and scientists who had participated in the Conference, and to review carefully the practicable suggestions which had emerged during the Conference, in view of the proposed expansion of the programme of technical assistance for economic development.

The Council discussed the report at its 349th plenary meeting on 13 February 1950. During the discussion, various representatives pointed out that the experience of the Conference had justified the comprehensiveness of the programme. The participants had come, not as representatives of Governments or other organizations, but as experts prepared to benefit from the exchange of information and experience. It was also pointed out that the records of the Conference contained valuable suggestions for action by which the United Nations, the specialized agencies, the Governments and scientific institutions could improve standards of living through the analysis, use and develop-

ment of natural resources. The members of the Council stressed the importance, not only of publishing and distributing the proceedings, but of publicizing the work of the Conference so that these valuable suggestions would have the widest possible effect.

The Council unanimously adopted, as resolution 271(X), the draft resolution proposed by Denmark (E/L.7). By this resolution, the Council expressed "satisfaction with the success of this Conference" and, in line with the conclusions set forth in the report of the Secretary-General, requested the Secretary-General "to study the proceedings of the Conference and to report to the Council such proposals for the consideration of the Council as he may deem appropriate; and in this connexion to consult with the specialized agencies concerned and with such of the Conference participants as he may deem useful".

### b. AVAILABILITY OF INSECTICIDES FOR THE CONTROL OF MALARIA

The Council, at its 403rd meeting on 8 August 1950, had before it a report (E/1709 & Corr. 1 & 2) prepared by the Secretary-General in pursuance of Council resolution 225(IX),<sup>32</sup> a communication from the World Health Organization (E/1720) regarding a resolution of the World Health Assembly on labelling and distribution of insecticides, and a draft resolution submitted by Brazil (E/L.91) on the availability of insecticides for the control of malaria.

The Secretary-General's report dealt with the production, needs and consumption of insecticides, and factors affecting their availability in non-producing countries, i.e. Government activities, prices and distribution, equipment for application, exports of producing countries, tariffs and taxes, and import and exchange restrictions.

In the course of the debate, it was agreed that national and international governmental action was needed to wage on all fronts a successful fight against malaria, and that technical assistance

<sup>30</sup> See Y.U.N., 1948-49, pp. 481-82.

<sup>31</sup> In accordance with the resolution of the Council, all conference contributors and participants served in their individual capacities, with the primary purpose of exchanging information on techniques in conservation and utilization of resources, their economic costs and benefits, and their inter-relations. The Conference had over 700 participants, including attending authors, from over 50 countries. The Governments of 36 countries arranged for the attendance of groups of participants selected by them. In addition, 22 non-governmental organizations were represented by observers, and 152 scientific learned societies and institutions participated by sending representatives.

<sup>32</sup> See Y.U.N., 1948-49, p. 476.

for that purpose should be provided by international organizations at the request of Governments. Several representatives, among them those of Brazil, China and the United States, expressed their appreciation of the valuable information and analysis contained in the Secretary-General's report, and suggested that further work in this field should be continued.

The representative of Brazil agreed to accept two amendments to the draft resolution: one suggested orally by the United States to add a sentence calling on Governments to adopt the measures recommended in the Secretary-General's report for increasing the amounts of insecticides available for combating malaria and another by the President of the Council to submit the records of the discussion to WHO and FAO.

The Council unanimously adopted the amended draft resolution as resolution 297 (XI). By it, the Council noted the report of the Secretary-General and the resolution of the third World Health Assembly concerning labelling and distribution of insecticides, re-affirmed the recommendations contained in its earlier resolution 225 (IX), and commended to the attention of Governments the Secretary-General's report and discussion of the various problems associated with the increased production and distribution of insecticides for the control of malaria. The resolution also urged Governments to adopt such measures among those suggested in the report as were appropriate to their circumstances, and requested the Secretary-General to transmit the records of the discussion on the subject to WHO and to FAO.

## B. FULL EMPLOYMENT

By resolution 221 E (IX) of 11 August 1949, the Economic and Social Council, at its ninth session, invited the Secretary-General to appoint a group of experts to prepare, in the light of the current world situation, a report on national and international measures required to achieve full employment. It invited the Economic and Employment Commission to examine this report and submit to the tenth session of the Council any comments and recommendations for action that seemed appropriate. It also requested the Secretary-General to publish, on a current basis, brief reports on measures taken in various countries for the purpose of achieving full employment and invited Governments to assist the Secretary-General in this matter.

The Secretary-General addressed a questionnaire to Governments concerning their actions to maintain full employment in the second half of 1949. The first report based on the replies received was published under the title *Implementation of Full Employment Policies*.<sup>33</sup>

With respect to the appointment of the group of experts referred to in resolution 221 E (IX), the Secretary-General appointed the following economists: John Maurice Clark, Professor of Economics, Columbia University, New York, who worked in association with Arthur Smithies, Professor of Economics, Harvard University; Nicholas Kaldor, Fellow of King's College, Cambridge University; Pierre Uri, Economic and Financial Adviser to the Commissariat general du Plan,

Paris; and E. Ronald Walker, Economic Adviser to the Australian Department of External Affairs. The report of this group is described below.

The General Assembly, at its fourth session,<sup>34</sup> adopted at its 256th plenary meeting on 25 November 1949, resolution 308 (IV), in which it approved the action of the Secretary-General in inviting the group of experts to report on national and international measures required to achieve and maintain full employment. In this resolution, the General Assembly also stated that national and international action by Members, designed to promote and maintain full employment in accordance with Articles 55 and 56 of the Charter, was a basic requirement for the achievement of a stable and expanding world economy; that action was needed to overcome unemployment and under-employment especially prevalent in under-developed countries, and that to this end it was necessary, *inter alia*, to stimulate the economic development of under-developed countries; that failure to take action to maintain full and productive employment, especially in countries which have an important share in world trade, would seriously impair the objectives of international agreements for the furtherance of the production and consumption of, and the expansion of international trade in, goods on as free as possible a basis; and that a high and stable level of international invest-

<sup>33</sup> U.N.P., Sales No. 1950.II.A.1. For texts of replies from Governments, see E/1698 & Add.1-8.

<sup>34</sup> See Y.U.N., 1948-49, pp. 460-66.

ment, particularly in the under-developed areas of the world, would contribute materially to the realization of those objectives. The resolution also noted with satisfaction the declarations of various Governments that they intended to deal promptly with unemployment and had already taken appropriate measures or had such measures under study. It recommended that each Government should consider, as a matter of urgency, its international responsibility under Articles 55 and 56 of the Charter to take action, as the need arises, designed to promote- and maintain full and productive employment through measures appropriate to its political, economic and social institutions; and requested the Economic and Social Council, during its consideration of full employment and economic development, to give attention to unemployment and under-employment, especially in under-developed countries.

### 1. Recommendations of the Group of Experts

The group of experts appointed by the Secretary-General met from 22 October to 16 December, 1949, and prepared a unanimous report entitled *National and International Measures for Full Employment*<sup>35</sup> The report contained a set of recommendations covering action in both the national and the international field.

#### a. NATIONAL MEASURES

With respect to domestic measures, the experts recommended that each Government should take action on the following lines:

(i) It should adopt and announce a full employment target which will define the meaning of full employment in the country concerned in operational terms, and constitute the standard to the attainment of which the national employment stabilization measures will be directed.

(ii) It should announce a comprehensive programme for directing its fiscal and monetary policies, its investments and production planning, and its wage and price policies (including anti-monopoly policies) to the continuous achievement of its full-employment objective.

(iii) It should adopt and announce an appropriate system of compensatory measures designed to expand effective demand which would be prepared in advance for automatic application in case its general programme for maintaining full employment, indicated above, fails to prevent unemployment from exceeding the limit prescribed by the full-employment target by a predetermined amount for three successive months.

(iv) It should announce the nature of the policies which it will adopt in order to maintain the stability of the price level and to combat inflationary tendencies in

a manner consistent with the maintenance of its full-employment target.

(v) It should adapt its legislative procedures, its administrative organization and its statistical services to the implementation of its full-employment programme.

#### b. INTERNATIONAL MEASURES

The international measures recommended by the experts were designed to serve three main purposes:

(i) To create a workable system of international trade for a stable and expanding world economy and thereby provide the conditions required for the elimination of undue trade barriers and for the restoration of the convertibility of currencies.

(ii) To accelerate the orderly economic development of the under-developed areas of the world.

(iii) To prevent the international propagation of fluctuation in effective demand.

For these purposes they recommended that Governments should take early action on the following lines:

(i) To establish a programme, through consultation among Governments under the auspices of the Economic and Social Council, to eliminate the present structural disequilibrium in world trade.

(ii) To create a stable flow of international investment at a level appropriate to the needs of the under-developed areas of the world and to the capacity of the lending countries.

(iii) To stabilize international trade by maintaining external disbursements on current account in the face of internal fluctuations of effective demand.

### 2. Consideration by the Economic and Employment Commission at Its Fifth Session

The Economic and Employment Commission considered the report of the group of experts at its fifth session in January 1950, in accordance with Council resolution 221 E (IX), and declared in its report (E/1600) that "in view of the far-reaching character of the recommendations contained in the full employment report and the lack of opportunity for sufficient study and formulation of views by Governments, it would be inappropriate at this stage to put forward substantive recommendations for consideration by the Council".

The Commission confined itself to a preliminary examination of the report and presented a draft resolution, which suggested a procedure for further action on the report, for the consideration of the tenth session of the Council. In this draft resolution, the Commission recommended that the

<sup>35</sup> U.N.P., Sales No. 1949.II.A.3.

Council should commend the report of the experts to Governments, interested specialized agencies and non-governmental organizations for their serious consideration and detailed examination; that Governments should be urged to take appropriate measures to facilitate widespread consideration of the report in their respective countries; and that members of the Council should be prepared at the eleventh session to express their considered views on the proposals contained in the report and to present any alternative proposals they might have in this connexion (E/1600, annex A). Several members submitted a number of points which they thought should be considered by the Council at its eleventh session. The Commission could not, in the time available, discuss these points, but it included them in another annex to its report (E/1600, annex B).

### 3. Consideration by the Economic and Social Council at Its Tenth Session

At its tenth session, held from 7 February to 6 March 1950, the Economic and Social Council considered the report of the Economic and Employment Commission (E/1600). Insofar as it related to the subject of full employment and the Commission's recommendations in this connexion, the Council debated the report at its 356th to 358th plenary meetings on 20 and 21 February. A number of representatives, including those of Australia, Belgium, Canada, Chile, China, Denmark, France, India, Peru, the United Kingdom and the United States, in expressing general approval of the report of the group of experts, favoured the procedure suggested by the Economic and Employment Commission in its report. Most representatives confined themselves to preliminary observations on the procedure or refrained from commenting on the substance. Some reservations in respect of particular details were made by representatives.

It was pointed out by some delegations, among them those of Brazil, Chile, India, Pakistan and Peru, that though the experts, as shown in the report, recognized the problem of unemployment and under-employment in under-developed countries, they had decided that this problem was outside their terms of reference and had considered only problems of unemployment caused by lack of effective demand. It was also pointed out by some representatives, including those of Australia, Brazil, Chile, India, Pakistan and the United States, that in Resolution 308 (IV) the General Assem-

bly had stressed the need for action to overcome unemployment and under-employment in under-developed countries and had requested the Economic and Social Council, during its consideration of full employment and economic development, to give attention to this problem. It was incumbent upon the Council to devote time to the consideration of this problem at its next session.

Two amendments to the recommendations of the Commission were adopted unanimously by the Council at its 358th plenary meeting on 21 February 1950.

The first, by the United States (E/L.19), added a paragraph to the draft resolution to request the Secretary-General to obtain in writing the views on the Experts' Report of the interested and competent non-governmental organizations, in time for circulation to the members of the Council before its eleventh session.<sup>36</sup>

The second, by Chile (E/L.22), commended the records of the Council's debate on the matter, together with the Expert's Report, to Member Governments of the United Nations, the interested specialized agencies and non-governmental organizations for their detailed examination.

At the same meeting, by resolution 267 B (X), the Council unanimously adopted, with the above amendments, the recommendations of the Economic and Employment Commission, which invited widespread dissemination and consideration of the report.

### 4. Related Activities of the Regional Economic Commissions

Some of the activities of the regional economic commissions<sup>37</sup> which relate directly to the problem of full employment were the following.

#### a. ECONOMIC COMMISSION FOR EUROPE

The Economic Survey of Europe in 1949,<sup>37a</sup> prepared by the Secretariat of the Economic Commission for Europe (ECE), contains information bearing on questions of domestic stability and employment, on prospects of expansion in European production, as well as on the balance-of-payments problems of European countries and on international trade. ECE itself, during its fifth session, after recalling that the International Labour Organisation was the competent organ of the United Nations to deal with questions concerning unemployment insurance, migration, vocational training and, generally, with anything concerning

<sup>36</sup> The views received from such agencies are contained in E/1695 & Add.1-4.

<sup>37</sup> See also under Regional Economic Commissions.

<sup>37a</sup> U.N.P., Sales No. 1950.II.E.1.

seasonal or partial unemployment, noted that unemployment due to lack of effective demand was a function of the general economic situation and that the remedies for its prevention and cure lay in all measures calculated to expand the economy by the development of production and exchange (E/1674). The Commission reminded its committees, sub-committees and working parties that it was their duty to keep their efforts constantly directed to an expansion of production and exchange so as to assist in the campaign against unemployment and for the achievement of productive full employment.

#### b. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

Apart from the information bearing on production, employment and trade contained in the Economic Survey of Asia and the Far East, 1949,<sup>37b</sup> the Economic Commission for Asia and the Far East (ECAFE) adopted several resolutions bearing on the problem of full employment in the sense that they were directed toward the encouragement of action designed to expand the international exchange of goods and services.

#### c. ECONOMIC COMMISSION FOR LATIN AMERICA

The Economic Survey of Latin America, 1949,<sup>37c</sup> also brought together a large volume of information and presented valuable analyses bearing directly on the question of unemployment in Latin-American countries and on the relations between fluctuations in employment, production and exports of Latin-American countries to recessions in other countries. Bearing this information in mind, the Economic Commission for Latin America (ECLA) adopted, during its third session a resolution which, inter alia, took account of the measures proposed in the experts' report on National and International Measures for Full Employment<sup>37d</sup> but noted that these measures were applicable principally to the great industrial areas and that, in the Latin-American countries, cyclical phenomena had different characteristics from those contemplated by the experts. The Commission recommended that its secretariat should study the adaptation of the measures recommended by the experts, as well as other measures suited to the economic characteristics of the Latin-American countries, with a view especially to avoiding the adverse effects which such measures might have on the balance of payments. The Commission, bearing in mind that measures of anti-cyclical policy

were not incompatible with the plans of economic development but were in fact complementary to them, recommended that Latin-American Governments, in their plans for developing domestic activities, should consider the desirability of a composition of imports that was easily adaptable to the cyclical declines of the capacity to import, thus making possible the application of anti-cyclical measures without bringing about a disequilibrium of the balance of payments.

#### 5. Consideration by the Economic and Social Council at Its Eleventh Session

In considering the problem of full employment at its eleventh session, held from 3 July to 16 August 1950, the Council had before it the report of the group of experts, entitled National and International Measures for Full Employment; the report of the fifth session of the Economic and Employment Commission (E/1600 & Corr. 1, Add. 1-2); the views of certain non-governmental organizations of the experts' report (E/1695 and Addenda); the resolution on action against unemployment (E/1744) adopted by the International Labour Conference at its 33rd session, together with the report on Action Against Unemployment<sup>38</sup> prepared by the International Labour Office as a basis for the Conference discussion; the reports of Governments on measures taken by various countries for the purpose of achieving full employment (E/1698 & Add. 1-8), and the report of the Secretary-General entitled Implementation of Full Employment Policies<sup>39</sup>

The Council also heard the views of two of the experts who served on the group which prepared the report National and International Measures for Full Employment. The Council was also assisted by representatives of the specialized agencies, including those of the International Monetary Fund and the International Bank for Reconstruction and Development, who participated in the discussions in view of the proposals under consideration relating to the structure and functions of those agencies.

The matter came before the Council's Economic Committee at its 86th to 89th, its 93rd to 95th and 97th meetings, from 24 July to 11 August, and before the Council at its 389th to 394th plenary meetings, from 17 to 19 July, and at its

<sup>37b</sup> U.N.P., Sales No. 1950.II.F.1.

<sup>37c</sup> U.N.P., Sales No. 1951.II.G.1.

<sup>37d</sup> U.N.P., Sales No. 1949.II.A.3.

<sup>38</sup> ILO Studies and Reports, New Series, No. 20.

<sup>39</sup> U.N.P., Sales No. 1950.II.A.1.

411th and 412th plenary meetings, on 14 and 15 August 1950. During the Council's discussions, several draft resolutions were submitted: by the United Kingdom (E/L.67), by Canada (E/L.69) and by the United States (E/L.70). These draft resolutions diverged in a number of important respects and concerned both domestic and international measures.

#### a. NATIONAL MEASURES

In the field of domestic measures to maintain full employment, the draft resolution by the United Kingdom (E/L.67), for example, recommended that each Government should announce a provisional full employment "target" in the form of a level of employment or unemployment which it would endeavour by all means in its power to maintain; and that it should submit a report to the United Nations on its general domestic policies for achieving full employment and economic stability, with particular reference to the various techniques suggested in the experts' report including flexible fiscal policies, adjustable public investment programmes, measures to maintain incomes and levels of consumption, the adoption of automatic compensatory measures or alternative measures for taking rapid action to counteract an unfavourable trend, means for ensuring the stability of prices and the avoidance of inflation and the adequacy of its legislative procedures, administrative organizations and statistical services to implement those policies.

The draft resolution by Canada (E/L.69) contained a proposal that the Economic and Social Council should note that, since the depression of the 1930's there had been a change of attitude among Governments and peoples, that many Governments were now committed to take appropriate measures if necessary to prevent economic recession, and that many Governments had adopted positive measures to promote social welfare, international security, high levels of trade, and vigorous economic development. The draft resolution suggested that the Council should state that it therefore believed that the risk of widespread unemployment in highly industrialized countries had been substantially reduced, but that the Council should nevertheless urge Governments that had not already done so to state publicly their employment objectives and to describe the various means at their disposal to maintain employment, such as flexible fiscal policies, public works programmes, social security measures and other "built-in stabilizers"; and to report to the Secretary-General on

both recent developments and on the future outlook in the fields of domestic employment, production, trade and related matters. It also suggested that the Council should emphasize the desire of facilitating the mobility of labour and, therefore, of maintaining organized and efficient employment exchanges, and adequate training and retraining facilities.

The draft resolution by the United States (E/L.70) was closer to the first in its recommendations, although these were somewhat less specific in that the draft did not refer to the various techniques suggested in the experts' report. This draft resolution also suggested that the Council should decide to place on its agenda annually the problem of achieving and maintaining (1) full and productive employment with progressively improving levels of production, trade and consumption, and (2) equilibrium in balances of payments; that it should ask Member Governments to supply to the Secretary-General periodic information on their economic situation, targets, policies, plans, programmes and actions relating to the above problems; and that the Economic and Employment Commission should periodically: (1) appraise the adequacy of the actions being taken by Governments with respect to employment, unemployment, production and related factors; (2) determine whether there were any conflicts among the targets, policies, plans, programmes or actions on the part of the Governments; (3) formulate significant issues for consideration by the Council; and (4) recommend proposals for Council action.

#### b. INTERNATIONAL MEASURES

In the field of international measures, the draft resolution by the United Kingdom (E/L.67) suggested that the Council, with the object of facilitating progress toward a new equilibrium in international trade, should recommend to Governments:

(1) that each Government agree to make it a principal objective of policy to act in such a way as to assist in rectifying the fundamental or structural disequilibrium in international trade and payments; (2) that, as a step towards the achievement of this objective, it indicate by means of quantitative estimates, the nature of the equilibrium it hoped to attain in its balance of payments by 1954 on both current and capital account; and (3) that, in preparing these estimates, it take account of the desirability of increasing its gold and dollar reserves if these reserves were low in relation to their international payments, so that when a new equilibrium in international payments is achieved all countries may possess gold reserves sufficient to enable them to meet such fluctuations as may reasonably be expected in their receipts of foreign exchange.

In addition, it recommended that the Council, with the object of ensuring effective international action to prevent the spread of depression from one country to others and to maintain a steady flow of capital for development purposes, should instruct the Secretary-General to convene a meeting of Governments with a view to concluding an agreement whereby each Government would undertake to do its utmost in the event of a decline in the effective demand within its borders and, under certain conditions, to prevent a consequential decline in the aggregate supply of its currency to the rest of the world by maintaining imports, or by the provision of additional credit, if necessary, by the supplementing of private external expenditures through the use of financial resources under public control. It also suggested that Governments of the more highly developed countries should conclude an international agreement in accordance with which each Government would undertake to endeavour, under certain conditions, to maintain a high regular flow of capital export for development purposes; that Governments should extend progressively the principle of untied lending to all governmentally controlled or guaranteed foreign lending;<sup>40</sup> and that the International Bank for Reconstruction and Development should consider the desirability of laying greater emphasis on the size, composition and financial implications of a borrowing country's investment programme as a whole and less on the detail of selected projects.<sup>40</sup>

The draft resolution by Canada (E/L.69) recommended that the Council should note that loans by the Bank, together with private loans for capital exporting countries, were unlikely by themselves to be sufficiently large and continuous to provide either for the efficient development of the world's under-used resources or for the elimination of undue trade barriers and for the restoration of the convertibility of currencies. It should also note the danger that reduced employment and imports in one country might spread deflationary influences to other countries unless greater provision was made to mitigate these influences by replenishing international reserves of those other countries. It was therefore suggested that the Council, while welcoming the statement made on behalf of the Bank that it hoped and intended progressively to extend its loans for development, should urge the Governments of capital exporting countries to do all in their power to maintain a high and stable level of net capital exports, and urge the International Monetary Fund to make sure that its resources were at all times

as fully and readily available to its members as possible under its Articles of Agreement.

The draft resolution by the United States (E/L.70) proposed to the Council that it should recommend Governments to seek to avoid in their policies and programmes measures which would be likely to have seriously adverse effects on the balance of payments or employment levels of other countries, and to intensify their efforts to achieve and maintain equilibrium in their balance of payments, while:

(1) eliminating restrictions on current account transactions; (2) reducing or eliminating quantitative and other restrictions on trade; (3) removing impediments to the flow of international investment funds; and (4) minimizing discrimination in all international economic relations.

It also suggested that the Secretary-General should be requested to initiate an inquiry into the changes in the demand for, and supply of, the principal commodities in international trade which might be expected to result in the establishment of a new over-all equilibrium under various plausible assumptions as to world economic developments.

All three draft resolutions were agreed in requesting the Secretary-General to appoint a small group of experts to prepare a report on unemployment and under-employment in under-developed countries and to recommend the national and international measures required to reduce such unemployment and under-employment.

During the discussion in the Council of the report, members expressed appreciation of its high quality, though some reservations were made in respect of the measures recommended. Representatives of under-developed countries considered that the experts had concentrated too much attention on unemployment in the highly industrialized countries and had proposed measures to maintain full employment which could not apply to the mainly agricultural under-developed countries. If the flow of international investment could be stimulated to these areas, they stressed, then the consequent increase in consumer demand would help greatly in maintaining full employment in industrialized countries.

A further point made by several members was that the experts had not paid sufficient attention to the factor of inflation which threatened the employment situation in a number of countries. It was also stated that full employment depended to

<sup>40</sup> It was agreed that these two suggestions should be considered in connexion with the problem of financing economic development. See p. 443.

a large extent on maintaining a steady and increasing flow of international trade, and some members emphasized the need for international equilibrium in the balances of payments as well as the need to harmonize national full employment policies so that action taken in one country would not lead to unemployment in another.

After lengthy consideration, both in plenary meetings of the Council and in its Economic Committee, the Council finally adopted unanimously, at its 412th plenary meeting on 15 August 1950, resolution 290(XI). It read as follows:

The Economic and Social Council,

Having in mind the obligations of Members of the United Nations under Articles 55 and 56 of the Charter to take joint and separate action to promote higher standards of living, full employment and conditions of economic and social progress and development,

Having considered the experts' report on National and International Measures for Full Employment, the report of the Economic and Employment Commission (fifth session) and the views of various specialized agencies and non-governmental organizations,

Having noted from the replies of Governments to the questionnaires on employment issued by the Secretary-General under Council resolution 221 E (IX) that many countries have succeeded in maintaining satisfactory levels of employment,

Having regard to the fact that, in some predominantly agricultural countries, figures for unemployment and under-employment may not be easily ascertainable and full employment goals may, if related only to industrial labour, lead to misleading conclusions, and that, consequently, it may not be possible for such countries to implement certain provisions of this resolution,

Bearing in mind that a new group of experts will be appointed, as provided for in paragraph 22 below, for the purpose of studying the problem of unemployment and under-employment in under-developed countries, and that further recommendations in regard to national and international measures for full employment in under-developed countries will be considered by the Council in the light of the report of this group of experts,

Recognizing that Governments can achieve and maintain full and productive employment in an expanding world economy under conditions ensuring fundamental political and economic freedoms to the individual, and being aware of the determination of peoples and Governments to achieve and maintain such full and productive employment,

Concerned with the need for continuing action by Member Governments, and by the organs and specialized agencies of the United Nations to implement the obligation contained in the Charter with respect to full employment, including the reduction of unemployment and under-employment in the less developed countries, and

Bearing in mind the close relationship, in a free and expanding world economy, between high and stable levels of domestic employment, international capital movements, and imports and exports,

A. WITH THE OBJECT OF ENSURING REGULAR SYSTEMATIC CONSIDERATION OF EMPLOYMENT PROBLEMS BY THE COUNCIL

1. Decides to place on the Council agenda once each year, beginning in 1951, for consideration in the light of economic trends, the problem of achieving and maintaining full employment with progressively improving levels of production, trade and consumption, and maintenance of or progress towards the achievement of equilibrium in balances of payments;

B. WITH THE OBJECT OF ENCOURAGING THE ADOPTION OF EFFECTIVE DOMESTIC FULL EMPLOYMENT POLICIES

2. Recommends that each Government:

(a) Publish annually a statement of its economic objectives for the ensuing year or for such longer period as may be appropriate, making special reference to the purposes set out in Articles 55 and 56 of the United Nations Charter, and being accompanied, wherever practicable, by a statement of quantitative goals or forecasts relating to employment, production, consumption, investment or such other pertinent measurable economic factors as may be significant indicators of the trends of its economy; and

(b) Publish as soon and as precisely as is practicable the standard by which it defines the meaning of full employment as a continuing objective of policy, such standard being expressed, wherever possible, in terms either of employment percentages or of absolute numbers of unemployed or in ranges of such percentages or numbers; and thereafter publish such revised standards as may become necessary from time to time;

3. Recommends that each Government formulate, announce, and periodically review, in the light of current and foreseeable economic trends, the policies, programmes and techniques which it intends to pursue for the purpose of achieving such objectives, goals and standards as it may set for itself under paragraph 2 above, with particular reference to:

(a) Measures, such as the adaptation of fiscal, credit, monetary, investment, wage and price policies, to promote steady economic expansion;

(b) Measures to combat recessionary tendencies, such as measures to influence the volume of investment, to increase the flexibility of budget and fiscal policies, and to prevent undue fluctuations in the incomes of primary producers;

(c) Special corrective measures, whether of a discretionary or of an automatic type, to meet emergency unemployment situations that may arise;

(d) Measures to avoid inflation and to prevent excessive increases in the price level; and

(e) Measures to promote the geographic and occupational mobility of labour;

4. Recommends that each Government keep continuously under review the adequacy of its organizational and technical arrangements, including statistical services, required for the formulation and pursuit of economic goals, policies and programmes and the analysis of economic trends;

5. Recommends that, in connexion with the information required by the Secretary-General under Council resolution 221 E (IX), each Government furnish him, upon request, with full information concerning

economic trends, the full employment standard, domestic economic objectives and—where appropriate, goals or forecasts, and domestic policies and programmes, as referred to in paragraphs 2 and 3 above;

6. Invites the International Labour Organisation to take all feasible further steps towards the practical implementation of the recommendations of the Sixth International Conference of Labour Statisticians in order to facilitate international comparability of employment and unemployment data with special reference to their use in the formulation of full employment standards and annual employment goals, policies and programmes;

7. Requests the Secretary-General:

(a) To amend the questionnaires being issued under Council resolution 221 E (IX) so as to include the items referred to in paragraph 5 above, and to send to Governments the first issue of the amended questionnaire as soon as possible;

(b) To assemble and analyse the reports submitted by Governments in response to this questionnaire so as to facilitate the task of the Economic, Employment and Development Commission as set out in paragraph 8 below; and, in particular, to analyse the statistical basis of the full employment standards published under sub-paragraph 2 (b) above; and

(c) To transmit the reports and analyses prepared under (b) above, together with such special studies as he may have prepared, to the Economic, Employment and Development Commission; and

8. Requests the Economic, Employment, and Development Commission, in consultation with the representatives of the appropriate specialized agencies, to examine the reports, analyses and studies transmitted to it by the Secretary-General under sub-paragraph 7 (c) above in the light of current and foreseeable economic trends and with reference to their possible effects on the world economic situation, for the purpose of:

(a) Calling attention to the repercussions of the goals, policies and programmes of the various Governments upon the economic situation of other countries; and

(b) Formulating significant problems of international concern that may arise for consideration by the Council and recommending proposals for action by the Council;

#### C. WITH THE OBJECT OF ENCOURAGING EFFECTIVE INTERNATIONAL FULL EMPLOYMENT POLICIES

##### I

9. Recommends that each Government intensify its efforts; while pursuing its employment and other domestic goals, to achieve and maintain equilibrium in its balance of payments; such equilibrium should be at the highest possible level of mutually beneficial trade and should be characterized *inter alia* by:

(a) Conditions of trade involving, along the lines envisaged in the relevant international agreements:

(i) the absence of quantitative restrictions on international trade imposed for balance-of-payments reasons and of exchange restrictions on current account transactions (as defined in the Articles of Agreement of the International Monetary Fund), (ii) a reduced level of other trade barriers and (iii) a minimum of discrimination in the application of such trade, monetary or investment restrictions as may still exist;

(b) A level of reserves of convertible currencies and gold which would be sufficient to enable a country to meet normal fluctuations in its receipts of foreign exchange; and

(c) An increased and stable flow of international investment funds;

10. Recommends that each Government furnish the Secretary-General, upon his request, in connexion with its replies to the questionnaires being issued under Council resolution 221 E (IX) with estimates of its balance-of-payments position, and information on its related economic policies for the ensuing year and, when appropriate, for a longer period;

11. Recommends that each Government furnish the Secretary-General within six months after the receipt of the special questionnaire referred to in sub-paragraph 13 (a) below with quantitative estimates of the main elements of the balance of international payments that it hopes to attain by 1954, and a classification of its estimated trade by major commodities or groups of commodities which are important in its foreign trade, making clear to what extent the conditions set forth in paragraph 9 above are assumed to have been realized;

12. Requests the Secretary-General:

(a) To amend the questionnaires being issued under Council Resolution 221 E (IX) so as to cover the items referred to in paragraph 10 above;

(b) To assemble and analyse the reports submitted by Governments under paragraph 10 above so as to facilitate the task of the Economic, Employment and Development Commission as set out in paragraph 14 below;

(c) To continue to make special studies concerning the international aspects of the full employment problem; and

(d) To transmit the reports, analyses and studies prepared under sub-paragraphs (b) and (c) above to the Economic, Employment and Development Commission;

13. Requests the Secretary-General:

(a) To prepare, with the advice of suitable experts, and to issue to Governments as soon as conveniently possible, a special questionnaire for the purpose set out in paragraph 11 above, and, in carrying out this task, to take full account of similar work being undertaken by other international organizations in such a way as to avoid laying any unnecessary burden on Governments;

(b) To appoint a group of three independent experts, and to furnish them with such assistance as may be necessary to enable them to submit, on their own responsibility, to the Economic, Employment and Development Commission, a report analysing and commenting on the replies to the questionnaires received from Governments with a view to assisting the Commission to carry out the task assigned to it under paragraph 14 below; and

(c) To undertake, and if practicable, to annex to the report referred to in (b) above an analysis of the changes in demand for and supply of the principal commodities in international trade which might be expected to occur in the light of the data supplied by Governments under paragraph 11 above and other relevant material; and

14. Requests the Economic, Employment and Development Commission, in consultation with representatives of the appropriate specialized agencies, to examine

the reports, analyses and studies submitted to it under sub-paragraphs 12 (d), 13 (b) and 13 (c) above, in the light of current and foreseeable economic trends and with reference to their possible effects on the world economic situation, for the purpose of:

(a) Calling attention to any major problems which appear likely to arise in the light of the information supplied by Governments regarding international transactions, policies and programmes;

(b) Recommending proposals with respect to international policies and programmes for Council consideration and action; and

(c) Enabling the Council at its fourteenth session to consider the report prepared under sub-paragraph 13 (b) above, together with the Commission's comments and recommendations;

## II

15. Recommends that Governments:

(a) Achieve and maintain, to the extent feasible, a high level and regular rate of flow of international investment capital for development purposes;

(b) Strive to prevent lapses in the flow of international investment resulting from or associated with economic recessions; and

(c) Continue to co-operate in efforts to achieve these results by both national and international measures;

16. Recommends that Governments:

(a) Seek to avoid, in their economic policies and programmes, measures which would be likely to have seriously adverse effects on the balance of payments or employment levels of other countries;

(b) In the event of a domestic recession, adopt, to the extent feasible, measures to offset the adverse effects of such recession on the balance of payments or employment levels of other countries; and

(c) Continue to co-operate in investigating ways and means for preventing domestic recession from spreading to other countries;

17. Urges the International Bank for Reconstruction and Development, while achieving and maintaining in ordinary times a high level and steady rate of flow of international investments for economic development, to utilize in case of recession, all practicable opportunities of increasing its resources, in order to expand the volume of its lending, inter alia by making fullest use of its borrowing capacity;

18. Urges the International Monetary Fund to make its resources available to its members to meet needs arising from economic recessions as fully and readily as its Articles of Agreement permit;

19. Requests the Secretary-General to appoint a group of three to five experts to make technical studies and, after seeking the views of the International Monetary Fund and the International Bank for Reconstruction and Development, to prepare a report in accordance with the objective of paragraphs 15 and 16 above, formulating and analysing alternative practical ways of dealing with the problem of reducing the international impact of recessions that may arise, the report to be submitted to the Secretary-General and issued on the responsibility of the expert group;

20. Requests the Economic Employment and Development Commission to study the report prepared under paragraph 19 above and to make recommendations thereon to the Council at its fourteenth session; and

21. Recommends that Governments, the specialized agencies concerned and the Secretary-General pursue the action already undertaken in the field of migration, taking into consideration the importance of facilitating the international mobility of labour for the solution of the problems of full employment;

### D. WITH THE OBJECT OF FACILITATING THE COUNCIL'S FURTHER CONSIDERATION OF THE PROBLEM OF UNEMPLOYMENT, PARTICULARLY IN THE LESS-DEVELOPED COUNTRIES

22. Requests the Secretary-General to appoint a small group of experts to prepare, in the light of the current world economic situation and of the requirements of economic development, a report on unemployment and under-employment in under-developed countries, and the national and international measures required to reduce such unemployment and under-employment, the report to be issued on the responsibility of the expert group; to give every assistance to the group of experts in the preparation of this report and, in particular, keep the group informed of work already done or currently being undertaken in this field by the United Nations and the specialized agencies, and to transmit the report to Member Governments; and

23. Requests the Economic, Employment and Development Commission to examine the report prepared by the group of experts and to submit to the Council, at an early session, any comments and recommendations for action which seem to it appropriate; and

### E. WITH THE OBJECT OF FACILITATING THE IMPLEMENTATION OF THIS RESOLUTION

24. Recommends that the Secretary-General and the appropriate specialized agencies provide, within their capacities, technical assistance to Governments, upon their request, for the purpose of carrying out this resolution; and

25. Requests the Secretary-General:

(a) In carrying out the tasks under paragraphs 7, 12 and 13 above to co-operate and consult with the specialized agencies concerned and other appropriate bodies in order to avoid duplication; and

(b) To take all appropriate measures to ensure that action under this resolution is initiated without delay.

Pursuant to this resolution of the Council, a questionnaire of the Secretary-General, to cover the years 1950 and 1951 and relating to full employment standards, economic trends and objectives, economic policies and balance-of-payments problems and policies, was sent on 1 December 1950 to Member Governments and those Governments participating in regional economic commissions.

## 6. Publicity for United Nations Action on full Employment

After adopting the resolution on full employment, many members of the Council expressed the view that its provisions were so far-reaching,

and went such a distance toward elaborating the obligations that were assumed by Governments when they subscribed to Articles 55 and 56 of the United Nations Charter, that the Secretary-General should utilize all means at his disposal to give publicity to the resolution. It was most desirable to ensure that not only officials and Governments should know and understand these provisions, but that they should be publicized as widely as possible so that the peoples of the world should clearly understand that the Economic and Social Council of the United Nations had recommended to Governments:

(1) that they should publicize and each tell their own people what they mean by their obligation to maintain full employment;

(2) that they should provide them publicly with the standard by which the achievement of, or the failure to achieve, full and productive employment can be gauged; and

(3) that each Government should tell its own people how it proposed to achieve the standard which it has set for itself, and that it should also give this information to the Council so that the latter might examine these policies and programmes for the purpose of calling attention to any repercussions which they may have upon the economic situation of other countries.

It was also pointed out that the resolution on full employment adopted by the Council represented an embodiment of the faith of the United Nations that mass unemployment need not last, and that it can be eliminated in an expanding world economy under conditions which ensure those fundamental political and economic freedoms to the individual which are the cornerstone of the United Nations. Members recognized that more remained to be done, both with respect to the object of encouraging effective international full employment policies and with the object of the elimination of unemployment in under-developed countries.

## 7. Consideration by the Assembly at Its Fifth Session

At the Assembly's fifth session, the question of full employment and economic stability was considered by the Second Committee at its 137th to 144th meetings, from 14 to 28 November. The Committee's recommendations were adopted without discussion by the General Assembly at its 320th plenary meeting on 12 December 1950.

The Second Committee had before it the report of the Economic and Social Council to the fifth session of the General Assembly (A/1345), con-

taining a chapter on the Council's activities in this connexion at its tenth and eleventh sessions (see above). The first five meetings of the Committee (its 137th to 141st meetings, held from 14 to 23 November) were devoted to a general debate in which 29 delegations took part: those of Afghanistan, Argentina, Australia, Belgium, Brazil, Byelorussian SSR, Chile, China, Cuba, Czechoslovakia, Denmark, Egypt, France, Greece, Iran, Israel, Indonesia, Mexico, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Ukrainian SSR, USSR, the United Kingdom, the United States and Uruguay, as well as representatives of FAO and ILO.

Representatives generally were agreed on the importance both from a national and international point of view, of the maintenance of full employment, and a number gave instances of what their Governments were doing towards the attainment of that end. Certain representatives, however, among them those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR stressed that in their countries the maintenance of full employment did not exist as a problem, and that it had been solved by their own economy. The importance in under-developed countries of an adequacy of capital goods and the need for financing full employment by suitable measures was stressed by many representatives, including those of Afghanistan, Argentina, Brazil, Chile, Cuba, Egypt, Iran, Israel, Pakistan, the Philippines and Uruguay. General support for the recommendations of the Council and the Committee was forthcoming in the discussions, although a number of representatives made reservations in respect of details of the Council's resolution or the report.

At the conclusion of the general debate, the Committee had before it the following specific proposals:

(1) Full employment: proposals concerning resolution 290 (XI) of the Economic and Social Council were contained in part A of a draft resolution submitted by Chile (A/C.2/L.70) and in a draft resolution submitted by Uruguay (A/C.2/L.73);

(2) The current world economic situation: a proposal relating to the examination of the world economic situation by the twelfth session of the Council was contained in part B of a draft resolution submitted by Chile (A/C.2/L.70);

(3) Guides for organization and collection of economic data in under-developed countries: a draft resolution by Cuba (A/C.2/L.71);

(4) Mechanization and unemployment: a draft resolution by Cuba (A/C.2/L.72).

## a. FULL EMPLOYMENT

The proposal contained in part A of the Chilean draft resolution as revised by its sponsor (A/C.2/L.70/Rev. 1) would note with satisfaction Economic and Social Council resolution 290 (XI) and invite Governments to comply with its terms and to co-operate with the Secretary-General in carrying out the tasks entrusted to him by that resolution. The draft resolution submitted by Uruguay (A.C.2/L.73) would note the Council resolution, congratulate the Council on the work accomplished and commend to its attention the desirability of continuing its efforts in the field of full employment, particularly with respect to under-developed countries. The Committee considered these proposals at its 142nd and 143rd meetings on 27 and 28 November. After the representative of Chile had orally revised his proposals to take account of the points made in the Uruguayan draft, the representative of Uruguay withdrew his draft resolution. The Committee then considered simultaneously both part A and another Chilean proposal contained in part B (see below) of the Chilean draft resolution. Several oral amendments to the revised Chilean draft were suggested by the representatives of Australia, Belgium, Canada, France, Peru and the United States, and, as a result, a new revision (A/C.2/L.70/Rev. 2) of the Chilean draft resolution, sponsored by Chile, Pakistan, Peru and Uruguay, was submitted. Before voting on this joint draft resolution, the Committee agreed to treat parts A and B as two separate resolutions.

At its 143rd meeting on 28 November, part A of the joint draft resolution was adopted by the Committee by 37 votes to 5, with 1 abstention. In adopting the resolution, it was the sense of the Committee that the Secretary-General should, in view of the rapidly changing economic conditions in the world, regard himself as authorized to use his discretion with respect to the time period to be covered by the special questionnaire referred to in paragraphs 11 and 13 of Economic and Social Council resolution 290 (XI) so as not to ask Governments to submit estimates of their balance of international payments for a longer period than they could reasonably be expected to supply. The General Assembly adopted without discussion at its 320th plenary meeting on 12 December 1950, by 43 votes to 5, with 1 abstention, resolution 405 (V). It read as follows:

The General Assembly,

Considering that the Economic and Social Council, in its resolution 290(XI) of 15 August 1950 concern-

ing full employment, has formulated recommendations to governments designed to strengthen the resistance of their national economies and of the international economic structure against the danger of recession,

Considering that the additional studies which the Secretary-General and the various groups of experts are requested to undertake by that resolution are designed to provide a sound basis for the adoption of national and international measures tending to ensure full employment, both in economically advanced and in under-developed countries,

1. Notes with satisfaction the vigorous action taken by the Economic and Social Council in connexion with full employment;

2. Invites governments to co-operate with the Secretary-General in carrying out the tasks entrusted to him.

## b. CURRENT WORLD ECONOMIC SITUATION

Part B of the draft resolution as revised by Chile (A/C.2/L.70/Rev. 1) dealt with the need for discussion by the Economic and Social Council at its twelfth session of current international economic problems in connexion with the Council's examination of the world economic situation, so that the Council might be in a position to make recommendations to Governments and to the General Assembly concerning measures designed to make possible the uninterrupted progress of programmes of economic stability and development. This draft resolution also proposed arrangements for obtaining the views of the members of the Council and of the other Members of the United Nations concerning this matter prior to the opening of the twelfth session of the Council.

Part B of the Chilean draft resolution was considered by the Committee simultaneously with part A (see above). The draft resolution contained in part B of the joint draft resolution submitted by Chile, Pakistan, Peru and Uruguay (A/C.2/L.70/Rev. 2) was adopted by the Committee by 37 votes to none, with 6 abstentions at its 143rd meeting on 28 November, and by the General Assembly (resolution 406(V)), without discussion, at its 320th plenary meeting on 12 December, by 50 votes to none. It read as follows:

The General Assembly,

Bearing in mind that, as a result of the international events of the last few months, new economic factors have appeared which may unbalance and dislocate the general economic stability and the economic progress of many countries,

Recognizing that, under Articles 55 and 56 of the Charter, the United Nations is under an obligation to use all the means at its disposal to ensure the steady growth of the world economy and to prevent the emergence of those factors of economic disequilibrium which impair general economic stability and disturb the economic development of the under-developed countries,

1. Requests the Economic and Social Council, when examining the world economic situation during its twelfth session, to pay special attention to changes currently taking place in the international economic situation, with a view to recommending to governments and to the General Assembly measures designed to make possible the uninterrupted progress of programmes of economic stability and development;

2. Invites all the members of the Economic and Social Council to submit to the twelfth session of the Council their views concerning the way in which the current world situation has affected their economic progress and the prospects of continuing world economic expansion, and, if possible, to communicate these views, through the Secretary-General, to the Council before the opening of its twelfth session;

3. Invites all the other Members of the United Nations similarly to submit their views to the Council, with the object of assisting the Council in its task of recommending measures referred to in paragraph 1 above to the governments and to the General Assembly.

#### c. GUIDES FOR ORGANIZATION AND COLLECTION OF ECONOMIC DATA IN UNDER-DEVELOPED COUNTRIES

The draft resolution submitted by Cuba (A/C.2/L.71) was considered by the Committee at its 143rd and 144th meetings on 28 November. The proposal recommended that the Secretary-General, in co-operation with the specialized agencies concerned, should prepare material which would be of help to under-developed countries in organizing and collecting economic data in connexion with Economic and Social Council resolution 290 (XI); it further affirmed that any expenses involved could be charged to the Special Account set up under Economic and Social Council resolution 222 A (IX) relating to technical assistance. An amendment to the resolution which sought to clarify and limit the task imposed on the Secretariat, submitted by Pakistan and Peru (A/C.2/L.74) was subsequently withdrawn by its sponsors after a statement by the representative of the Secretary-General that the request regarding the preparation of this material could be carried out providing financial resources were available.

An oral amendment by the representative of the United States to delete a paragraph of the draft resolution dealing with the method of financing the work requested of the Secretary-General was adopted by 24 votes to 7, with 15 abstentions. After several oral revisions by the sponsor and an oral amendment by Australia, accepted by the sponsor, the Cuban draft resolution, as amended, was adopted unanimously by the Committee.

In adopting the resolution, the Committee expressed the view that, while it wished to ensure

that the work described in the resolution would be carried out, it had deleted a paragraph of the original Cuban draft resolution (A/C.2/L.71) because it did not consider it advisable to make any decision concerning the method by which this work was to be financed. The Committee's recommendations were adopted by the General Assembly (resolution 407(V)), without discussion, at its 320th plenary meeting on 12 December, by 51 votes to none, with 1 abstention. It read as follows:

The General Assembly,

Noting that the Economic and Social Council, in resolution 290 (XI) of 15 August 1950, *inter alia*,

(a) Recommended that governments should furnish the Secretary-General with a wide range of economic and statistical information relating to the implementation of that resolution,

(b) Stated that "Having regard to the fact that, in some predominantly agricultural countries, figures for unemployment and under-employment may not be easily ascertainable and full employment goals may, if related only to industrial labour, lead to misleading conclusions, and that, consequently, it may not be possible for such countries to implement certain provisions of this resolution",

(c) Invited the International Labour Organisation to take all feasible further steps towards the practical implementation of the recommendations in order to facilitate international comparability of employment and unemployment data with special reference to their use in the formulation of full employment standards and annual employment goals, policies and programmes,

Being aware that the Economic and Social Council, in part E of the above-mentioned resolution, recommended that the Secretary-General and the specialized agencies should provide, within their capacities, technical assistance to governments, on their request, for the purpose of assisting under-developed countries in this respect,

Recommends that the Secretary-General and the specialized agencies, taking into account the different institutional circumstances in the under-developed countries, prepare material which may serve to guide governments wishing to make use thereof and which should set forth:

(a) The types of data considered necessary to provide up-to-date information regarding the level of economic activity, employment, unemployment and under-employment;

(b) Procedures and methods suitable for obtaining and presenting such data;

(c) Other suggestions relating to the organization of adequate government machinery necessary for obtaining the said data.

#### d. MECHANIZATION AND UNEMPLOYMENT IN UNDER-DEVELOPED COUNTRIES

The draft resolution submitted by Cuba (A/C.2/L.72) on mechanization and unemployment in under-developed countries was considered by the Committee at its 144th meeting on 28 November. After several oral revisions by the sponsor

and oral amendments by the representatives of Canada, the United Kingdom and the United States, which were all accepted by the sponsor, the draft resolution, as amended, was adopted unanimously by the Committee and by the General Assembly (resolution 408(V)), without discussion, by 53 votes to none, at its 320th plenary meeting on 12 December 1950. It read as follows:

The General Assembly,

Having in mind that, at its fourth session, it expressed its belief that "action is needed to overcome unemployment and under-employment such as that arising, particularly in under-developed countries, among large numbers of people engaged in agricultural pursuits; and that, to this end, it is necessary, inter alia, to stimulate the economic development of under-developed countries",

Having noted that the group of experts appointed by the Secretary-General under Economic and Social Council resolution 221 E (IX) of 11 August 1949 to report on national and international measures required to achieve and maintain full employment has expressed the view that, in the under-developed countries, a large part of the population could be diverted from agricultural occupations without any decrease in agricultural output, and that "the only remedy for this form of disguised unemployment is economic development, which constitutes the major economic problem of the world",

Bearing in mind that the terms of reference of the Sub-Commission on Economic Development, whose functions now fall to the Economic Employment and Development Commission, include "studying the effects of

industrialization and changes of a technological order upon the world economic situation",

Commending the Economic and Social Council for the action it has initiated in paragraph 22 of resolution 290 (XI) of 15 August 1950 on full employment, by which the Secretary-General is requested to appoint a group of experts to prepare, in the light of the current world economic situation and of the requirements of economic development, a report on the national and international measures required to reduce unemployment and under-employment in under-developed countries,

Realizing that the mechanization of production essential for increased productivity may in many cases give rise to unemployment unless additional employment opportunities already exist or are simultaneously created in the economy as a whole,

1. Requests the Secretary-General to impress upon the group of experts to be appointed by him under paragraph 22 of Economic and Social Council resolution 290 (XI) the necessity of giving due consideration in the course of their work to:

(i) Ways and means of preventing any aggravation of the problems of unemployment and under-employment in under-developed countries that may occur as a result of the mechanization of production in certain branches of industry and agriculture;

(ii) Measures of social security designed to ensure that there will be no interruption in the income of workers temporarily unemployed through mechanization or technological progress, taking into account the work of the International Labor Organisation in this field;

2. Requests the Secretary-General and the specialized agencies concerned, in facilitating the work of the above group of experts, to bear in mind the present resolution.

## C. WORLD ECONOMIC CONDITIONS AND TRENDS

At its ninth session, held from 5 July to 15 August 1949, the Economic and Social Council, in connexion with its recommendation that the General Assembly should include in the agenda of its fourth regular session the question of promoting full employment, requested the Secretary-General, in resolution 221 F (IX) of 11 August 1949, to submit to the General Assembly the latest available information on the world economic situation. This information should concentrate particularly on factors which were critical from the international point of view, according to the Council's request, and draw attention to international agreements and machinery already in existence which were designed to promote concerted action to maintain full employment and counter the international extension of any recession.<sup>41</sup>

Accordingly, a Secretariat report, *Recent Developments in the World Economic Situation*<sup>42</sup> was submitted to the fourth session of the General Assembly in October 1949, bringing up to date the comprehensive annual survey, *World Economic*

*Report, 1948*,<sup>43</sup> which had been made available to the Council in July 1949. The supplemental survey generally confirmed the economic trends described in the earlier comprehensive report and noted that international trade difficulties had since been intensified.<sup>44</sup> While indicating that it was too early to evaluate the possible effects of the wave of currency devaluations beginning in September 1949, the report reaffirmed the conclusion of the full annual survey, that "the problem of combining the maintenance of high levels of employment and national prosperity with international integration and equilibrium is . . . one which can hardly be solved in a short time or by schematic methods".

<sup>41</sup> See Y.U.N., 1948-49, p. 468.

<sup>42</sup> U.N.P., Sales No. 1949.II.C.4.

<sup>43</sup> U.N.P., Sales No. 1949.II.C.3.

<sup>44</sup> In resolution 308 (IV) on full employment, the General Assembly decided that the world economic situation would be reviewed again at the next regular session of the General Assembly in the light of Arts. 55 and 56 of the Charter. See pp. 476-77.

## 1. Consideration by the Economic and Social Council at Its Tenth Session

At its tenth session, held from 7 February to 6 March 1950, the Economic and Social Council made its annual review of the world economic situation, in accordance with the recommendation made by the General Assembly in resolution 118(II).

A report on world economic trends, *Major Economic Changes in 1949* (E/1601 & Corr. 1), was submitted by the Secretariat to facilitate the Council's discussion of the general economic situation. This report, which provided a factual analysis of significant economic developments during 1949, drew attention to the fact that, while the year 1949 was one of high levels of economic activity and employment, economic developments during the year brought into focus a number of long-term economic problems, both national and international, calling for a reevaluation of current economic policies and programmes. It pointed out that the strength of abnormal demand factors arising from reconstruction and reconversion requirements, which had tended to promote economic expansion throughout most of the world had been considerably reduced. The problem confronting industrially advanced countries was to ensure the maintenance of effective demand at full employment levels whenever the automatic operation of market forces no longer sufficed to achieve this result. In under-developed countries, reductions during 1949 in the income derived from their exports of primary commodities served to emphasize once more the sensitivity of their economies to fluctuations in economic activity in industrialized countries and the obstacles which this might place in the way of their steady progress in economic development. Although the need for long-term adjustments in the world structure of production and trade had been evident for some time because of the persistence of the unbalance in international payments, it was underlined by the aggravation of the unbalance during 1949, which was followed by a wave of currency devaluations in the latter part of the year. The report stressed the interconnexion between the problems of full employment, economic development and balance in international economic relations and, consequently, the necessity for a co-ordinated approach to them.

In discussing the world economic situation at the Council's 359th to 362nd meetings, from 21 to 24 February 1950, many representatives described particular economic developments in their

countries and commented on the analyses contained in *Major Economic Changes in 1949*.

Although many representatives, including those of Belgium, Brazil, China, Denmark, France, India and Peru, commended the report, some reservations were made during the discussion. The representative of Belgium felt that the report made little mention of the monetary factor. The representatives of Canada, the United Kingdom and the United States held the view that the report tended to attribute the main trends in world economic activity to developments in the United States. For example, the report seemed to point out that decline in United States imports had been the sole cause of the increase in international disequilibrium in the first half of 1949. The representative of the United States further stressed the continuity of economic life and processes, and expressed the belief that 1949 did not mark the stopping point in the process of economic and social reconstruction, as the report seemed to indicate.

The importance of economic development of under-developed countries, which the report considered, was stressed by the representatives of Brazil, Denmark and India. The representative of Brazil felt that there was a lack of balance in economic distribution in the world. An economic vacuum existed in under-developed areas while too much money was going to Europe, he stated. The representative of Denmark said that through sound economic development of under-developed countries, the vast needs of the poorer half of mankind might gradually be translated into effective demand. A similar reference to the advantages of economic development of under-developed countries was made by the representative of India, who held the view that once the European economy had completely recovered, the United States would be able to maintain full employment only by directing its excess productive capacity towards such tasks as the economic development of under-developed countries.

Reconstruction in Europe was commented on by, among others, the representatives of Chile and France. The former pointed out that since the war, Europe had not only rebuilt the foundations of its economy but had at the same time undergone a process of technical development and modernization. The representative of France stated that the European countries were making a maximum effort to free Europe from the need of foreign aid by achieving permanent equilibrium—plans for the economic integration of Europe being prepared with that aim in mind.

At the conclusion of the general debate, the Council adopted at its 367th meeting, on 28 February 1950, a resolution (265 (X)) proposed by Chile at the 366th meeting on the same day. This resolution noted the report on Major Economic Changes in 1949, and drew the attention of Member States, of the Economic and Employment Commission, of the regional economic commissions and of the specialized agencies to the views expressed by members of the Council concerning the world economic situation.

In the course of the discussion of the world economic situation, the Council also had before it a statement (E/1611) on the Secretary-General's plans for future issues of the world economic survey, and it was noted that the world economic report, would, in future, be designed to present an over-all review of the most important national and international events in the world economic situation during the two-year period preceding its issuance and that it would be made available in time to facilitate the debate on the world economic situation at the earlier sessions of the Council each year.

## 2. Consideration by the Economic and Social Council at Its Eleventh Session

At the eleventh session of the Economic and Social Council, held from 3 July to 16 August 1950, the Assistant Secretary-General in charge of Economic Affairs confirmed the arrangements for future issues of the world economic survey (see above). Referring to the new tasks imposed on the Secretariat under resolution 290 (XI) on full employment,<sup>45</sup> he indicated that he was not in a position as yet to measure fully the manner in which the new tasks contemplated by that resolution might affect the schedule for preparation of the World Economic Report. He felt, however, that in view of the work already done it would be desirable to adhere strictly to the schedule, although it might prove advisable to make some of the materials already prepared available in a form somewhat different from what had been originally contemplated—that is, in a form other than an over-all world economic report (E/AC.6/L.19).

In conjunction with the discussion of the world economic situation at the tenth session of the Council, the Council also considered the problem of studies and data relating to the economic situation of Africa. The Council discussed the desira-

bility of the preparation of a special survey relating to economic conditions in Africa or of inclusion in the world economic report of a special section relating to this matter.

The representatives of Belgium, France, the United Kingdom and the United States voiced the opinion that it was not advisable to ask the Secretariat to prepare a special survey relating to economic conditions in Africa at that time, since, inter alia, the survey would entail considerable expense. They felt that the United Nations could devote increased attention to Africa within the framework of its existing programme of studies on the world economic situation.

These representatives, among others, supported the amendment proposed by the representative of the United Kingdom (E/L34/Rev. 1) embodying these views, to the resolution of the representative of India (E/L.31) proposed at the 366th meeting of the Council on 28 February. This latter resolution, inter alia, requested the Secretary-General to collect and collate material readily available on Africa, and urged Governments concerned to co-operate in supplementing that information. It was supported by the representatives of China, Mexico and the World Federation of United Nations Associations (WFUNA), which organization had requested the inclusion of the economic situation of Africa in the Council's agenda (E/1555/Add. 3).

At the 371st meeting of the Council on 2 March 1950, the Indian draft resolution, as amended by the United Kingdom, was adopted by 14 votes to 1 as resolution 266 (X). It requested the Secretary-General to include, in the world economic report to be prepared for the twelfth session of the Council, a special section relating to economic conditions in Africa, using material readily available and such further information as may be provided by the Governments concerned, and urged such Governments to give the greatest possible co-operation to the Secretary-General in making available the data required for the preparation of this section of the report. The Secretary-General was also requested to give attention to the problems of Africa whenever appropriate in the various economic studies.<sup>46</sup>

The members of the Council were unanimous in feeling that the question of an economic commission for Africa should be deferred.

<sup>45</sup> See pp. 472-74.

<sup>46</sup> For economic surveys of Europe, of Asia and the Far East, and of Latin America, see under the respective Regional Economic Commissions.

## D. INTERNATIONAL COMMODITY PROBLEMS

A feature of inter-governmental activity in 1950 regarding commodity arrangements was the concern with both surplus and shortage problems as prices fluctuated widely.

The tendency towards surplus, which had developed in some commodities in the early part of 1950, disappeared with the outbreak of hostilities in Korea which gave a sharp impetus to the demand for primary commodities. In the latter part of 1950 this demand reached a very high level with rearmament programmes, increased government purchases and anticipatory commercial buying. In many primary commodities serious shortages developed and prices rose very sharply. As a result consideration was given to the question of international allocation. In the case of wheat, however, the existence of an international agreement assured importers of certain quantities at a maximum price.

### 1. The Interim Co-ordinating Committee for International Commodity Arrangements

The Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA) was established in 1947 by the Economic and Social Council to keep informed of, and to facilitate inter-governmental consultation and action on, commodity problems pending the establishment of the International Trade Organization. In 1950, the ICCICA requested the Council (E/1718) at its eleventh session to consider a draft resolution which would authorize the Secretary-General of the United Nations to convene, on the advice of ICCICA, inter-governmental commodity conferences, whose terms of reference would be to discuss measures designed to meet special difficulties which may exist or may be expected to arise in connexion with a particular primary commodity.

The draft resolution referred to the recommendation of ICCICA that such conferences should, as far as possible, not be held until there was some assurance that an agreement was possible, and that adequate documentation had been prepared. It provided that, in advising the convening of conferences, ICCICA would follow the principles of Chapter VI of the Havana Charter. The draft also contained a provision that invitations to such conferences should be extended to all Members of the United Nations, the Interim

Commission for the International Trade Organization, the Food and Agriculture Organization and the inter-governmental study group concerned. Non-member States could also be invited if they were substantially interested in the commodity concerned, and specialized agencies would also be invited. Other rules concerned the preparation of provisional agenda and rules of procedure, and the fixing of the date and place of any conference.

The Committee also submitted to the eleventh session of the Council its Review of International Commodity Problems, 1949,<sup>47</sup> which contained data on specific commodities up to the end of 1949, as well as the report and suggestions of ICCICA prepared at its 1949 sessions.

### 2. Consideration by the Economic and Social Council

At its 386th plenary meeting on 12 July 1950, the Council considered the request of the ICCICA (E/1718). The representative of the United Kingdom noted that under the Havana Charter the ITO would have been able to call conferences on its own initiative or at the request of interested Governments but he felt that it was inappropriate to give this power to an interim body and submitted an amendment (E/L.56) to the proposed resolution providing that ICCICA, in advising the Secretary-General, should act only at the request of an inter-governmental study group. The draft resolution with this amendment was referred to the Economic Committee for further discussion, on the proposal of the representative of India, which was adopted by 8 votes to 4, with 3 abstentions.

This matter was then considered by the Economic Committee at its 84th meeting on 13 July 1950. During the discussion it was pointed out by some representatives, among them those of Belgium and the United Kingdom, that serious international difficulties arose when raw material prices declined, and that urgent action might become necessary on particular primary commodities.

Some attention was given to the need for inter-governmental responsibility in connexion with commodity agreements and to the need for protecting the interests of both producing and consuming countries. It was felt that these matters were covered in the draft resolution and the United

<sup>47</sup> U.N.P., Sales No. 1950.II.D.2.

Kingdom amendment providing that the Secretary-General should only call a conference at the request of a study group since Governments of both producing and consuming countries were members of such groups. The representative of the United States asked that the record should show that the ICCICA need not act automatically on the request of an inter-governmental study group but rather in the light of its recommendations.

The representative of India felt that although the United Kingdom amendment provided a satisfactory interim arrangement, the procedure needed further examination. He therefore proposed an amendment providing that the Secretary-General be requested "in view of the desirability of the Council giving full consideration to means whereby study groups and international commodity conferences should be convened, to prepare a study on the subject of appropriate procedures to be adopted and to place the question on the agenda of the Council for consideration at its thirteenth session", and that the authority of the Secretary-General to convene commodity conferences on the advice of ICCICA be limited to the period pending the consideration by the Council of the Secretary-General's study.

Both the Indian and the United Kingdom amendments were unanimously adopted at the 84th meeting of the Committee. At this meeting, members of the Committee also commended the publication *Review of International Commodity Problems, 1949* and expressed the hope that such reviews would continue to be issued. At its 85th meeting on 14 July the Economic Committee unanimously adopted, with a minor drafting change, the amended draft resolution concerning international commodity arrangements.

At the 399th plenary meeting of the Council held on 2 August 1950, the draft resolution recommended by the Economic Committee (E/1774) was unanimously adopted as resolution (296-(XI)). It read as follows:

The Economic and Social Council,

Having recommended that Members of the United Nations adopt as a general guide in inter-governmental consultation or action with respect to commodity problems the principles laid down in chapter VII of the draft Charter for an International Trade Organization prepared at the first session of the Preparatory Committee of the United Nations Conference on Trade and Employment (now Chapter VI of the Havana Charter),

Having noted, that inter-governmental consultation is proceeding with respect to several commodities,

Having considered, the recommendation of the Interim Co-ordinating Committee for International Commodity Arrangements:

(a) That there should be no procedural delays in the summoning of a commodity conference by the United Nations, and

(b) That a commodity conference should, so far as possible, not be held until there is some assurance that an agreement is a possibility and that there has been adequate preparation of the necessary documentation, and

Bearing in mind General Assembly resolution 366 (IV) on "Rules for the calling of international conferences of States",

Authorizes the Secretary-General, pending consideration by the Council of the study referred to below, to convene, on the advice of the Interim Co-ordinating Committee for International Commodity Arrangements acting on the request of an appropriate inter-governmental study group, inter-governmental conferences whose terms of reference shall be to discuss measures designed to meet special difficulties which may exist or may be expected to arise concerning a particular primary commodity;

Requests the Interim Co-ordinating Committee for International Commodity Arrangements, in considering its advice to the Secretary-General, to follow the principles of Chapter VI of the Havana Charter relating to the calling of commodity conferences;

Decides that the following rules shall apply to the calling of such conferences:

(1) The list of States to be invited to such a conference shall be prepared by the Committee and shall include all Members of the United Nations, of the Interim Commission for the International Trade Organization, of the Food and Agriculture Organization of the United Nations, and of the inter-governmental study group concerned. Non-member States may also be included if they are substantially interested in the production or consumption of or trade in the commodity concerned. Specialized agencies in relationship with the United Nations may also be invited to take part;

(2) Where the State invited so wishes, there may be separate representation for dependent territories in accordance with the provisions of article 69 of the Havana Charter;

(3) The provisional agenda and rules of procedure of the conference shall be prepared by the Committee. The Committee may also prepare such working papers as it considers would facilitate the work of the conference;

(4) The Secretary-General shall fix the date and place of the conference;

Requests the Secretary-General, in view of the desirability of the Council giving full consideration to means whereby study groups and international commodity conferences should be convened, to prepare a study on the subject of appropriate procedures to be adopted and to place the question on the agenda of the Council for consideration at its thirteenth session.

During 1950 the International Tin Study Group requested that an international conference be convened to consider the conclusion of an international agreement on tin. Acting in accordance with the procedure laid down in resolution 296-(XI) of the Economic and Social Council (see above), and on the advice of ICCICA, the Secretary-General convened a Tin Conference in

Geneva on 25 October 1950. This conference discussed in detail the methods which might be used to bring stability to international trade in tin. In addition to the draft International Agreement on Tin submitted by the International Tin Study Group, the Conference had before it proposals submitted by various delegations. There was considerable difference in the methods of operation envisaged in the various proposals, and the conference adjourned to allow greater time to examine the manner in which the various proposals would operate. The text of the resolution adjourning the Geneva session is as follows:

This Tin Conference convened, pursuant to resolution 296(XI) of the Economic and Social Council, by the Secretary-General of the United Nations at the request of the International Tin Study Group and on the advice of the Interim Coordinating Committee for International Commodity Arrangements, and attended by delegations from Australia, Belgium, Belgian Congo, Bolivia, Brazil, British Colonial and Dependent Territories, Canada, Denmark, Egypt, France, India, Indonesia, Italy, Netherlands, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and the United States of America,

Having met at Geneva from 25 October 1950 to 21 November 1950,

Recognizing that when a surplus or shortage of tin is expected to occur, inter-governmental co-operation and

action, in accordance with the principles of the Havana Charter, would be desirable to meet such difficulties,

Expecting that difficulties will arise concerning tin which may require such inter-governmental co-operation and action but having concluded that the draft Agreement prepared by the International Tin Study Group and the various international measures proposed at the conference to meet these difficulties differ so widely in their methods of operation that further examination by governments is needed,

1. Instructs the Chairman, with the assistance of the Executive Secretary,

(a) To keep under review the further discussions and conclusions of the International Tin Study Group;

(b) To consult, on the basis thereof, with the members of the Steering Committee, with a view to deciding upon a suitable date for a resumption of the conference;

(c) To consult the Secretary-General of the United Nations upon the further provision of the services and facilities of the conference; and, being satisfied that the conditions for a resumption exist, to request the Secretary-General to invite those Governments which were invited to the present meetings to come together again.

2. Decides to adjourn.

The ICCICA met at Torquay, England, at the end of 1950 and prepared the Review of International Commodity Problems, 1950<sup>48</sup> In the Review, the Committee summarized the conditions in various primary commodities and outlined the steps that were being taken at that time to deal with shortages.

## E. TRANSPORT AND COMMUNICATIONS

The Transport and Communications Commission held its fourth session from 27 March to 4 April 1950. It reviewed international developments in the field of communications and was concerned particularly with questions relating to:

(1) the facilitation of the international movement of persons and goods (including travel, passport and frontier formalities as well as barriers to the international transport of goods);

(2) problems in the field of shipping (including the need for completing the ratification of the Convention on the Inter-Governmental Maritime Consultative Organization, the unification of tonnage measurement, the pollution of sea water and problems of maritime shipping affecting Latin America);

(3) the co-ordination of the specialized agencies in the field of transport and communications (including the implementations of the decisions of the Atlantic City Telecommunications Conference of 1947);

(4) transport statistics;

(5) applications of non-governmental organizations for consultative status with the Economic and Social Council;

(6) international road transport;

(7) the co-ordination of inland transport and other problems in this field and problems of regional organization.

The report of the Commission (E/1665) was considered during the eleventh session of the Economic and Social Council (ECE) at Geneva,

at the 83rd and 85th meetings of the Council's Economic Committee on 7 and 14 July and at the Council's 386th and 414th plenary meetings, on 12 July and 16 August 1950, respectively. During the discussion in the Committee and the Council, emphasis was given to the importance of considering transport and communications, particularly in under-developed countries, as an essential part of the programmes in other fields, such as agriculture, health, education and industry. The main questions discussed by the Commission and the action taken by the Council are given below.

### 1. Facilitation of International Movement of Persons and Goods

#### a. TRAVEL, PASSPORT AND FRONTIER FORMALITIES

At its fourth session, the Commission noted the extensive international activity on the facilitation and development of international travel, which, according to a report by the Secretary-General (E/CN.2/70 & Corr. 1 & Add. 1), had taken

<sup>48</sup> U.N.P., Sales No. 1951.II.D.1.

place in 1949-50. The report described developments since the third session of the Commission and outlined activities of international, inter-governmental and non-governmental bodies of a world-wide and a regional character concerned with the facilitation of international travel. Among these were:

the United Nations Conference on Road and Motor Transport; the implementation of the standards and recommended practices for international air transport of the International Civil Aviation Organization (ICAO); the revision by the World Health Organization (WHO) of International Sanitary Conventions relating to travel; proposals by the International Labour Organisation (ILO) to study, in connexion with its studies on recreation, "popular travel, especially on an international basis"; proposals by the International Chamber of Commerce (ICC) to consider existing practices which constituted "invisible barriers to trade and travel"; the activities of the regional commissions and the proceedings of the Third International Congress of African Touring, held from 4-8 October 1949, at Nairobi, East Africa.

The Commission also had before it a report by the Secretary-General (E/CN.2/71 & Add. 2) and a report by the International Union of Official Travel Organizations (IUOTO) on passport and frontier formalities (E/CN.2/71/Add. 1). The IUOTO report, which listed replies from various Governments on how principles adopted by IUOTO were being applied, also recorded that some of the proposals of the Union had not been implemented, among them:

the standardization and co-ordination of health regulations in force for travellers; the extension of the period for validity of passports to five years; the extension of the validity of visas, where still required, to a period of at least 12 months and their extension for use at all bridges and roads normally open to foreign traffic and to all means of transport; the establishment of maximum co-operation between national travel organizations and other national authorities concerned with travel problems.

The Commission, recalling Council resolution 227F(IX) which had deferred further inquiries concerning passport and frontier formalities to Governments until after the fourth session of the Commission,<sup>49</sup> decided (E/1665) to request the Secretary-General to address an inquiry to Governments and to prepare for the fifth session of the Commission a comparative analysis of progress achieved.

By the end of 1950, however, seven new agreements for abolishing visa requirements on a reciprocal basis had been added to the list of 63 already reported to the Commission. Activities in 1950 by the Inland Transport Committee of the Economic Commission for Europe<sup>50</sup> relating to the simplification of frontier formalities had helped put into effect recommendations of the

Transport and Communications Commission: in 1951, for example, many trains would be speeded up considerably in crossing German frontiers, through the carrying out of frontier formalities en route (E/CN.2/99).

#### b. BARRIERS TO THE INTERNATIONAL TRANSPORT OF GOODS

A report by the Secretary-General on barriers to the international transport of goods (E/CN.2/79 & Corr.1 & Add.1-4), made in accordance with Council resolution 227C(IX), came before the Commission at its fourth session. The report contained the replies of Governments concerning the 12 recommendations adopted by the International Chamber of Commerce (ICC) at its Montreux Congress in 1947 (E/CN.2/79 & Corr.1 & Add.1-4).<sup>51</sup> Replies contained in the report were made by Afghanistan, Belgium, Canada, Egypt, France, India, Iran, New Zealand, Norway, Pakistan, Sweden, the Union of South Africa, the United Kingdom and the United States. The report also contained a review of the work done in the field by the United Nations, by specialized agencies and non-governmental organizations. It listed activities by ECE, ICAO, WHO, and the ICC in connexion with barriers to the international transport of goods.

The Commission noted that direct international action with respect to the problems of barriers to the international transport of goods, such as the convening of a conference, could not be undertaken immediately since the International Trade Organization (ITO), within whose competence the matter would primarily fall, had not started to function. The Commission noted, however, that the Council of ICAO had adopted annex 9 to the Convention on International Civil Aviation entitled "Standards and Recommended Practices for the Facilitation of International Air Transport". The Commission also noted that, although there had been a substantial degree of acceptance of the standards, a number of deviations from them had been noted by the member States of ICAO.

At the 83rd meeting of the Economic Committee of the Council, the view was expressed that the barriers referred to in the Commission's report related mainly to the number of documents required in the transport of goods and to "invisible barriers"—formalities and regulations apart from

<sup>49</sup> See Y.U.N., 1948-49, pp. 485-86.

<sup>50</sup> See pp. 501-2.

<sup>51</sup> For details of the recommendations of the ICC, see Y.U.N., 1948-49, p. 486.

tariff walls, which in themselves formed serious barriers to the international movement of goods. Such barriers, it was stated, were symptoms of a serious malady, which could only be diagnosed in terms of fundamental political and economic factors. It was also suggested that, as the Havana Charter had not been ratified and the International Trade Organization had not come into being, the question might be brought to the notice of the Interim Commission of ITO, which could, in turn, bring it to the notice of the signatories to the General Agreement on Tariffs and Trade. In unanimously adopting the resolution, the Committee agreed to add a paragraph which would request the Secretary-General to bring the matter to the notice of the Interim Commission of ITO.

This resolution was adopted by the Council at its 386th plenary meeting on 12 July 1950, without discussion, as resolution 298 D (XI), in which it urged "the Members of the United Nations and all other interested Governments, bearing in mind all possible interests, to continue consideration of national measures consistent with the principles of the Charter of the International Trade Organization for the simplification of customs and related formalities constituting barriers to the international transport of goods". It asked the Secretary-General to bring this resolution to the notice of the Interim Commission for ITO.

The Economic Committee, at its 83rd meeting, and the Council at its 386th plenary meeting, unanimously adopted resolution 298 E (XI), by which it decided to convey to the Council of ICAO its satisfaction at, and approval of, the initiative demonstrated by that organization and the results so far attained in alleviating the barriers to international transport by air. The Council also urged "all Governments to take whatever further action is necessary to apply as soon as possible, wherever feasible, ICAO's Standards and Recommended Practices on the Facilitation of International Air Transport; to eliminate as many deviations as possible at an early date; and, with regard to those deviations which cannot be eliminated immediately, to continue working together through ICAO so as to find a basis for eventual full agreement".

## 2. Problems in the Field of Shipping

### a. RATIFICATION OF THE CONVENTION ON THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

In resolution 298 B (XI), adopted at the 386th plenary meeting of the Council on 12 July 1950,

the Council noted that the Commission, at its third session in March 1949, had drawn attention to the fact that the solution of various urgent and important problems affecting international transport would be greatly facilitated when the Inter-Governmental Maritime Consultative Organization (IMCO) had started functioning. The Council also noted that the Commission, at its fourth session in March-April 1950, had again drawn attention to the fact that IMCO had not yet come into being and that this was the appropriate agency for the handling of further important and urgent problems, such as the unification of maritime tonnage measurement and the pollution of sea water. In the same resolution, the Council instructed the Secretary-General to draw the attention of Members to the fact that the early establishment of IMCO was desirable.<sup>52</sup>

At the 83rd meeting of the Economic Committee, various representatives stated their Governments' position on ratification of the draft Convention. The resolution was adopted unanimously by the Economic Committee and by the Council by 12 votes to none, with 2 abstentions, after the Chairman of the Economic Committee had pointed out to the Council that the Convention of IMCO could come into effect only when at least seven States, owning more than one million tons of shipping, and 14 other States had ratified it. The Convention, he reported, had up to that time been ratified by Canada, Greece, the Netherlands, and the United Kingdom. In addition, the United States representative had stated, during the debate in the Economic Committee, that his Government had also recently ratified the Convention, and the representative of France had stated that his Government would do so in the near future.

### b. UNIFICATION OF MARITIME TONNAGE MEASUREMENT

At its fourth session, the Commission considered a report by the Secretary-General (E/CN.2/81 & Add.1) on the results of an inquiry<sup>53</sup> to Governments made in response to Council resolution 227 B (IX), concerning the desirability of more general and closer adherence to the rules on the unification of maritime tonnage measurement which had been adopted at the Oslo Conference of 1947.

The Commission noted that only three Governments had so far ratified the Convention adopted at the Oslo Conference, and, moreover, that it ap-

<sup>52</sup> For IMCO, see pp. 1007 ff.

<sup>53</sup> See Y.U.N., 1948-49, p. 487.

peared from replies received that a number of countries were not prepared to contemplate unification of maritime tonnage measurement on the basis of the Oslo Rules. The Commission considered that IMCO would be the competent agency to handle this subject. It resolved to leave the question of inter-governmental action to that agency when it had started functioning and urged Governments to continue their studies of this problem (E/1665).

### c. POLLUTION OF SEA WATER

The Commission at its fourth session, considered a report by the Secretary-General (E/CN.2/68), on the pollution of sea water by oil, which reviewed the consideration given to the problem by the League of Nations. The Commission found some difference of opinion as to the urgency of the problem and the manner in which it should be approached (E/1665). It was generally agreed that the problem was one for IMCO. The Commission decided to recommend that the Secretary-General be instructed to request the views of Member Governments on the following points:

- (a) Whether, pending the establishment of IMCO, preliminary action should be taken;
- (b) If so, what would be the best procedure to follow;
- (c) In particular whether the convening of a meeting of competent governmental experts would be the appropriate procedure;
- (d) Whether the draft Convention on the Pollution of Sea Water by Oil prepared in 1935 under the auspices of the League of Nations could serve as a working basis for the consideration of the problem;
- (e) Whether the scope of the examination of the problem should be extended to cover the possible future pollution of sea water by atomic waste from fuel which may be used by ships;
- (f) Whether they would wish to give priority to the consideration of any one of the several consequences of the pollution of sea water (E/1665.)

The Economic Committee, at its 83rd meeting, accepted these recommendations unanimously. The Council, at its 386th meeting on 12 July 1950, also adopted unanimously and without discussion resolution 298 C (XI), in which it resolved to transmit the Secretary-General's report on the pollution of sea water by oil to the Members of the United Nations, and instructed the Secretary-General to request their views on the points raised by the Commission. The Council, on the recommendation of the Commission, also invited the Member Governments which possess the technical facilities to do so, to undertake research studies on this problem forthwith, collaborating on them as far as possible.

### d. MARITIME SHIPPING AND LATIN AMERICA

At its fourth session, the Commission noted a report by the Secretary-General (E/CN.2/83 & Corr.1-3 & Add.1) on the problems of maritime shipping affecting Latin America. The Secretary-General, on the instructions of the Council (resolution 227 D (IX)), had sent an inquiry to the Latin American Governments, requesting from them their precise views on the problem of maritime shipping, including freight rates, affecting Latin America, so far as to enable the Commission to determine the elements of the problem.<sup>54</sup> At the time the Secretary-General's report was considered by the Commission, however, only two replies had been received.

The Secretary-General's report contained, in addition to the replies from these Governments, information concerning inter-governmental action since 1940 in the Americas with respect to this question, with particular reference to the Inter-American Maritime Conference held in Washington in 1940 and the work of the Organization of American States. The question of freight rates was currently under study by the Commission on Commercial Co-operation of the Organization of American States.

The Commission, accordingly, suggested to the Council that the examination of the subject, where appropriate, should be left to other competent bodies, like ECLA or some other appropriate American inter-governmental organization (E/1665).

At the 83rd meeting of the Economic Committee, the view was expressed that ECLA was now in a position to deal with problems of shipping affecting Latin America and that the matter should be referred directly to this regional Commission as the most competent body. ECLA, it was added, also enjoyed the support of all the Latin American Governments. The Committee agreed unanimously to recommend that the question be sent for examination to ECLA.

The matter came before the Council at its 386th plenary meeting on 12 July 1950. During the discussion, the representatives of Chile and Peru both supported the view expressed in the resolution of the Commission. The representative of Chile said that, with regard to the proposal that the problems of maritime shipping affecting Latin America should be referred to the Inter-American Economic and Social Council (E/AC.6/SR.83), he felt that the case would be met by resolution L, adopted by ECLA at its third session

<sup>54</sup> See Y.U.N., 1948-49, p. 487.

(E/1762), which had suggested that the Executive Secretary of ECLA should consult with the Executive Secretary of the Inter-American Economic and Social Council with a view to co-operating in the study of the problems of maritime shipping affecting Latin America.

The Council unanimously resolved to refer the question to ECLA for examination (resolution 298 F (XI)).

### 3. Co-ordination of Activities of the Specialized Agencies in the Field of Transport and Communications

At its fourth session the Commission noted a report by the Secretary-General (E/CN.2/84 & Corr. 1 & 3 & Add.1), reviewing the co-ordination of activities of the United Nations and its regional commissions with the activities of such specialized agencies as ICAO, the Universal Postal Union, the International Telecommunications Union, and the World Meteorological Organization.<sup>55</sup>

The report brought up to date information contained in documents before the Commission at its third session,<sup>56</sup> which dealt with the co-ordination of activities of specialized agencies in the field of transport and communications and the co-ordination of activities in the field of aviation, shipping and telecommunications in regard to safety at sea and in the air. The report dealt, first with subjects of direct interest to the commission:

- (1) international transport — including the simplification of frontier formalities and the easing of barriers to international trade as well as aspects of public health relating to international transport;
- (2) international communications, including both telecommunications and postal services involving international air mails;
- (3) the application of meteorology;
- (4) the coordination of statistical activities;
- (5) the co-ordination of activities in the fields of aviation, shipping, telecommunications and meteorology in regard to safety at sea and in the air;
- (6) the facilitation of the international interchange of goods;
- (7) the removal of obstacles to the free flow between nations of educational, scientific and cultural information, such as derive from currency, customs or other regulations.

The report also dealt with subjects of indirect interest to the Commission, including the expanded programme of technical assistance for the economic development of under-developed countries; conditions of employment in international transport; telecommunications; the United Nations research laboratories; the co-ordination of cartographic activities; and fiscal matters.

The Commission expressed the desire that a similar report be transmitted to its next session (E/1665).

The Commission brought to the attention of the Council the need for ensuring the implementation of the decisions of the Atlantic City Telecommunications Conferences of 1947 with respect to the establishment of an international list of frequencies (E/1665).

On the Commission's recommendation, the Council, at its 386th plenary meeting on 12 July 1950, adopted unanimously and without discussion a resolution concerning the implementation of the decisions of the Conferences. This resolution (298 J (XI)), which had been unanimously adopted by the Economic Committee at its 83rd meeting, stated that the Council was mindful of its role as a co-ordinating organ of the United Nations in the field of transport and communications and recalled its active-participation in the calling of the Atlantic City Telecommunications Conferences of 1947. The resolution proceeded to state that the Council;

Aware that communications by radio may become disrupted through interference if the Extraordinary Radio Conference to approve the international List of Frequencies called by the International Telecommunication Union (ITU) for 1 September 1950 is not successful in the task of effecting an orderly arrangement of radio frequencies, which was entrusted to it by the Atlantic City Telecommunication Conferences as well as by the Administrative Council of the ITU,

Conscious that such disruption will be detrimental to existing services especially in the fields of aviation, shipping, point-to-point radio-telegraphy and radio-telephony, safety-aids to navigation, broadcasting, and police and security services which, in turn, will have the most adverse effect in the field of economics, culture, education and health, which are specifically entrusted to the Council under Article 62 of the Charter,

Resolves to direct the Secretary-General to bring the foregoing considerations to the attention of all the Members of the United Nations, requesting those of them attending the Extraordinary Radio Conference to give this matter the most careful consideration at the highest policy level, and to direct their representatives at the Conference to take steps to ensure that, without unnecessary delay, the Conference shall reach a successful conclusion, which can only be brought about by a broad, co-operative and realistic approach to the problems.

Since the adoption by the Council of this resolution, it was informed that, on 10 August, the International Telecommunication Union had voted to postpone the Extraordinary Radio Conference at The Hague until the Administrative Council of ITU determined that it should be held. The Ad-

<sup>55</sup> See Part II, under headings of various specialized agencies.

<sup>56</sup> See Y.U.N., 1948-49, p. 488.

ministrative Council, at its fifth session at Geneva from 1 September-11 October 1950, proposed, subject to confirmation, that the Extraordinary Conference meet at Geneva on 16 August 1951.<sup>57</sup>

#### 4. Transport Statistics

The Commission, at its fourth session, noted a report by the Secretariat (E/CN.2/75 & E/CN.3/85)<sup>58</sup> which continued a three-part study aimed at:

- (1) the establishment of economic and technical statistical requirements in the field of transport;
- (2) the achievement of comparability in the information to be collected;
- (3) the standardization of forms for the collection of this information. The document before the Commission at its fourth session contained the results of a study of the achievement of comparability in transport statistics.

Suggestions were made at the Commission's discussions concerning the items to be included in a proposed list of statistical series. The Commission expressed the opinion that some revision of the series and definitions might subsequently be found desirable on the basis of experience of Governments, and recommended the compilation of a series<sup>59</sup> by each country affected. The Commission also requested the Secretary-General to circulate the resolution it had adopted to Members of the United Nations, so that they might examine the possibility of producing, for the purposes of international comparability, series in substantial agreement with the definitions set forth (E/CN.2/75 & E/CN.3/85, Annex 1). It also asked the Secretary-General to circulate a copy of the resolution to bodies which publish international transport statistics and to governmental and non-governmental bodies concerned.

The Commission's recommendations were considered by the Statistical Commission at its fifth session, which, in its report to the Council (E/1696), noted the work done by the improvement of transport statistics and endorsed the recommendations of the Commission.

At the 83rd meeting of the Economic Committee, the United Kingdom representative suggested that the list of shipping statistics which the Commission intended to be compiled should wait until IMCO was set up and that the Secretariat should first consider the statistical series and definitions for railways, inland waterways and road transport as well as for other questions involved.

The Committee, and the Council at its 386th plenary meeting, unanimously adopted resolution 298 G (XI) and 299 C (XI), in which it took

note of the progress achieved by the Transport and Communications Commission and approved by the Statistical Commission with respect to the study of transport statistics.

#### 5. Applications of Non-Governmental Organizations

At the request of the Council (resolution 263 C (IX)), the Commission examined at its fourth session the applications of the following organizations for consultative status: (1) Inter-American Federation of Automobile Clubs, (2) International Road Federation and (3) Permanent International Bureau of Motor Manufacturers.

After considering a report by the Secretary-General containing information on these organizations (E/CN.2/80 & Add.1 & 2), it decided to recommend that consultative status should be granted to the International Road Federation, but decided not to recommend the granting of status to the Inter-American Federation of Automobile Clubs; it resolved to postpone until its fifth session consideration of the case of the Permanent International Bureau of Motor Manufacturers (E/1665). These recommendations were to be dealt with by the Committee on Non-Governmental Organizations in connexion with the twelfth session of the Council, in 1951.

#### 6. International Road Transport

At its 347th plenary meeting on 8 February 1950, the Council had before it the report of the Secretary-General on the United Nations Conference on Road and Motor Transport (E/1559), which was convened in accordance with Council resolution 147 B (VII) of 28 August 1948, and met in Geneva from 23 August to 19 September 1949.<sup>60</sup>

##### a. WORLD-WIDE SYSTEM OF ROAD SIGNS AND SIGNALS

Inter alia, the Conference recommended that the Transport and Communications Commission should review, with the assistance of such experts as might be needed, the problem of establishing a world-wide system on road signs and signals, and

<sup>57</sup> See pp. 976, 978.

<sup>58</sup> See also Y.U.N., 1948-49, p. 490.

<sup>59</sup> For the full list of statistical series, see Transport and Communications Commission—Report of the Fourth Session (E/1665), p. 8.

<sup>60</sup> See Y.U.N., 1948-49, pp. 489-90.

advise the Council on steps to reach agreement on a uniform system. A draft resolution endorsing these recommendations was prepared by the Secretary-General and submitted to the Council (E/1559), together with a statement on the financial implications (E/1559/Add.1), based on a suggestion that the Commission be assisted by a number of experts, not exceeding seven.

The draft resolution asked the Council to instruct the Commission accordingly.

The Director of the Division of Transport and Communications, reviewing the report of the Secretary-General at the 347th plenary meeting of the Council on 8 February 1950, informed the Council that by 31 December 1949, a total of 21 Governments had signed the Convention on Road Traffic, sixteen had signed the Protocol on Road Signs and Signals and seventeen had signed the Protocol concerning Countries or Territories at Present Occupied—the three principal instruments prepared and opened for signature by the Conference.

During the discussion, The United States representative, who supported the recommendations of the Conference, said he had serious misgivings concerning the financial implications of the meetings of the proposed body of experts (E/1559/Add.1). It would appear from the document, he said, that the experts might meet over a period of years and constitute a new and costly permanent organization. The experts, he suggested, should hold no more than one or two meetings; on the basis of their findings, an ad hoc international conference might prepare and sponsor a new international convention. The United States representative was supported in this view by the representative of Australia. The Director of the Division of Transport and Communications, however, informed the Council that it was intended to hold one meeting of experts in 1950 and not more than one or two in 1951, at which it was hoped that a basis would be found for the conclusion of a convention at an international conference. A uniform world-wide system of road signs and signals was of paramount importance for the safety of road transport. In the light of this explanation the representative of the United States withdrew his objections and the draft resolution (272 (X)), approving the recommendation, was adopted unanimously by the Council.

In the same resolution, the Council also endorsed the recommendation of the Conference that the Transport and Communications Commission should review periodically developments concerning international road transport and advise the

Council further on what international action would be desirable, whether by a conference or otherwise.

In accordance with this decision of the Council, the Commission, at its fourth session, adopted a resolution (E/1665), requesting the Secretary-General, in consultation with the Chairman of the Commission, to designate not more than seven experts with particular knowledge covering conditions in the various geographical regions of the world, who should meet for the purpose of studying the problem of devising a unified world-wide system of road signs and signals and preparing a draft convention embodying such a system, and who should report back to the fifth session of the Commission. It was envisaged that experts conversant with conditions in Africa, Asia and the Far East, Europe, the Middle East, North America and South America would be designated. The Commission, furthermore, expressed the hope that while the matter was under consideration by the experts and the Commission, Governments would not take any action which would prevent them from accepting a unified system of road signs and signals on a world-wide basis.

The first session of the group of experts was held at New York from 20 November to 20 December 1950 (E/CN.2/94; E/CN.2/CONF.1/3). The group made a field trip through ten states of the United States to see the practical application of the American system of road signs, signals and markings. It prepared a survey of the existing situation (E/CN.2/CONF.1/3), which included a summary of the systems in operation in Africa, Asia and the Far East, Europe, the Middle East, North America and Central and South America, together with a report of general considerations regarding the unification of road signs and signals. The next session was to be held in the early summer of 1951, at the European Office of the United Nations.

#### b. OTHER PROBLEMS OF INTERNATIONAL ROAD TRANSPORT

The Commission at its fourth session considered a report by the Secretary-General (E/CN.2/76 & Corr.1. & Add.1-2) which, inter alia, summarized developments with respect to those further problems relating to international road transport which had been brought to the attention of the Commission at its third session, in particular: customs formalities, civil liability and compulsory insurance, fiscal charges, freedom of movement in international road transport and the road trans-

port contract.<sup>61</sup> With reference to the question of customs formalities, the Commission was informed of the conclusion, in June 1949, under the auspices of the ECE, of an Agreement for the Provisional Application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road.

Members of the Commission suggested that the following additional subjects should be included, for the information of the Commission, in the Secretary-General's next report to the Commission on problems of international road transport:

- (1) Driver-licensing regulations and practices;
- (2) right or left traffic rule;
- (3) motor car headlamp requirements;
- (4) road development in under-developed areas;
- (5) transport of dangerous goods. It was suggested that the last problem should be studied with regard not only to road transport, but simultaneously with regard to transport by sea and air.

The Commission stated the opinion (E/1665), that no international action of a world-wide character needed to be initiated pending a review of the situation by the Commission at its fifth session, and expressed its satisfaction with the conclusion by the United Nations Conference on Road and Motor Transport of the Convention on Road Traffic and the Protocol on Road Signs and Signals and with the conclusion, under the auspices of ECE, of the agreement for the provisional application of three draft international customs conventions relating to road transport. The Commission recommended however, that the Council draw the attention of Governments which were invited to attend the United Nations Conference on Road and Motor Transport to the desirability of ratifying the Convention on Road Traffic at an early date. The recommendation was unanimously adopted by the Economic Committee at its 83rd meeting. The Council, at its 386th meeting on 12 July 1950, unanimously and without discussion adopted a resolution to this effect (298 I (XI)). A draft resolution (E/L.58), submitted in connexion with this resolution, was considered in connexion with the question of inland transport (see below).

## 7. Problems in the Field of Inland Transport

### a. CO-ORDINATION OF INLAND TRANSPORT

The Commission, at its fourth session, noted a report by the Secretary-General on the subject of co-ordination of inland transport (E/CN.2/69 & Corr.1). It drew attention to a study which had

been undertaken by ECE and to steps taken in various countries with respect to the co-ordination of inland transport since the third session of the Commission.<sup>62</sup>

During the discussion by the Commission, the opinion was expressed by some members of the Commission that, while the principle of co-ordination (namely, the most economical use of the various forms of transport) was the same in all countries, the conditions of its application varied from country to country and from region to region. The relationship between the national and international treatment of the problem of co-ordination was discussed and the opinion was expressed that the problem on an international basis was, in part, that of harmonizing national co-ordination policies (E/1665). The representative of the United Kingdom, however, felt that divergent regional solutions might hamper world trade by according different treatment to the transport of the same commodities. He would have preferred to have the Secretary-General now issue a questionnaire to Governments on a world-wide basis, the replies to which should be analysed by the Secretariat with the assistance of outside experts. He submitted a questionnaire which might be used as a guide in this connexion (E/CN.2/91).

The Commission, however, did not feel that the Secretary-General should address inquiries to Governments at that time and adopted a resolution requesting the Secretariat to continue to study the problem; to follow the situation with respect to its treatment on the international and national levels; to report to the fifth session of the Commission and to recommend whether, and in what form, consultations with Governments concerning this problem should take place (E/1665).

The subject came before the Council at its 386th plenary meeting on 12 July 1950. The Council adopted at that meeting a draft resolution (298 H (XI)), recommended by the Transport and Communications Commission, and adopted by the Economic Committee at its 83rd meeting. In this resolution, the Council invited the regional economic commissions which had not already done so to study the question of co-ordination of inland transport in their regions and instructed the Secretary-General to arrange an exchange among the various regional economic commissions of their studies of the problem of co-ordination of inland transport.

This resolution had already been adopted by the Council when the representative of Peru sub-

<sup>61</sup> See Y.U.N., 1948-49, p. 490.

<sup>62</sup> See *ibid.*, 1948-49, pp. 488-89.

mitted a draft resolution (E/L.58) relating to international road transport. He said that in spite of the work carried out by the Conference on Road and Motor Transport, it had so far proved impossible to draft a Convention on road signs and traffic signals. He felt, therefore, that such problems should be taken up on a regional basis.

In the discussion that followed, the view was expressed that the Council might wish to await the result of the studies by the experts it had appointed (resolution 272 (X)—see above) before deciding that the problem should be dealt with at regional conferences.

The draft resolution submitted by the representative of Peru was then referred to the Economic Committee, which discussed the proposal at its 85th meeting on 14 July 1950. Some representatives felt, at that meeting, that the draft resolution which had been submitted in connexion with the resolution on international road transport (298 I (XI)), already adopted by the Council, overlapped with the resolution (also already adopted) dealing with the co-ordination of inland transport (298 H (XI)). At the suggestion of the representative of India, the draft resolution was amended to take the form of a recommendation to the Secretary-General in respect of the holding of regional conferences on inland transport. This was agreed to unanimously by the Committee.

At its 414th plenary meeting on 16 August 1950, the Council unanimously decided to add a paragraph (E/1778) to resolution 298 H (XI), recommending that the Secretary-General, as far as lay within his power, should grant any requests for facilities for the organization of conferences

for co-ordination of inland transport between countries belonging to a single geographical region.

#### b. REGIONAL PROBLEMS AND ORGANIZATIONS IN THE FIELD OF INLAND TRANSPORT

At its fourth session, the Commission reviewed (E/1665), on the basis of reports by the Secretary-General (E/CN.2/72 & Add.1; E/CN.2/73 & Add.1; E/CN.2/74 & Add.1), regional developments in the field of inland transport within the framework of the regional economic commissions, and also in regions where such commissions had not been established. In connexion with the review of the position of the regional economic commissions in 1951, the Chairman, on behalf of the members of the Commission, expressed confidence in view of the great value the Commission had always attached to regional transport bodies that the Commission would be consulted by the Council before any decisions involving the future of inland transport bodies were taken.

The Commission also took note that a conference on Central African Transportation Problems had been held in Lisbon in May 1949, and that, it had recommended, inter alia, the establishment of a permanent inter-territorial transport council, and had prepared the agenda for a plenary conference to be held in Johannesburg in October 1950. This Conference, which met from 25 October to 16 November 1950, drew up a draft constitution for the proposed permanent organization and forwarded it to Governments for further consideration.

## F. STATISTICAL ACTIVITIES

At its eleventh session, the Economic and Social Council had before it the report of the fifth session of the Statistical Commission (E/1696), held from 8-17 May 1950. The report covered significant developments during 1949-50 in the work of the Commission on: (1) the improvement of national statistics; (2) the development of a standard international trade classification; (3) the achievement of international comparability in index numbers of industrial production; (4) national income statistics; (5) social statistics; (6) indices of prices; and (7) transport statistics.<sup>63</sup> The report dealt further with the consideration by the Commission of interim reports of progress in its work on: (1) industrial classifica-

tion; (2) international trade statistics; (3) population and vital statistics; and (4) statistical sampling. The Commission also considered and made recommendations concerning an increase in its membership.

The report was discussed by the Economic Committee of the Council at its 83rd meeting on 7 July 1950. The report of the Committee to the Council (E/1753), which unanimously approved the Commission's recommendations in respect of: (1) standard international trade classification; (2) transport statistics; (3) index numbers of industrial production; (4) national income and social accounts; (5) social statistics; and (6) the

<sup>63</sup> See "Transport and Communications," p. 488

increase in membership of the Statistical Commission,<sup>64</sup> was considered by the Council at its 386th plenary meeting on 12 July 1950. All recommendations by the Committee were adopted at this meeting by the Council, unanimously and without discussion.

## 1. Improvement of National Statistics

The development of national statistics, and the organization of adequate national statistical systems, are basic elements of the terms of reference of the Statistical Commission. At its fifth session, the Commission reviewed the programme undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and by the International Statistical Institute towards developing a centre at Calcutta, which would include intermediate and advanced education in statistical theory and application, plans for fellowships and for translations of necessary texts and teaching materials where such facilities were deficient.

The Commission also reviewed the work done in pursuance of its previous recommendations, approved by the Council in resolution 231 D (IX), for a programme of advice and expert assistance to Governments seeking to improve their statistical services. The services provided by the Secretary-General, in collaboration with the specialized agencies, included the conduct of short-period training and demonstration centres; advice on the organization and content of national statistical services; provision for the training abroad of national statistical personnel, preparation of technical manuals and other training materials to assist countries in the conduct of census programmes and other phases of their statistical services (with particular emphasis upon the application of recommended statistical methods and international standards); and advice on methods of relating national statistical requirements to the needs of international organizations for statistical information. In connexion with the implementation of this programme, more than 250 technicians from 50 countries have participated in the training activities furnished.

The Commission noted the advantages in economy and effectiveness secured by the joint efforts of United Nations and the specialized agencies in the preparation and execution of technical assistance projects in the field of statistics, and felt that this experience provided a practical pattern for the continued development of assistance to Governments. In its recommendations to the Secre-

tary-General, the Commission emphasized the need for arrangements which would:

- (1) permit detailed advanced planning at the technical level among participating international organizations;
- (2) facilitate agreement well in advance of the initiation of particular projects upon detailed operational plans;
- (3) enable specific commitments to be made for the execution of technical assistance activities in statistics based upon such advance planning.

The Commission also urged the Secretary-General, in utilizing the resources allocated to the programme of technical assistance, to take into account the urgent unfilled needs in many countries for assistance in developing national statistical services and the benefits to be derived from expansion of facilities to provide such assistance.

In the implementation of this programme, the Secretary-General had responded to requests from Governments by assigning statistical consultants to Bolivia, Brazil, Burma, Chile, Colombia, Ecuador, Haiti, India, Iran, Lebanon, Libya, Pakistan, Paraguay, Peru, Thailand and Uruguay.

The Statistical Office had prepared technical manuals on statistical methods and procedures for use by national technicians in planning their own programmes as well as for use by the Office as a background for offering suggestions and advice. By the end of 1950, manuals had been and were being compiled in the fields of population censuses, statistical organization, industrial censuses, national income and vital statistics. This work was being expedited in response to General Assembly resolution 407 (V), which requested the preparation of guides for the assistance of underdeveloped countries in reporting on their full employment programmes and on the level of economic activity.

## 2. Standard International Trade Classification

The second in a series of basic systems of statistical classification, which the Statistical Commission had undertaken as part of its programme for the improvement of statistics, was submitted to the eleventh session of the Council (E/1696). This classification, the Standard International Trade Classification, was the result of three years of study by the Statistical Commission and the Statistical Office, assisted by groups of experts and taking into account the detailed comments on the successive draft classifications by statisticians of the specialized agencies and by most of the Gov-

<sup>64</sup> See p. 81.

ernments whose commodities form an important part in world trade.

The Standard International Trade Classification had been developed from the League of Nations Minimum List of Commodities for International Trade Statistics, in order to provide the widest measure of international agreement. It would serve three main purposes:

(1) many countries might adopt the new classification for their own external trade statistics in place of their present classification;

(2) other countries, while continuing to use their existing national system of trade classification, would be provided with an agreed international standard classification by which national statistics might be reclassified and thus made comparable with the international trade statistics of other countries;

(3) the regular reporting of trade statistics to international agencies could be done in terms of the Standard International Trade Classification.

At the 83rd meeting of the Economic Committee on 7 July, several representatives, including those of France and the United Kingdom, described the adoption of the Standard International Trade Classification as the most important achievement of the fifth session of the Commission. The classification—compiled with world-wide assistance from Governments, groups of experts and international organizations—represented the widest international agreement possible on the subject, they said.

The Council adopted resolution 299 B (XI), as follows:

The Economic and Social Council,

Taking note of the work done by the Statistical Commission during its third, fourth and fifth sessions, and the comments received from Governments and specialized agencies regarding the Standard International Trade Classification, and

Taking note that the classification recommended can serve as a basis for a systematic analysis of world trade and as a common basis for the reporting of trade statistics to international agencies, thus reducing the burden on Governments,

Urges all Governments to make use of this Standard Classification by:

(i) Adopting this system of classification with such modifications as may be necessary to meet national requirements, without disturbing the framework of the classification, or

(ii) Rearranging their statistical data in accordance with this system for purposes of international comparison.

### 3. Index Numbers of Industrial Production

The Statistical Commission, at its third session, requested the Secretary-General to review the League of Nations report (1939)<sup>65</sup> providing

guidance to countries intending to compile or to revise their indices of industrial production, taking into account the advances in the theory and practice of index number construction and the changes in industrial structure, and in the nature and amount of data available.

The report on this review (E/CN.3/86), presented to the fifth session of the Statistical Commission, took account of comments and suggestions made by Governments and international agencies on draft proposals prepared by the Statistical Office for the improvement and standardization of index numbers. The Statistical Commission, in its report (E/1696), made detailed recommendations on methods to be used in compiling index numbers of industrial production, proposing that Governments review their compilations of such index numbers utilizing the technical manual to be prepared by the Secretary-General for their guidance, in order to improve comparability with the indices of other countries. It was also recommended that Governments in whose countries industrial production was important should undertake to compile index numbers if they were not doing so. The Commission also formulated general suggestions which Governments might follow in determining the scope and methods of taking a census of industrial production for the purpose of, *inter alia*, providing the weights for an index on industrial production.

The Economic Committee of the Council, considering these proposals at its 83rd meeting on 7 July 1950, debated the procedure which should be recommended to Governments for revising their methods of calculation to improve the comparability of index numbers of industrial production. After the representatives of Chile, France and India had expressed themselves in favour of a clarification of procedure, the Committee decided to recommend further that the review by Governments of their compilation should be done "in consultation with the Statistical Office of the United Nations", and this recommendation was embodied in the resolution adopted by the Council (299 D (XI)).

### 4. National Income Statistics

Two studies on national income statistics by the Secretary-General<sup>66</sup> were reviewed by the Statisti-

<sup>65</sup> League of Nations Committee of Statistical Experts, *Indices of Industrial Production* (Studies and Reports on Statistical Methods, No. 6).

<sup>66</sup> *National Income Statistics of Various Countries, 1938-1947* (U.N.P., Sales No. 1948.XVII.2) and *National Income Statistics of Various Countries, 1938-1948* (U.N.P., Sales No. 1950.XVII.2).

cal Commission. The Commission recommended that the attention of Governments be drawn to the importance of periodic compilation of accounts of national income and expenditure and of the national accounts in general on an internationally comparable basis, and that those Governments in course of preparing tables of national income and expenditure and national accounts should review their compilations in order to improve comparability with the standard procedures proposed in the technical studies of the Secretariat. The Council adopted resolution 299 E (XI), endorsing the recommendations of the Statistical Commission.

## 5. Social Statistics

A preliminary survey of social statistics (E/CN.3/100), prepared by the Secretariat at the request of the fourth session of the Statistical Commission, reviewed the need for more adequate statistical data on social questions and the difficulties of devising satisfactory procedures for the collection and compilation of such statistics.

The Statistical Commission, in view of the importance of social statistics to the work of the Council and its Commissions, recommended that, in the programmes of the Statistical Office and the statistical services of the interested specialized agencies, greater emphasis be given to social statistics and their adequacy and comparability. The recommendations of the Statistical Commission for a programme of work to be undertaken by the Secretary-General, with the assistance of specialized agencies interested in the field of social statistics, was endorsed by the Council in resolution 299 F (XI). In this resolution, the Council asked the Secretary-General to survey the needs of the United Nations and other international agencies in the field of social statistics; to explore how these needs were being met by the United Nations and the specialized agencies, drawing attention to areas where more complete and comparable data were needed; and to investigate the availability and comparability of data not being collected by the United Nations and the agencies, compiling those most urgently needed, with appraisals of their accuracy.

## 6. Indices of Prices

At its fifth session, the Statistical Commission studied a preliminary report on indices of prices prepared by the Secretariat (E/CN.3/107 & Add.1). The Commission felt that the studies had

shown that the methods of construction of some wholesale price indices were not wholly appropriate, and that substantial changes in the practices of many countries might be necessary in order to revise the index numbers to meet current demands. The Commission, therefore, recommended that the Secretary-General continue to work on the problem of the construction of price indices and that special attention should be given to the means by which price index numbers might be compiled to measure price movements in various important categories of goods. The Commission further directed that a report be prepared, and, after review by the members of the Commission as to its suitability, be circulated to Governments and specialized agencies for comment, preparatory to a review of this problem by the Statistical Commission at a subsequent session (E/1696).

## 7. Reports of Progress in Statistical Development

### a. INDUSTRIAL CLASSIFICATION

The Statistical Commission received interim reports on several aspects of the programme of work it had drafted at its fourth session in 1949. In taking note of the progress of national Governments in adopting or applying the International Standard Industrial Classification of all economic activities recommended by the Economic and Social Council in resolution 149 A (VII), the Statistical Commission requested the Secretary-General to urge countries which do not adopt the International Standard Industrial Classification as their national standard to prepare and transmit to the Secretariat a convertibility index by means of which the items of their national classification may be identified in the terms of the International Standard (E/1696).

### b. INTERNATIONAL TRADE STATISTICS

In considering the problems of improving methods used in the recording of transactions in international trade, the Statistical Commission recommended the study of a series of related aspects of the problems of international trade statistics. The Secretary-General, in consultation with the appropriate specialized agencies, was urged to study the practices at present employed by Governments in recording transactions in international trade and to report to the Statistical Commission, at its next session, on the desirability of modification or expansion of the relevant provisions of the

International Convention relating to Economic Statistics (E/1696).

### c. POPULATION AND VITAL STATISTICS

The Statistical Commission reviewed the progress made in the study of the problems of improving registration methods and the compilation of statistics of births, deaths, marriages and divorces. Both the Population<sup>67</sup> and Statistical Commissions received an interim report (E/CN.3/95) from the Secretary-General on the work begun in this field under previous recommendations of the two Commissions and of the Economic and Social Council. The Commissions jointly recommended that the Secretary-General should complete this work and incorporate the findings in a "Handbook of Vital Statistical Methods" and, in co-operation with appropriate international agencies, prepare draft recommendations for the improvement and standardization of vital statistics (E/1696, E/1711). The Statistical Commission called attention to the need for developing alternate methods for the registration and collection of vital statistics, which would be suitable for adoption in countries with less well developed statistical systems.

## 8. Statistical Sampling

The report of the third session of the Sub-Commission on Statistical Sampling (E/CN.3/83), considered at the fifth session of the Statistical Commission, dealt with a series of technical problems in statistical sampling relating to the work of the Statistical Commission, as well as problems raised by the specialized agencies. Among these were the application of sampling methods in preparing the organization and procedures for a complete census of population and for tabulating the results obtained; in developing reliable estimates of agricultural crops and in forecasting agricultural yields; in collecting manpower statistics; and in developing information necessary for the construction of estimates of national income and social accounts. As part of the broad programme of the Statistical Commission in improving the education and training of statisticians, the Sub-Commission considered the scope and content of advanced courses of instruction in statistical sampling. At the request of the Universal Postal Union, the Sub-Commission gave its preliminary advice on sampling methods which might be used in the collection of information on postal traffic.

The Statistical Commission recommended the Sub-Commission to continue to give attention to the problems raised by the specialized agencies and requested the Secretary-General to prepare detailed and full documentation on the sampling problems on which the advice of the Sub-Commission was sought (E/1696).

## 9. Statistical Publications of the Statistical Office

The Statistical Office as the executive agency of the Statistical Commission and the Sub-Commission on Statistical Sampling continued its activity in the various branches of statistics during 1950. During that year, the publication programme of the Statistical Office was as follows: Enlarged editions of the Statistical Yearbook<sup>68</sup> and the Demographic Yearbook<sup>69</sup> appeared, presenting the important economic, social and demographic statistical series at present publicly available in the world. The preparation of a Yearbook of International Trade Statistics proceeded. A Summary of World Trade was issued at quarterly intervals and trade-by-country data were given in a monthly publication, Direction of International Trade, issued jointly by the Statistical Office, the International Monetary Fund and the International Bank for Reconstruction and Development. National Income Statistics of Various Countries, 1938-1948<sup>70</sup> was issued covering that period. A further report containing less detailed statistics but including many more countries, National and Per Capita Income of Seventy Countries in 1949, was also issued. The Monthly Bulletin of Statistics was expanded and major emphasis was placed on the adaptation of national series to the new standard definitions and concepts developed by the United Nations and specialized agencies. A second edition of the Supplement also appeared during 1950. A quarterly publication, Population and Vital Statistics, giving population estimates, was introduced to supplement the Demographic Yearbook. In the field of sampling, reports on Sample Surveys of Current Interest appeared in the Statistical Papers Series C.

## 10. Transfer of Responsibility for Economic Statistics under 1928 Convention

The amendments to the International Convention relating to Economic Statistics (1928) which appear in the annex to the Protocol signed at Paris on 9 December 1948, entered into force on 9 October 1950 when the fifteenth State signed the Protocol.

<sup>67</sup> See pp. 624-25.

<sup>68</sup> U.N.P., Sales No. 1950.XVII.3.

<sup>69</sup> U.N.P., Sales No. 1951.XIII.1.

<sup>70</sup> See p. 492.

## G. FISCAL QUESTIONS

The Fiscal Commission did not meet in 1950, its third session having been scheduled for May 1951. Accordingly, the Secretariat continued in the fiscal field the work that had been initiated by the Fiscal Commission at its second session and endorsed by the Economic and Social Council in its resolution 226(IX).<sup>71</sup> In addition, the Secretariat undertook a number of tasks in this field in connexion with the expanded technical assistance programme<sup>72</sup> and with the requirements of regional commissions.

In response to resolution 226(IX), the Secretariat prepared for publication early in 1951 Volumes II and III of the Collection International Tax Agreements.<sup>73</sup> Volume II contains the texts of more than 100 new agreements for the avoidance of international double taxation and the prevention of fiscal evasion, signed during 1949 and 1950. Volume III presents for the first time a comprehensive analysis of the status of all known international tax agreements, giving full information not only on such technical matters as dates of signatures, ratification, modification, suspension and termination, but also on such substantive matters as the scope of the agreements (often including an exhaustive enumeration of the types of taxes covered), their extension to dependent territories and their integration in the domestic tax systems of the contracting countries through implementing laws and regulations.

In the field of technical assistance, the work of the Secretariat in the fiscal field has greatly increased under the expanded programme. Experts were selected and briefed so that they could bring to the requesting country the cumulative experience not only of their own home country, but also of the other fiscal systems on which information and experience are available at United Nations Headquarters. Technical assistance through fiscal experts was granted in 1950 to Chile, Bolivia, Ecuador, Haiti and Iran.

Improvement of public finance statistics which was called for in the report of the Statistical Commission at its fifth session, endorsed by the Economic and Social Council in resolution 299 E (XI),<sup>74</sup> has become a matter of greater concern to the Secretariat, especially in view of various requests for technical assistance relating to budgetary organization. A first study, *Budgetary Structure and the Classification of Government Accounts*,<sup>75</sup> which was prepared for release early in 1951, discusses the most effective forms of budget

presentation permitting a periodic appraisal of the economic effects of governmental financial transactions. Individual case studies analysing the most significant features of the budget systems of Italy, Sweden, the United States and the USSR are added in appendix form. Further studies are planned on the preparation, execution and review of the budget.

The Secretariat has continued to build up its public finance information service. It has continued to issue fiscal information concerning budgetary data, taxation and the public debt; it has been evaluating the effects of fiscal developments in the light of their international implications, testing the applicability of modern fiscal techniques to less developed areas.

Two new series of country studies, *Public Finance Information Papers (ST/ECA/Ser.A)* and *Public Finance Surveys (ST/ECA/Ser.B)*, were initiated; the first is intended to evaluate the public finances of individual countries, with special emphasis on comprehensive and detailed tables in which total expenditures, receipts and the public debt are sub-classified as far as possible into economically meaningful categories. Papers dealing with Egypt, Colombia and Italy were published during 1950, with further papers on Iran and Iraq scheduled for early 1951.<sup>76</sup>

The public finance surveys are more comprehensive case studies. The first country survey, *Venezuela*, which was to be published early in 1951,<sup>77</sup> was selected to analyse the nature and effect of a number of fiscal reforms undertaken at a time when that country was in the process of major economic development.

At the request of the regional economic commissions, public finance chapters were contributed to the economic surveys for Latin America in 1950 and for Asia and the Far East in 1949<sup>78</sup> and 1950. These chapters contain an up-to-date set of data which show in particular the important changes in tax structure as well as the Government contribution to capital formation. They give a report on relevant fiscal developments and general trends in the area during the year. While the

<sup>71</sup> See Y.U.N., 1948-49, p. 491.

<sup>72</sup> See pp. 452-53.

<sup>73</sup> U.N.P., Sales Nos. 1951.XVI.1 and 5, respectively.

<sup>74</sup> See pp. 493-94.

<sup>75</sup> U.N.P., Sales No. 1951.XVI.3.

<sup>76</sup> *Public Finance Information Papers: Iran, Iraq, Egypt, Colombia, Italy.* U.N.P., Sales Nos. 1951.XVI.4, 6, 7, 8, 9, respectively.

<sup>77</sup> U.N.P., Sales No. 1951.XVI.2.

<sup>78</sup> See pp. 515-16.

1949 survey for Asia and the Far East had already been published by the end of 1950, the 1950 surveys for the two regions were scheduled for publication in the first half of 1951.

In preparing the country tables contained in the public finance chapter of the Statistical Yearbook 1949-50,<sup>79</sup> a number of refinements were introduced and the number of countries covered was increased. The data continued to show overall results based on official documents. In addition, another series of annual data is given, based on the replies to a public finance questionnaire issued by the Secretariat jointly with the International Monetary Fund, in the case of a number of countries. They furnish a comprehensive picture of the cash operations of central Governments, results of monetary operations, foreign grants, cash balance, borrowings and public debt. Similar tables on an annual and monthly basis currently appear in the International Financial Statistics of the International Monetary Fund.

In the Statistical Yearbook 1950-51, it is intended to give additional data for certain coun-

tries, by breaking down total expenditure and revenue into significant categories.

Replies of Member Governments to the questionnaire on tax treatment of foreign nationals, assets and transactions continued to be received and published (E/CN.8/46 & Addenda); they served as source material for the tax studies of the Secretariat. In February 1950, a study was published entitled *The Effects of Taxation on Foreign Trade and Investment*,<sup>80</sup> which analysed the problem in terms of the role which tax measures can play in furthering economic development by producing Government revenue for the financing of development projects, by stimulating foreign and domestic investment and by eliminating tax barriers, especially those arising from international double taxation. A more specific study on the taxation of corporate profits and dividends has been initiated with special emphasis on the problem of corporate taxation in under-developed countries.

The Secretariat has continued to enlist the co-operation of outside experts as consultants participating in the preparation of its fiscal studies.

## H. REGIONAL ECONOMIC COMMISSIONS

### 1. Economic Commission for Europe (ECE)

The Economic Commission for Europe held its fifth session from 31 May to 15 June at Geneva.<sup>81</sup>

It considered, among other things, an over-all report of its Executive Secretary (E/ECE/114/Rev.1) on the Commission's work since its establishment by the Economic and Social Council on 28 March 1947. The report stated that the activity of the Commission had been given momentum by the earlier work of the Emergency Economic Commission for Europe, the European Coal Organization and the European Central Inland Transport Organization. It was aided further by the existence in Europe of strong, experienced governmental administrations and well-organized statistical services, and by the closeness and interdependence of European economies. It was in the common interest to maintain such an instrument of regular consultation.<sup>82</sup>

The ending of shortages caused by the war uncovered more fundamental issues calling for European economic co-operation, the report stated. At this time, the outlook of the committees of

the Commission was characterized by five main themes:

- (1) Seeking a solution for the over-all problems of European industries: national development, the report recognized, is not parallel;
- (2) the need for Europe to reduce costs of production;
- (3) the problem of market organization;
- (4) Europe's shortage of dollars, despite increased production;
- (5) the problem of bilateral agreements and their effect on trade between the countries of Europe, as well as on the trade of Europe with the outside world.

<sup>79</sup> See p. 495.

<sup>80</sup> U.N.P., Sales No. 1950.XVI.1.

<sup>81</sup> For the work of the Commission prior to 1 Jan. 1950, see Y.U.N., 1946-47, pp. 481-84; 1947-48, pp. 523-30; and 1948-49, pp. 498-509. For the Commission's terms of reference, see E/CN.10/1.

<sup>82</sup> Under its resolution establishing the Commission (36(IV)), the Council was to decide by the end of 1951 whether the Commission was to be continued, and, if so, what changes, if any, were to be made in its terms of reference. In August 1950, under resolution 295 B (XI), the Council set up an ad hoc committee to review the organization and operation of the Council and its commissions. On 1 December 1950 the General Assembly noted the decision of the Council and expressed the opinion "that the regional and economic commissions should be maintained although their organization and terms of reference may have to be revised" (resolution 409 A (V)).

The Commission (E/1674) reviewed the work done, as outlined in the report, mapped out future work programmes for its committees, and, in some cases, revised the terms of reference of committees to place more emphasis on long-term development problems rather than on post-war reconstruction tasks. Discussion of the economic situation in Europe showed that further strides had been made and the back of post-war reconstruction work had been broken. Nevertheless, the general feeling was that new problems faced the European economy which were almost if not altogether as serious as those arising directly out of the war. Major problems discussed were: methods of increasing intra-European trade; the attainment of equilibrium in the balance of payments; possible new export markets for European products; the elimination of unemployment where it existed; the modernization of agricultural methods; and methods of increasing industrial productivity and output. The Commission requested the Executive Secretary to develop the exchange of technical information and technical assistance services, such activities to be co-ordinated with the technical assistance activities administered by the Secretary-General. It also authorized the Executive Secretary to proceed with consultations and studies on financial problems and factors affecting international price movements in Europe, including monopolies, cartels and State trading.

Representatives expressed general approval of the over-all work of ECE. The Commission deplored unanimously, however, what it considered the negative results achieved by the Committees on the Development of Trade, Manpower and Agricultural problems. Members of the Commission welcomed the efforts of the Executive Secretary to promote a general agreement on grain in the first place and perhaps other commodities later.

#### a. SUBSIDIARY BODIES OF THE COMMISSION

The subsidiary bodies<sup>83</sup> of the Economic Commission for Europe at the end of 1950 were as follows:

##### Committee on Agricultural Problems

- (a) Working Party on the Standardization of Perishable Foodstuffs

##### Coal Committee

- (a) Coal Trade Sub-Committee
- (b) Sub-committee on Economic and Technical Problems
  - (i) Classification Working Party
  - (ii) Utilization Working Party

- (iii) Production Working Party

- (c) Statistics Working Party

##### Committee on Electric Power

- (a) Liaison Group
- (b) Hydro Working Party
- (c) Thermal Working Party
- (d) Working Party on Requirements and Interconnections
- (e) Statistical Working Party
- (f) Group of Experts for the Study of Legal Questions

##### Industry and Materials Committee

- (a) Housing Sub-Committee
  - (i) Working Party on Technical Problems
  - (ii) Working Party on Programmes and Resources
  - (iii) Building Research Organising Committee
- (b) Consultations with Experts on the Engineering Industry
- (c) Ad hoc Working Party on Contract Practices in Engineering
- (d) Ad hoc Study Group on Compilation of Machine Tool Glossary

##### Inland Transport Committee

- (a) Sub-committee on Rail Transport
  - (i) Group of Experts to Study a Uniform System of Accountancy on Main Line Railways
  - (ii) Group of Experts for the Renewal of Rolling Stock
  - (iii) Working Party on Currency Problems
  - (iv) Working Party on Tariffs
- (b) Sub-committee on Road Transport
  - (i) Working Party on Main International Traffic Arteries
  - (ii) Working Party Dealing with Legal Questions
  - (iii) Working Party on the Development and Improvement of the Transport of Passengers and Goods by Road
  - (iv) Working Party on the Prevention of Road Accidents
  - (v) Working Party on the Transport of Dangerous Goods by Road
  - (vi) Ad hoc Working Party on Road Signs and Signals and the Rules of the Road
- (c) Working Party on Regulations Governing the Related Operations Regarding the Handling of Dangerous Goods
- (d) Group of Experts on the Transport of Dangerous Goods by Inland Waterways
- (e) Working Party on the Transport of Perishable Foodstuffs
  - (i) Sub-group on the Transport of Perishable Foodstuffs by Rail
  - (ii) Sub-group on Refrigerated Road Transport Equipment
  - (iii) Sub-group on the Standardization of Packaging and Conditions of Transport
- (f) Working Party of Experts on Statistical Information
- (g) Working Party on Co-ordination of Transport Manpower Committee (no permanent subsidiaries)

##### Steel Committee

- (a) Panel on Scrap
- (b) Working Group of Experts on Iron Ore
- (c) Panel of Statistical Experts

<sup>83</sup> Terms of reference may be found in E/ECE/I/14/Rev. 1, App. III; revisions to the terms of reference of the Steel and Timber Committees in E/1674.

Timber Committee

- (a) Ad hoc Working Party on the More Rational Utilization of Wood

Ad Hoc Committee on the Development of Trade (no permanent subsidiaries)

(1) Committee on Agricultural Problems

The Committee on Agricultural Problems, established at the fourth session of the Commission in May 1949, held its first session in October 1949.<sup>84</sup>

At its second session in March 1950, it decided:

(a) to continue its study of measures for helping holders of small and medium-sized farms, by means of granting credit and promoting modern farming techniques, with an additional item dealing with the tenancy aspects of small and medium farmers;

(b) to complete its study of livestock feedingstuffs and fertilizers with a study, of prices dealing with the relationship of prices of coarse grains and the main livestock products (milk, pigmeat and eggs), and, in the second instance, the relationship of prices of fertilizers and the principal vegetable products.

The Committee, however, was unable to agree at its second session, held from 20-25 March 1950, on an appropriate procedure for undertaking work on intra-European trade in agricultural products.

The Committee continued work on the standardization of perishable foodstuffs.

(2) Coal Committee

The Coal Committee, which first met in November 1947, had held nine sessions by January 1950.<sup>85</sup> Its work had been in the following main fields:

It had recommended allocations of solid fuels available for export; it had made certain technical studies, notably on the efficient utilization of solid fuels and coal classification; it had kept under review the supply position of mining equipment and pitwood with the object of promoting the increase of coal production; it had collected coal statistics and introduced regular forecasts of the future solid fuel situation.

Until its eleventh session on 26-27 May 1950, the main operating function of the Coal Committee was that of recommending allocations of solid fuels in the common interest of Europe. Under the system which was then in force, the Allocations Sub-Committee recommended separate quarterly allocations of ten qualities and types of solid fuels. During the coal scarcity of the immediate post-war years, the allocations system ensured the fair distribution of available solid fuel supplies and played a direct part in the process of European industrial recovery.

By the middle of 1950, however, it appeared that Europe had virtually regained self-sufficiency in solid fuels. The Coal Committee therefore discontinued its allocation system and replaced its Allocations Sub-Committee and Working Party

by a Coal Trade Sub-Committee, to which it gave the function of reviewing the flow and pattern of the European coal trade at regular intervals, and the competence to make recommendations on any matters affecting the European coal market.

The new system of review of the demand and supply situation of solid fuels, which replaced the old allocations procedure, underwent its first practical test during the last half of 1950 under conditions of a deteriorating supply position. By the autumn, a general scarcity was developing; coal production could not keep pace with a sharp rise in demand, which was due, in part, to increased industrial activity, particularly in the iron and steel industry. It was appreciated that if unequal sacrifices and hardships were to be avoided, some adjustment of the flow of trade would have to be accepted. Therefore, when the Coal Committee considered the position for the first quarter of 1951, at a meeting on 14 December 1950, suggestions for changes in existing trade patterns were discussed in detail, and agreement was reached on a more equitable distribution of available supplies.

In addition to the question of coal distribution, the Committee was concerned in 1950 with work in a number of other fields. It decided to study production and consumption trends, in pursuit of its general objective of bringing about a reasonable degree of equilibrium between solid fuel supply and demand. Coal production prospects in certain major producing countries and production programmes for five years ahead were examined; a general study of consumption trends was followed by the start of work on a series of studies on consumption trends in particular countries. The Committee also took up the question of coal prices in their general economic aspects; in particular, work began on a study of the chain of factors affecting the cost of coal to the consumer.

The Committee agreed, towards the end of 1950, to embark on a new programme of work in the field of solid fuel utilization and to develop the exchange of technical information on this subject. Further progress was made towards the establishment of an international coal classification system. Since a complete system, applicable to all hard coals, was in sight at the end of 1950, attention was turned to the question of introducing a simplified system, based on the complete system, for commercial and statistical use.

<sup>84</sup> See Y.U.N., 1948-49, p. 504.

<sup>85</sup> See Y.U.N., 1947-48, pp. 524-25; 1948-49, pp. 499-500.

Forecasts of production, exports, imports and consumption of coal and coke, made for a year ahead at a time, were carried on; the regular publication of the Monthly Bulletin of Coal Statistics and the Monthly Statistical Summary was also continued.

Production of hard coal in Europe in 1950 was about 558,000,000 tons and apparent consumption amounted to approximately 545,000,000 tons (including foreign bunkers). A total of approximately 13,000,000 tons was exported to extra-European destinations.

### (3) Committee on Electric Power

The Committee on Electric Power, established at the Commission's second session,<sup>86</sup> carried further in 1950 its assembly of technical information on particular electric-power projects and advanced its industrial, economic, and legal research into the basic problems of the general power supply in Europe (E/ECE/119). Its legal researches involved problems of hydro-electric development of rivers of common interest to neighbouring countries and national legislation concerning exchanges of electric energy across frontiers. Its studies of problems of production ranged from consideration of the gross potential water power resources of Europe to an economic analysis of the efficiency of daily pumping stations utilizing thermal energy during the night.

Production capacity of power in Europe, nevertheless, remained one of its prime considerations during 1950. Though war-damaged power installations in most countries had been restored by the beginning of 1950, the Committee felt that electric power production still lagged and that a shortage would still be felt in some parts of Europe after 1950 (E/ECE/EP/50). The growth of power capacity was restricted by commercial policy, payments and financing, the Committee said. It felt that flexibility in the regulations governing the exchange of power across frontiers would develop power resources to the best advantage.

By the end of 1950, the Committee was able to report a 13 per cent increase over 1949 in the use of electric power (E/ECE/127), mainly because many new hydro-electric and thermal plants were now operating.

### (4) Industry and Materials Committee

The Industry and Materials Committee, at the time of its fourth session in March 1950, had been primarily occupied with three broad areas of the European economy: engineering, building and industrial materials and chemicals.<sup>87</sup>

In March 1950, nearly all engineering products and industrial materials were in good supply. In Eastern Europe trade in engineering products was growing, particularly between Czechoslovakia and the USSR. In Western Europe, imports from the United States of America had fallen; France, Sweden, Switzerland and the United Kingdom were selling more on Western European markets. Even more noticeable was the increase in exports from Western Germany (E/ECE/117 & Add.1). But in the second half of 1950, with an increase in industrial production, the position changed. There were then shortages of engineering equipment (like machine tools), and of industrial materials (like coal, steel, non-ferrous metals, sulphur and textile fibres). The Committee decided, at its fourth session in March 1950, to recommend a programme of work on housing and the building industry, but it decided to postpone until the next session of the Commission a final recommendation on the future of the Committee on the engineering industry and on industrial materials.

This future programme, outlined in April 1950 (E/ECE/114/Rev.1) involved the recognition that the building of homes was one of the major unfulfilled tasks of reconstruction throughout Europe. The Committee chose to work in three main spheres: (1) the spread of technical and economic information, (2) consideration of the setting up of international organizations for the building industry, and (3) certain detailed economic studies.

The Committee noted that there was, at that time, no proposal for work on industrial products or raw materials within its terms of reference, except for future work on cement. The Commission, however, at its fifth session invited the Committee to appoint a special working party to plan work in fields other than housing and building. This working party met in Geneva, from 4-8 September 1950, and agreed on a programme dealing with engineering and industrial materials (E/ECE/IM/55).

Meanwhile, the Economic and Social Council had adopted, at its eleventh session (E/1823), a resolution (301 (XI)) approving a decision by the Economic Commission for Latin America on 19 June 1950 (E/CN.12/200), calling for a study on ways to expand trade between Latin America and Europe. The working party mentioned in the previous paragraph agreed that it was interested in the promotion of trade between

<sup>86</sup> See Y.U.N., 1947-48, p. 525; 1948-49, p. 500.

<sup>87</sup> See Y.U.N., 1948-49, pp. 500-1.

Europe and overseas areas and that the Committee should contribute to the joint ECE-ECLA study (E/ECE/IM/55). The Committee could assess technical factors affecting European exports of some engineering products to Latin America, particularly tractors and farm machinery. The working party also agreed to watch production trends and market developments; to continue its lists of engineering products available for export and to revise its first investigation of the elements of costs of engineering products; to recommend procedures for the provision, on requests from Governments, of technical information in connexion with Technical Assistance. It also agreed that the secretariat should prepare a document showing, in comparative form, the rate of tariffs on a limited number of engineering products in as many countries as possible and a list of documents relating to inquiries into the productivity of the engineering industry.

(5) Inland Transport Committee

The following are among the main achievements of the Inland Transport Committee by the beginning of 1950:<sup>88</sup> the reintroduction of the RIV (exchange of railway wagons); the conclusion of agreements on the lifting of restrictions on the freedom of the road; the drawing up of draft customs conventions on touring, on commercial road vehicles and the international transport of goods by road, which were put into force through a provisional agreement. The Committee also took steps to further the standardization of railway wagons, and began the publication of quarterly transport statistics.

At the beginning of 1950, the Committee was still examining the return and redistribution of rolling stock, identification of wagons, programmes for renewing and constructing rolling stock. It set up a working party to examine economic questions concerned with the Berne Convention—International Convention Concerning the Transport of Goods by Rail (CIM)—and the International Convention Concerning the Transport of Passengers and Baggage by Rail (CIV). It further considered ways of modifying the structure of European transport railway bodies with a view to eliminating duplications.

During 1950 the Committee was occupied with the definition of a general transport policy involving consideration of the related problems of the improvement of European communications, electrification of railways, and the co-ordination of transport investment programmes. The Committee also decided to deal with the problems

relating to the transport of dangerous goods by road and inland waterways.

The Committee was also occupied with over-all problems of tourist traffic,<sup>89</sup> the transport of perishable foodstuffs, statistics, particularly those relating to road transport, and the drawing up of a combined transport contract. The Committee initiated work on the co-ordination of transport, including studies on the cost of transport.

In rail transport, agreements on the restitution of rolling stock were concluded in May and June 1950, after negotiations between Government representatives of Belgium, France, the Netherlands, Poland and the authorities of the Occupation Zone of Western Germany. Action was taken which led to a reduction of the time spent by passengers at a number of frontiers. The Sub-Committee on Rail Transport continued studies on the better use of rolling stock, the modernization of long-distance passenger facilities, transport safety measures, standardization of rolling stock, the use of substitute materials, a programme for rolling stock renewal and a uniform system of accountancy for main line railways. A special working party examined currency problems involved in the payment of transport charges (E/ECE/127). At the fifth session of the Committee in September 1950, a draft agreement between international non-governmental railway associations for the co-ordination of activities was prepared and later signed by the organizations concerned.

In the field of road transport, the Sub-Committee was able to report that the agreements on the lifting of restrictions on the freedom of the road could now be regarded as being in force for an indeterminate period. Three agreements between European countries—on road signs and signals and on rules of the road; on weights and dimensions of vehicles; and on a Declaration on Main International Traffic Arteries—were signed in Geneva on 16 September 1950. Further, the Sub-Committee was working on problems connected with the implementation of the draft customs convention on commercial road vehicles. It initiated work on an international road transport contract and on civil liability and compulsory insurance for foreign motorists (E/ECE/144/Rev.1).

An annual bulletin of transport statistics was published in September 1950 for the first time, and the publication of quarterly bulletins on

<sup>88</sup> See Y.U.N., 1948-49, pp. 501-2.

<sup>89</sup> See pp. 483-84.

European inland transport statistics was continued.

**(6) Manpower Committee**

No meetings of the Committee were held during 1950, its programme having been taken over by the ILO in April 1948.

**(7) Steel Committee**

The Steel Committee, like ECE generally, was faced at first with problems of acute shortages immediately after the war. By 1950 the emphasis of its work had shifted and the main functions of its new programme (E/ECE/114/Rev.1) involved:

- (1) the exchange of information to help reduce costs and increase output;
- (2) the review of supplies of steel-making materials;
- (3) measures to increase consumption;
- (4) studies on manufacturing and marketing trends.

New terms of reference for the Steel Committee were adopted by the Council at its fifth session (E/1674). They were:

- (1) to pursue the examination of the supply position with regard to the principal raw materials and equipment of the iron and steel industry;
- (2) to collect and transmit all useful information concerning steel production and consumption trends, and the development of the principal factors in the costs of production;
- (3) to examine ways and means of increasing steel production and consumption, particularly in the underdeveloped countries;
- (4) to pursue its statistical work;
- (5) to undertake, in general, any studies which the committee might deem of importance;
- (6) to draw any appropriate conclusions arising from its work.

At its sixth session in March 1950, the Committee declared that its most urgent problems concerned measures to increase the consumption of steel and to reduce costs and the study of trends and the correlation of statistics (S/ECE/STEEL/48). During the first half of 1950, steel production in many European countries was close to capacity; in others it dropped to between 60 and 70 per cent. By the end of the year, however, production in the majority of countries was the highest ever attained. Crude steel produced in Europe in 1950 (excluding the USSR) reached 60,000,000 tons—5,000,000 tons higher than in 1949 (E/ECE/127). Foreign trade in steel products in 1950 increased by nearly 40 per cent for the four largest steel-producing countries. In 1951, the Committee estimated, the steel industry of Europe could produce over 69,000,000 tons if the supply of raw materials were adequate.

At its seventh session in November 1950, the Committee warned that there was a serious risk of an important deficit in coke supplies for 1951.

It decided to reconvene the Panel on Scrap, which had been kept in abeyance since 1949,<sup>90</sup> because of the increased demand for scrap and the depletion of reserves of war scrap. The Committee also decided to appoint a group of experts to consider supplies of iron ore, and recommended the publication of a quarterly bulletin of steel statistics for Europe, the first issue of which was published in December 1950. It further recommended close liaison with other regional commissions on the subject of steel (E/ECE/127). It adapted a scheme for promoting technical co-operation through reports on the trends in the technique of steel making.

**(8) Timber Committee**

The mandate to the Timber Committee, which began its work as a sub-committee of the Industry and Materials Committee,<sup>91</sup> concerned the serious shortages after the war. In 1950, it asked that its mandate be broadened to meet the changed situation and to enable it to recommend policy for the expansion of the timber industry in Europe. The Committee sought authority to continue collection and publication of statistics on primary forest products, to publish analyses of the timber market in Europe, to watch possibilities for the better use of wood and to maintain touch with the principal forest products. At its fifth session the Commission agreed to new terms of reference on these lines (E/1674).

The Timber Committee, at its seventh session, approved nine resolutions and made recommendations to Governments with a view to the more rational utilization of wood (E/ECE/TIM/35).

The temporary easing of the situation, however, began to give way to new shortages in 1950. Western and southern Europe were using more, and there was an active demand for overseas timbers. Since the first half of 1950 there had been a "sellers' market" for timber and wood pulp (E/ECE/127).

The Committee noted that, while it was forecast for 1951 that more timber would be available, estimates of import demands had increased. The estimated deficit for 1951 was between 445,000 and 847,000 standards. Circumstances seemed to point especially to the possibility of increased European imports from Canada and the United States, and perhaps also from the Soviet Union, in order to cover the deficit in European supplies of sawn softwood. The gap amounted to between 13 and 25 per cent of the import demand.

<sup>90</sup> See Y.U.N., 1948-49, pp. 502-3.

<sup>91</sup> See Y.U.N., 1948-49, pp. 503-4.

There was also, the Committee added, an estimated deficit of 5 per cent on the probable requirements of pitprops for 1951.

The supplies available for 1951, it realized, would have to meet the demands for increased consumption resulting from the expansion of the European coal production programme. Strong demand for mechanical and chemical pulp showed no sign of diminishing; it was therefore likely that the demand for pulpwood would remain active, and, therefore, the competition between pitprop and pulpwood uses for small-size roundwood seemed likely to continue.

An investigation, designed to cover the period from 1913 in a comprehensive study of timber trends, was begun during the summer of 1950. The project was undertaken as a joint work by the secretariats of ECE and FAO, and would continue through 1951.

#### (9) AD HOC Committee on the Development of Trade

No meetings of the Ad Hoc Committee on the Development of Trade were held during 1950. Its activities, however, were covered by the executive secretary of the Commission in his over-all report (E/ECE/114/Rev.1) to the Commission in April 1950.

The report said that the committee had not begun to function effectively. A procedural deadlock in 1949<sup>92</sup> led to the circulation of memoranda by the Executive Secretary, including a proposal for a multilateral European trade agreement (Aide Memoire of 2 November 1949—E/ECE/114/Rev.1, App. IV). The proposal involved, as part of the envisaged trade agreement, three main points:

- (1) long-term buying agreements by the Western countries for cereals from the Eastern countries;
- (2) a commitment by the Western countries that the proceeds of the sale of these products could be used to buy goods on an approved list;
- (3) arrangements for increased flexibility over payments.

No Government had expressed a view contrary to these proposals, the report said. It added that no further meeting of the Committee on the Development of Trade would be justified until a solid basis of agreement had been established by preliminary negotiations, such as those initiated by the secretariat.

#### (a) TRADE IN GRAINS

An ad hoc meeting of European countries interested in increasing their trade in certain grains was held at Geneva from 14-20 November 1950. It was attended by: Austria, Belgium, Bulgaria,

Czechoslovakia, Denmark, France, Greece, Hungary, Italy, Netherlands, Norway, Poland, Romania, Sweden, the USSR, the United Kingdom and the United States. Also at the meeting were observers from Canada, Finland, Switzerland, Turkey and Yugoslavia. In addition, the interests of the Byelorussian SSR and the Ukrainian SSR were represented by the USSR; Belgium represented the interests of Luxembourg and the United States represented the interests of the Western Zones of Occupation of Germany.

After an exchange of views and information on the requirements and availabilities for the current crop year and on the possibilities of negotiating some form of longer-term arrangements, the Meeting initiated a series of bilateral conversations which were to lead to agreements on meeting part of the importing countries' requirements for the current crop year.

The Meeting also agreed that the Executive Secretary should consult Governments as to the usefulness and timing of another meeting and if sufficient interest were shown, convene such a meeting in the spring or in the summer of 1951. (E/ECE/GRAIN/3, later incorporated in E/ECE/127, App.I).

#### b. ECONOMIC SURVEY OF EUROPE IN 1949

The Economic Survey of Europe in 1949,<sup>93</sup> published in May 1950, was the third prepared by the secretariat of the Commission. Since the publication of the last survey, the Commission had also begun to publish the Economic Bulletin for Europe, a regular quarterly review.<sup>94</sup>

The Survey, based on official statistics and statistical estimates made by the Secretariat, showed continued progress in production, investment and trade in most European countries. It concluded that the European industrial production could be increased by half in the next ten years, if employment and investment were kept at high levels. Such a development would broaden the basis of the whole process of economic development in later years.

It also considered that Europe could participate to its own advantage in the economic development of overseas countries, not only through its export of capital equipment, but also through the provision of financing. While the flow of capital from Europe in the form of debt repayment and new funds entailed some disadvantages, it had made a

<sup>92</sup> See Y.U.N., 1948-49, pp. 504-6.

<sup>93</sup> U.N.P., Sales No. 1950.II.E.1.

<sup>94</sup> See Y.U.N., 1948-49, p. 506.

major contribution to underdeveloped countries abroad.

The Survey dealt mainly, however, with immediate threats to the expansion of production and trade. Failure to receive a much greater volume of capital goods from Western European sources could seriously retard economic development in Eastern Europe. For Western European countries, the current low level of trade with Eastern Europe limited the area within which trade could be established to solve the dollar problem.

The Survey added that another threat to economic growth lay in the failure of a number of countries to use manpower effectively. Relatively full employment should be the main aim of the future. The gravest threat to continued economic stability and growth in Western Europe appeared, however, to be its overseas payment problem. The report concluded that devaluation of sterling and of many other currencies was unlikely to solve the central problem of the dollar shortage.

The Survey also concluded that "a severe downward balancing of dollar transactions will be inevitable" when the present extraordinary United States financial assistance to European and other countries comes to an end. If action were taken at once to develop production in Europe and in other overseas sources of supply, most European countries might be able to adapt themselves to a lower level of dollar imports. The basic instability encouraged national measures of self-protection and gave further impetus to the development of bilateral trade.

Details of trends of production in both agriculture and industry were analyzed by the Survey. It dealt with the allocation of resources—with changes in real income, the level and pattern of consumption, of capital formation. It discussed internal stability and employment, intra-European trade and payments, the balance of payments and overseas trade. Its analysis contained a special study of prices, devaluation and terms of trade, of "the continuing problem of international disequilibrium" and of the prospects of expansion in European production.

### C. DISCUSSION BY THE COUNCIL OF THE COMMISSION'S REPORTS

The Economic and Social Council discussed the annual report of the Commission (E/1674), at its 398th plenary meeting on 11 July 1950, during its eleventh session at Geneva. The Council had before it also the financial estimate (E/1674/Add.1), the report of the Executive Secretary on the future work of the Commission (E/ECE/

114/Rev.1) and the Economic Survey of Europe in 1949 (E/ECE/116/Rev.1).

During the discussion, the Executive Secretary reported that considerable agreement had been reached by the Commission and that the potentialities of inter-regional co-operation were substantial. He added, in replying to the debate, that an increase of trade between Eastern and Western Europe would raise European standards of production, investment and consumption and would help solve the problem of the dollar shortage. The Commission, he said, agreed that every effort should be made to improve trade between Eastern and Western Europe.

Representatives approved the work done by the Commission, particularly its research and the publication of regular Bulletins and Economic Surveys of Europe.

Two main points were raised in the discussions: the co-operation of member States in aiding the work of the Commission and the regional aspect of its work.

Several representatives, including those of Denmark, France and the United Kingdom, emphasized that greater participation by member countries would help raise the potentialities of both the Commission and its subsidiary committees.

The representatives of Canada, Chile, India and Pakistan drew attention to the regional aspect of the Commission's work. The Canadian and Indian representatives asked that regional development should be used to complement wider associations and that the trend to self-sufficiency should not become a trend toward exclusiveness. Europe, it was contended, should not look too much to itself for the expansion of its economy, but should take into account the broader aspects of those problems.

Both India and Chile urged the establishment of close links between the regional commissions of the United Nations. Chile asked the Commission to expand and intensify trade exchanges between Europe, Asia and Latin America.

The Council unanimously adopted a resolution 300 (XI) noting the Annual Report of the Commission (E/1674) for the period between 22 May 1949 and 14 June 1950, and recommended the allocation of funds to implement decisions of the fifth session of the Commission.

## 2. The Economic Commission for Latin America (ECLA)

The Economic Commission for Latin America (ECLA), established by the Economic and Social

Council at its sixth session in March 1948 (resolution 106(VI)), had held two sessions<sup>95</sup> by 1 January 1950. At this time it was committed to a work programme which involved the preparation of the Economic Survey of Latin America, 1949 (E/CN.12/164) as well as other studies, including studies of agriculture, economic development, foreign trade, technical training and assistance and relations with the Inter-American Economic and Social Council.

The work of the secretariat of the Commission between the second session at Havana, in May-June 1949, and the third session at Montevideo, in June 1950, was described in the second annual report (E/1717 & E/1762). It showed that the Commission was in consultation with specialists in Latin American countries for the collection of statistical data, and emphasized the collaboration with specialized agencies of the United Nations, including FAO, Fund, Bank, ILO, UNESCO, WHO, as well as the Inter-American Economic and Social Council. The report, which covered the period from 15 June 1949 to 21 June 1950, was adopted by the Commission at its third session.<sup>96</sup>

#### a. STUDIES AND REPORTS

The secretariat of the Commission completed and presented to the Commission's third session in June 1950 a number of studies and reports.

Among these were the Economic Survey of Latin America, 1949 (see below), which dealt with problems of disequilibrium, both internal and external, which have come about with the growth of the Latin American countries, and analysed the salient features of the process of economic development in those countries.

A report entitled Trade Trends and Policies of Latin American Countries (E/CN.12/165) presented data on trade trends, showing that Latin American trade with Europe had not recovered its pre-war level and that there was a decrease in both exports and imports with Europe in 1949 as compared with 1948. The report also presented statistics on intra-regional trade, discussing the possibilities of increasing such trade in relation to the future development of these countries. It analysed the effect of policies in some Latin American countries on external trade and on certain aspects of their internal economies. It concluded that tariffs and currency depreciation had been less effective as a means of equilibrating balances of payments and protecting local industry than quantitative controls on imports, which had been made imperative by world economic

conditions during the last two decades and by the need to accelerate economic development.

A study of foreign investments—Economic and Legal Status of Foreign Investments in Selected Countries of Latin America (E/CN.12/166 & E/CN.12/166/Add.1-9)—was undertaken in collaboration with the United Nations Department of Economic Affairs and with the assistance of the secretariat of the Inter-American Economic and Social Council. Countries included in the study were Argentina, Brazil, Chile, Colombia, Cuba, Guatemala, Mexico, Uruguay, and Venezuela.

The FAO-ECLA Co-operative Unit, established in September 1949,<sup>97</sup> completed a study entitled Agricultural Credit in Central America (E/CN.12/167). As a result of the unit's study of agricultural credit institutions and policies in various Central American countries, a number of suggestions were made to individual Governments. The principal suggestions were:

That steps should be taken to develop expert personnel in the field of agricultural credit administration; that Governments, through their banking institutions, should consider the desirability of making larger sums available for agricultural credit; that steps should be taken to develop credit-worthiness of small producers; and that an endeavour should be made to establish uniform procedure in credit administration. A suggestion was made that the third session of the Commission should call a meeting of agricultural credit experts in Central America to consider ways of carrying out suggestions made in the report.

A report on immigration (E/CN.12/169 & E/CN.12/169/Add.1-3) gave an account of the role of immigrants in the economic development of Brazil, Chile and Venezuela, the Governments' policies and plans for future immigration and the needs of each of the countries for immigrants according to broad occupational classifications.

The secretariat was also occupied during 1950 with a study of cyclical fluctuations, requested by the second session of the Commission in a resolution on economic development (E/1330/Rev.1), and with a study of productivity of the cotton textile industry in selected Latin American countries. Research for this latter study was conducted by experts in Brazil, Chile, Ecuador, Mexico and Peru.

A paper on technical assistance (E/CN.12/171), produced in collaboration with the United

<sup>95</sup> For details of the 1st and 2nd sessions of the Commission, see Y.U.N., 1947-48, pp. 541-42; 1948-49, pp. 519-21.

<sup>96</sup> Details of resolutions adopted by the Commission at its third session are given in E/1762.

<sup>97</sup> See Y.U.N., 1948-49, p. 519.

Nations Department of Economic Affairs, gives an account of the action taken pursuant to resolutions on this matter. The secretariat of ECLA collaborated with the operational units of the United Nations Secretariat, and particularly in the preparatory work in connexion with United Nations, technical missions to Latin American countries. The secretariat also collaborated in both the 1950 Programme of Economic Development Fellowships under a resolution of the General Assembly (200(III)) and the programme of Public Administration Fellowships and Scholarships under a further Assembly resolution (246(III)). The report showed that 27 fellowships were granted in 1949 to nationals of Latin American countries and that, up to 5 May 1950, 115 nominations for fellowships had been received under the 1950 programme. The report gave, in addition, an account of technical assistance to Bolivia, Brazil, Chile, Ecuador, Guatemala, Haiti, Mexico and Venezuela.

#### b. THE ECONOMIC SURVEY OF LATIN AMERICA—1949

The Economic Survey of Latin America, 1949<sup>98</sup> prepared by the secretariat of the Commission pursuant to a decision of the Commission's second session in Havana in May 1949, came before the third session of the Commission in June 1950.

The Economic Survey described current economic conditions in Latin America and contained a technical section dealing with features of economic development common to all Latin American countries between 1925 and 1949. The findings of this section were supported by country-by-country studies covering the economic development of Argentina, Brazil, Chile, Cuba, and Mexico. The trends of development of agriculture, mining, manufacturing and foreign trade in each of these countries were surveyed and documented by data collected by the research staff of the Commission. The statistical material, collected for the period 1925-49, indicated major changes.

The Survey stated that the world-wide extension of technical progress had been relatively slow and irregular. Vast regions of under-developed countries had remained outside the sphere of world economy until the last few decades, when the industrial potentialities of those countries were realized.

As modern technique increased productivity, the Survey went on, a surplus of labour no longer needed by primary production was created. It then fell to industry and other activities to absorb this

manpower. Agricultural improvement and industrial development were two closely related aspects of the problem of economic development. Industry had been a significant force in promoting economic development in Latin America; it had also permitted the countries to absorb excess manpower displaced from primary production by technical progress.

The productivity of labour in Latin American countries had increased in all major economic fields, including primary production; but the possibilities of expanding exports had been limited by insufficient demand from industrialized countries, the Survey showed. The per capita capacity to import to Latin America had not grown between 1925 and 1949. The recovery of foreign trade and relative prices since the Second World War had helped the Latin American countries merely to offset the consequences of the depression in the 'thirties, without bringing about a net increase in the capacity of Latin America to import over the levels attained in the 1920's. Both external and internal factors had thus prevented the peoples of Latin America from sharing in the benefits of technical progress through the expansion of Latin American foreign trade and an improvement in the standards of living and welfare comparable to that which had taken place elsewhere.

The current situation was reflected, the Survey said, in certain characteristics of the economies of the Latin American countries, such as the low level of national income and saving as compared with the enormous need for capital; the low intensity of demand, which added to the difficulties of achieving large-scale production; and the lack of capital-goods industries, which, in more advanced countries, had been a significant instrument in employing workers driven out of primary production by technical progress. The limited resources of foreign exchange available for buying equipment abroad as well as cost-price relationships tended to maintain the amount of capital per worker in the industries of Latin America at a lower level, as compared with industries of more developed countries. There was in Latin America a need of sustained effort and organization to assimilate the new techniques of production.

#### c. THE THIRD SESSION OF THE COMMISSION

The third session of the Commission was held in Montevideo on 20-21 June 1950. It was attended by representatives of:

<sup>98</sup> U.N.P., Sales No. 1951.II.G.1.

Argentina	Ecuador	Netherlands
Bolivia	El Salvador	Nicaragua
Brazil	France	Panama
Chile	Guatemala	Paraguay
Colombia	Haiti	United Kingdom
Cuba	Honduras	United States
Dominican Republic	Mexico	Uruguay

Specialized, agencies: ILO, FAO, UNESCO, IRO  
 Intergovernmental organizations: International Chamber of Commerce, Inter-American Economic and Social Council, Caribbean Commission

Non-governmental organizations (consultants): International Confederation of Free Trade Unions, World Federation of United Nations Associations, International Federation of Transport Workers, Inter-American Council for Commerce and Production, International Organization for Standardization, National Association of Manufacturers (U.S.)

(1) Economic Development

The discussion of the preliminary draft of the Economic Survey of Latin America, 1949 turned on the central thesis of the Survey, which was concerned with the characteristics of the development of Latin American economies in the last 25 years and their vulnerability to world economic fluctuations.

Some delegations felt that there should be a clear definition of the goals of economic development of Latin America before they could agree on the means of such development. They drew the attention of the Commission to certain fundamental internal deficiencies of the Latin American countries and stated that the vicious circle of low productivity, low income and low capitalization had to be broken before economic progress could be accelerated. Others stressed the dependence of the Latin American countries on the foreign markets and their sensitiveness to variations in economic conditions abroad. There was, however, a general feeling among Latin American representatives that the structure of both imports and domestic production of their countries had to be modified.

Some representatives pointed out that underdeveloped countries were especially sensitive to cyclical fluctuations and that the proper method of raising the standard of living of the peoples of Latin America was not to seek economic self-sufficiency but to bring about a greater diversification of their economies. The Commission adopted a ten-point resolution, which recommended that Latin American Governments should adopt specific goals of economic development and establish an order of priority for their realization, and that they should adopt specific policies to intensify the rate of economic development or to overcome obstacles retarding such development. The Com-

mission also requested the Executive Secretary to prepare an economic survey for 1950, emphasizing economic development.

(2) Technical Assistance

The discussion by the third session of the Commission of technical assistance was concerned mainly with the manner in which the Commission might participate more directly in the United Nations programmes. The Commission welcomed the expanded programme of technical assistance for economic development. It expressed its desire that the programmes of technical assistance for Latin America be fully co-ordinated, and noted with satisfaction the steps taken to this end. It also agreed to request the Secretary-General that the secretariat of the Commission be utilized fully and actively in assisting member Governments to appraise needs and formulate requests for technical assistance. The Commission also requested the Secretary-General that in implementing such programmes account should be taken of the Commission's resolutions on economic development (see above).

(3) Immigration

In its consideration of the problem of immigration, the Commission had before it the study prepared by the secretariat (E/CN.12/169 & E/CN.12/169/Add.1-3), and a note by the International Labour Office on the conclusions and recommendations of the Preliminary Migration Conference at Geneva in April-May 1950 (E/CN.12/179). The conclusions reached by the Commission were in general agreement with those of the Preliminary Migration Conference. It was felt that international collaboration, both technical and financial, could best be directed towards particular development projects which would create opportunities for immigration and give a broad impetus to economic activity in the countries concerned. The Commission decided, because of the close relationship of economic development and immigration, that the Executive Secretary should set up, in co-operation with ILO and other specialized agencies, a Working Committee at the Secretariat Level, which held its first session from 16-20 October 1950 (ST/ECLA/C.1/5). The Commission also decided to recommend that the International Bank for Reconstruction and Development be invited to participate at the appropriate stage in the work of the Committee.

(4) foreign Trade

Apart from decisions concerning international trade taken when the Economic Survey of Latin America, 1949 was reviewed by the Commission,

it also agreed that one of the most serious obstacles to the expansion of trade with Europe was the inconvertibility of currencies outside the dollar area. Certain representatives thought that the Latin American countries might be brought into a system of multilateral compensation of payments with Europe. It was agreed, however, that the possibility of trade expansion with Europe should be studied by the secretariat with a view to recommending measures to this end. The Executive Secretary was requested to consult with the Executive Secretary of the Economic Commission for Europe in order to undertake a joint ECE/ECLA study of ways in which trade between the two regions might be expanded. The Executive Secretary was also requested to make a study of the prospects of increasing trade within the region. The Commission agreed to authorize the Executive Secretary to convene, in due course, meetings of trade experts (E/CN.12/168) and to continue studies on commercial policies of Latin American countries (E/CN.12/165).

#### (5) Financing Economic Development

The Commission examined the report *Economic and Legal Status of Foreign Investments in Selected Latin American Countries* (E/CN.12/166 & Add.1-9), prepared by the Executive Secretary in co-operation with the Inter-American Economic and Social Council. Two documents prepared by the United Nations Secretariat were also taken into account—*Methods of Financing Economic Development in Under-Developed Countries*<sup>99</sup> and *International Capital Movements during the Inter-War Period*.<sup>100</sup> The report of a group of experts on *National and International Measures for Full Employment*<sup>101</sup> which was presented to the United Nations Economic and Social Council, was also before the representatives.

It was generally agreed that Latin American countries required an adequate and stable flow of foreign capital as a means of continuing their economic development. In this connexion, the Commission decided that the research begun by the secretariat should be continued and that the Executive Secretary should continue to compile and analyse data supplied by Member Governments. The Commission also decided to request the Economic and Social Council that the Secretariat of the United Nations should continue reports on the financing of economic development, and should make a separate analysis of the data available for Latin America.

The Commission noted with satisfaction the policy of giving increased attention to the prob-

lem of economic development in under-developed areas,<sup>102</sup> adopted by the International Bank, and suggested that it should intensify its application (E/CN.12/198). Domestic financial resources for economic development were also considered by the Commission and two resolutions (E/CN.12/197 & E/CN.12/199) were passed. These resolutions recognized the inadequacy of such resources and recommended that the Executive Secretary undertake research on domestic capital markets, including the availability and the uses of financial resources.

#### (6) Agricultural Credit

The Commission studied the report of the ECLA-FAO Co-operative Unit on agricultural credit in Central America (E/CN.12/167/Add.1-5). Central American representatives said that the report would help their Governments in their endeavour to better the conditions of their rural populations and to foster agricultural production through an expansion of farm credit. Technical help given by the Co-operative Unit to Governments, at the request of the latter, had led to practical results in the countries concerned, it was stated, and the Commission felt that this kind of assistance should be given priority. The Commission also emphasized the importance of maintaining the closest co-operation with the FAO, and asked the Co-operative Unit to continue this type of study and activity (E/CN.12/196).

#### (7) Transport

During a discussion on maritime transport, it was pointed out that differential maritime freight rates affected prices, supply and demand in Latin American countries. The Commission decided to request the Executive Secretary—pending a decision by the Economic and Social Council—to consult with the Executive Secretary of the Inter-American Economic and Social Council, with a view to assisting in a study by the latter organization of maritime freight rates.

In regard to inland transport problems, the Commission agreed with a suggestion of the Executive Secretary that such problems could be better dealt with through technical-economic surveys carried out under the technical assistance programme. It was understood that Latin American Governments desiring to have surveys made of their transport systems in order to stimulate

<sup>99</sup> U.N.P., Sales No. 1949.II.B.4.

<sup>100</sup> U.N.P., Sales No. 1949.II.D.2.

<sup>101</sup> U.N.P., Sales No. 1949.II.A.3.

<sup>102</sup> See Y.U.N., 1948-49, pp. 1050-51.

economic development, might request the Secretary-General to send technical missions to their countries for that purpose (E/CN.12/192).

(8) Relations with Other Bodies

Several resolutions adopted by the Commission at its third session re-affirmed and strengthened co-operation and collaboration with the Specialized Agencies and other organizations. Regarding relations with the Specialized Agencies, the Commission indicated its interest in continuing the collaboration between ECLA and the interested agencies, particularly in the fields of economic development, international trade, agriculture and immigration. Other resolutions provided for the setting up of joint machinery at the secretariat level for dealing with problems of common concern, the ECLA Economic Development and Immigration Committee, in which several agencies were invited to participate, and the ECLA-UNESCO Working Group for the study of measures to increase the availability of scientific, educational and cultural material. The results of research carried out by the ECLA-FAO Co-operative Unit were favourably received by the Commission and new tasks were assigned to that Unit.

In respect to co-operation and co-ordination with the Inter-American Economic and Social Council, the Economic Commission for Latin America considered a statement prepared jointly by the Executive Secretaries of the two bodies, expressing that co-ordination of work had been achieved by measures taken at the secretariat level. The Commission adopted a resolution (E/CN.12/203), in which it re-affirmed its policy, expressed at previous sessions, of avoiding any unnecessary duplication of effort with the Inter-American Economic and Social Council. The same resolution commended the Executive Secretary of the Commission for the co-operation achieved with the Inter-American Economic and Social Council and other international organizations, recommending that such collaboration be continued and strengthened.

d. CONSIDERATION BY THE COUNCIL OF THE COMMISSION'S REPORTS

The annual report of the Commission (E/1717, E/1762) came before the Economic and Social Council at Geneva on 7 August 1950.

In the discussion, a number of representatives emphasized the importance of the work of the Commission, particularly of its studies of economic conditions in Latin America. The work of the

Commission was generally considered as an outstanding contribution to the understanding of the problems of the region in the fields of economic development, domestic stability, foreign trade and balances of payments.

During a discussion on the Commission's resolution on economic development, the majority of the Council was in general agreement with the Commission's recommendations. The United States representative, however, felt that some of the conclusions of the Commission were debatable and several representatives also disagreed on the relative emphasis attached to the development of industry and agriculture. On the latter point, there was general agreement on the desirability of a balanced development of those two branches of economic activity.

Other representatives pointed out that the industrialization of under-developed countries would strengthen, rather than affect adversely, the world economy. The representative of Chile felt that the premature adoption of a policy of free trade in Latin America could jeopardize economic development there. The representative of Peru stressed that there were deep economic, social and cultural reasons why economic development of Latin American countries might have to follow different lines from those observed in other places and times and warned against drawing unwarranted parallels between those processes.

The importance of the trade studies carried out and the new proposed studies was stressed by representatives. The majority of the Council approved the proposed study of trade between Europe and Latin America, although several representatives pointed out that such studies should not overlook the broader aspects of international trade problems and that the principles of the Havana Charter should not be lost sight of. The importance of the co-operation between the regional economic commissions for Europe and for Latin America was emphasized by a number of representatives during the discussion.

In connexion with the criticism of the Commission's resolution on technical assistance raised by some representatives, the representative of France, who also acted as Rapporteur of the Commission, pointed out that the latter did not have in mind an independent technical assistance programme but wished for close collaboration in the United Nations programme. During the discussion, the importance of the role of the regional economic commissions in the implementation of the Technical Assistance Programme was noted by most representatives.

The Council adopted, by 13 votes to none, with 2 abstentions (United States, Denmark), the following resolution (301 (XI)), submitted jointly by Brazil, Chile, Mexico and Peru:

The Economic and Social Council

Takes note of the Annual Report of the Economic Commission for Latin America, covering the period from 15 June 1949 to 21 June 1950 and the statement on financial implications submitted by the Secretary-General;

Notes the statement on work programme and priorities endorsed by the Commission;

Notes with approval the resolution adopted at the third session of the Economic Commission for Latin America which calls for a study on ways and means to expand trade between Latin America and Europe on bases which are practicable and mutually advantageous;

Invites the interested Governments to facilitate this study to the fullest extent possible, in order that concrete recommendations may be formulated at an early date;

Notes the amendment of rule 42 of the rules of procedure of the Commission adding Portuguese to the official languages of the Commission;

Approves the holding of the fourth session of the Commission at Mexico City, Mexico, in May 1951, and

Recommends that the necessary funds be allocated for the purpose of implementing decisions of the third session of the Commission.

### 3. The Economic Commission for Asia and the Far East (ECAFE)

In the period under review, the Economic Commission for Asia and the Far East (ECAFE) held its sixth session (E/1710) at Bangkok, from 16-20 May 1950.

#### a. MEMBERSHIP

Indonesia, after passing through associate membership, automatically became a member of the Commission when it was admitted to membership of the United Nations on 28 September 1950.<sup>103</sup>

At the sixth session of the Commission, considerable discussion took place regarding the representation of China. It was eventually decided, without questioning the competence of the Commission in the matter, to leave the subject to decision by a higher body of the United Nations. The representative of the USSR stated that his delegation would not participate in the work of the Commission so long as the representative of what he termed the "Kuomintang group" continued to sit on it, and further, that his delegation would not be bound by any decisions of the Commission taken in their absence. The USSR delegation then withdrew from the meeting.

#### b. ORGANIZATION

The Committee on Industry and Trade held its second session (E/CN.11/239) in Bangkok, from 9-17 May 1950, and the Sub-Committee on Iron and Steel held its second session (E/CN.11/I & T/18) in Calcutta, from 10-13 April 1950. A meeting of an ad hoc Committee of Inland Transport experts was held in Bangkok, 24 October-4 November 1950 (E/CN.11/262 & Add.1). Other meetings of subsidiary bodies held during the year included a meeting of railway experts and the second meeting of the ECAFE-UNESCO Working Party on educational and scientific materials (E/CN.11/266).

#### c. ACTIVITIES OF THE COMMISSION

Among the problems considered by the Commission during the period under review were the following:

##### (1) Problems of Industry and Trade

###### (a) INDUSTRIAL DEVELOPMENT

A comprehensive report on priorities and progress in industrial development projects (E/CN.11/I & T/15) was presented to the second session of the Committee on Industry and Trade. The Committee recommended (E/CN.11/239) further studies on electric power resources and needs, chemical fertilizers (in co-operation with FAO), hand tools and small-scale and cottage industries, particularly in regard to textiles, and a bibliography on power alcohol. It also agreed that the secretariat should include in its studies such factors as technical and management skills, domestic financial requirements and encouragement of domestic savings and investment.

At the request of the ECAFE secretariat, many countries of the region nominated liaison officers to work closely with it on problems of industrial development. Direct advisory services were rendered during 1950 by the ECAFE secretariat to Governments in the region, in regard to their general problems of planning, visits being paid by secretariat officials to Burma, Ceylon, Malaya, India, Indochina, Indonesia, Pakistan, Thailand, Japan, the Philippines and Hong Kong, and reports prepared on the basis of discussions with officials and experts in these countries. The ECAFE secretariat also co-operated with the Government of Pakistan, the Bank and FAO, in the organization of a regional training institute on the economic appraisal of development projects. At the

<sup>103</sup> For members and associate members of the Commission, see p. 98.

request of Ceylon, the Executive Secretary obtained the services of an expert from the Government of India, who, together with the secretariat's steel expert, assisted the Government of Ceylon in appraising its plan for the development of iron and steel industry.

The Committee on Industry and Trade, an Iron and Steel Sub-Committee established in 1949,<sup>104</sup> held its second session (E/CN.11/I & T/18) in April 1950 in Calcutta. It recommended the continuation of the seven projects chosen for study and report at its first session (E/CN.11/I & T/2 & Add.1) in August-September 1948, namely:

Survey, in collaboration with UNESCO, of geological and industrial research laboratories in the ECAFE region and in Australia and New Zealand; provision by countries with such laboratory and research facilities to test the ores of other countries of the region not having such facilities; estimates of requirements of iron and steel projects; production plans and obstacles in their execution; survey of availabilities of auxiliary raw materials; study of methods of utilizing scrap iron; and possibilities of uniform statistical reporting.

In particular, the Sub-Committee emphasized the need for a study of statistical reporting methods on an internationally comparable basis, with a view to the possible introduction of such methods in the region. Studies of present and potential regional and inter-regional trade in the raw materials, semi-finished and finished products of the iron and steel industry were also recommended.

A Progress Report on Coal and Iron Ore Studies, with an Annex on Coal and Iron Ore Resources of the ECAFE region, was presented (E/CN.11/I & T/16) to the second session of the Committee on Industry and Trade. The report included status of surveys, extent of known coal and iron ore resources, survey programme contemplated, and obstacles in carrying out additional surveys in the countries visited.

Top priority for the examination of possible sources for obtaining geologists, the existing facilities for training and the possibilities of extending them, were among the other recommendations made by the Committee.

The Committee's report and recommendations (E/CN.11/239) were generally approved at the sixth session of the Commission.

(b) **TRADE AND FINANCE**

The Committee on Industry and Trade, at its second session, considered a note on trade and balance of payments presented by the International Monetary Fund, and welcomed the close working relations established between the Fund and the secretariat. At the request of the Fund, and in connexion with the above study, the secretariat

prepared two reports in 1950 entitled Trade and Financial Agreements in the ECAFE Region and Import/Export Estimates for Countries of the Region, 1949 to 1951. The Committee also considered a working paper (E/CN.11/I & T/24 & Annexes A & B) on the problem of dollar shortage, measures taken or contemplated, and measures required.

A statement on the role of the International Bank for Reconstruction and Development in providing capital for the region was submitted by the Bank (E/CN.11/I & T/19). The Committee expressed the desire for an expanded volume of Bank loans for productive purposes in the region, and further suggested that the Bank should consider ways of speeding up its operations and of cultivating closer relations with its members.

The Committee approved a report (E/CN.11/I & T/25 & Add.1) on the laws and regulations governing the treatment of foreign investment in countries of the region, including the remittance of dividends, interest and profits, and taxation, and requested the secretariat to publish this information in the annual economic survey or otherwise, and to make it available to bona fide inquirers. The report was brought up to date, revised, published in printed form in 1950 and widely circulated. The Committee recommended that a complementary study be undertaken by the Headquarters Secretariat, for distribution in the region, of the laws and regulations of capital exporting countries.

Reports on the trade of the ECAFE region with Japan (E/CN.11/I & T/5 & 21) were also presented to the Committee. At the sixth session (E/1710), the Commission, while advocating the development of trade between the ECAFE countries and Japan, considered it important to avoid suggesting measures which might have the effect of retarding the progress of national industrial development programmes of the ECAFE countries.

The first country studies on the means of mobilizing domestic financial resources for industrial development (E/CN.11/I & T/14/Add.2) were available at the sixth session. Several other individual country studies were completed later in 'the year, some prepared by the International Monetary Fund, and these formed the basis of a regional report to be completed in 1951.

An analysis of the budgets of ECAFE Governments, based on a scheme of economic reclassification of budgets, was undertaken in the last quarter of 1950. The analysis will include: the magnitude

<sup>104</sup> See Y.U.N., 1948-49, p. 511.

and impact of Government expenditure on national income and capital formation, the difference between current and capital expenditures, enterprises and governmental functions, and the sources of finance such as taxes, earnings and other revenues, voluntary and involuntary borrowings. Preliminary work on the budgets of Burma, Hong Kong, India, the Philippines and Thailand was begun in consultation with Governments.

A provisional report entitled Trade Promotion Facilities, first issued in 1949, was revised and published in final form in March 1950 (E/CN.11/237). The report indicated Government commercial services within and outside the region, principal trade organizations, and trade publications most commonly used as standard references. A periodical, Trade Promotion News, was launched in March 1950.

To help meet the shortage of personnel trained in the techniques of trade promotion both for Government service and for international trade in the region it was agreed that training in the techniques of trade promotion should be accepted as falling within the scope of the United Nations fellowships programme,<sup>105</sup> and candidates were subsequently nominated by several countries. Universities in the region were also encouraged by the ECAFE secretariat to include foreign trade courses in their economic curricula and to hold foreign trade seminars.

The sixth session of the Commission approved (E/1710) a proposal to hold a regional conference of commercial attaches and businessmen in 1951.

A consultant was recruited in June 1950 as a result of the Commission's recommendation at the sixth session, that an expert be engaged to bring to ECAFE countries increased knowledge of hard currency markets for handicrafts and to advise them, after examination of their production techniques, as to methods of improving the marketability of their handicraft products. The consultant visited Burma, Ceylon, Hong Kong, India, Indochina, Malaya, Pakistan, the Philippines, Singapore and Thailand. Following his visit, the Philippines requested technical assistance to improve its handicrafts industry. Assistance was also given to the Government of Burma in connexion with its proposal to obtain the services of Japanese technicians in building up its cottage industries.

In April-September 1950, a travel consultant made trips to Burma, Ceylon, Hong Kong, India, Indonesia, Japan, Pakistan, the Philippines, Singapore and Thailand, holding conferences with government officials, travel agencies, carriers, hotel

associations and others interested in the development of the tourist industry as sources of foreign exchange. Specific recommendations were made to each Government based upon on-the-spot observations. In Pakistan and Singapore the consultant also advised on the setting up of national tourist organizations.

The International Union of Official Travel Organizations (IUOTO), at its General Assembly Conference in October 1950, decided to set up an IUOTO Regional Travel Commission for Asia and the Far East, with instructions to explore the possibilities of opening a regional office. This action stemmed directly from the Commission's resolution recommending such steps.

Asian Travelways, a monthly periodical, growing out of the travel section of Trade Promotion News, was issued in July 1950, implementing one of the recommendations arising from the resolution on travel adopted at the Commission's fifth session. In addition, a series of information papers on tourist travel was prepared and distributed.

The Joint ECAFE-UNESCO Working Party to study economic measures to increase the availability of educational, scientific and cultural materials in the region held its second meeting in December 1950 (E/CN.11/266). At the first meeting in December 1949, it had been decided that the first phase of the work should cover only scientific materials and equipment and audio-visual aids for education, and that Governments of the region should be requested to supply certain limited information regarding import needs arising from key shortages of these items and export availabilities. At the second meeting, the Working Party considered a number of working papers, prepared by the two secretariats, in consultation with the secretariat of ECE, and approved a report and recommendations for submission to the seventh session of the Commission.

#### (2) Problems of Food and Agriculture

Close liaison was maintained during 1950 between the secretariat of the Commission and the regional office of FAO in Bangkok. A notable example of this co-operation was the preparation of a joint study on the production and use of chemical fertilizers (E/CN.11/I & T/33). Material for this study was collected in the course of an extensive field investigation into soil fertility practices which was undertaken by FAO for the International Rice Commission. A member of the ECAFE secretariat participated in this investigation.

<sup>105</sup> See pp. 446, 452.

ECAFE was represented at the first session of the Forestry and Forest Products Commission for Asia and the Pacific held in October 1950. Assurances were given of ECAFE's readiness to co-operate in joint tasks concerning industrial, transport and other aspects affecting the Commission, and the secretariat agreed to take up, with the appropriate United Nations body, the question of excessive shipping rates for forest products.

In collaboration with the Government of India, FAO and the United Nations conducted during 1950 an institute for the training of persons to be employed in agricultural and population census work. ECAFE was a joint sponsor of the institute.

Under the sponsorship of the Government of Pakistan, FAO, the International Bank, ECAFE, and the Secretariat, a training centre on the formulation and economic appraisal of development projects was established in Lahore, Pakistan, during the latter part of 1950. Members of the ECAFE secretariat were among the lecturers.

### (3) Problems of Technical Assistance and Technical Training

Pursuant to a decision of the Commission at its fourth session, a report was prepared in conjunction with UNESCO and ILO, on fields of economic development handicapped by lack of trained personnel (E/CN.11/I & T/39 & Annexes). The inquiry was confined to the industrial field, with special reference to each country's current plans of economic development.

At the sixth session of ECAFE, it was generally considered that the countries of the region, in particular, required technical assistance, both in agriculture and in industry, especially in preparing and executing industrial development plans. The Commission recommended that "specialists be made available under the technical assistance programme to maintain liaison with ECAFE, advise countries of the region on the formulation of proposals for technical assistance and otherwise assist them".

In line with this recommendation, the ECAFE secretariat rendered assistance to several countries, at their request, in the formulation of their applications for technical assistance, and kept Governments informed of developments in the United Nations programme. It also assisted the Technical Assistance Administration by providing comments on the nominations for fellowships and scholarships submitted by Governments of the region. Secretariat representatives also took part in technical assistance exploratory missions to Indonesia and Korea.

The secretariat also co-operated in the organization of a regional training institute on the economic appraisal of development projects, held in Pakistan in 1950. In addition, it provided various forms of advisory service direct to Governments on such matters as flood control; trade and financial problems; trade promotion; statistics; handicraft marketing; tourist travel facilities; planning machinery and techniques; geological survey problems; development of mineral resources; management procedures; development of iron and steel industries; and development of small-scale and cottage industries, in some cases under the Technical Assistance Programme. It also helped Governments by recommending experts from within the region in connexion with their stated needs for specific types of assistance.

### (4) Problems of Inland Transport

The Ad Hoc Committee of Inland Transport Experts, which met in Bangkok from 24 October to 4 November 1950 (E/CN.11/262 & Add.1), considered studies by the secretariat on specific short-term road, rail and waterway problems, arrangements for the collection and dissemination of transport statistics, the establishment of a regional library service for the distribution of technical transport literature, and the establishment of an Inland Transport Committee to meet the need for continuous and co-ordinated action in the field of transport. The meeting included experts representative of countries of the region and of the various fields of transport.

Recommendations made by the Ad Hoc Committee for submission to the seventh session of the Commission included the establishment of the following machinery to undertake the programme: (i) a standing Committee on Inland Transport to deal with general policy matters and common problems; (ii) a Sub-Committee to deal with inland waterway problems; and (iii) certain ad hoc working parties to deal with problems in the field of highways and road transport. The Committee also recommended the establishment of a non-governmental Association of Railways in the region to consider technical railway problems.<sup>106</sup>

The Committee considered that railway problems should be handled at two levels: on a Governmental level to deal with matters of principle and Governmental policy; on a non-governmental level to deal with the technical aspects of prob-

<sup>106</sup> At the 7th session of the Commission, held in Feb.-Mar. 1951, it was decided to establish an Inland Transport Committee, with the recommendation that it set up sub-committees on railways and inland waterways, and empowered to set up a sub-committee on roads. It was recommended that the proposal for a non-governmental Association of Railways be referred to the Sub-Committee on Railways, when established.

lems that either Governments or railway administrations themselves might wish to be investigated. Various recommendations were made on technical railway problems. The Committee recommended that a further joint study be undertaken by the secretariat, in co-operation with FAO, on the economic use of firewood as fuel, and that, pending the establishment of an Asian and Far Eastern Railway Association, the secretariat undertake preparatory work on other aspects of the best uses of available types of fuel. The Committee also recommended that the secretariat make preliminary investigations and collect information on modern telecommunication systems and improved operation of terminals and of single line sections of railways. Furthermore, it recommended that Governments should make available to the secretariat main operating statistical data normally prepared by railway administrations, in order that tables of common operating statistics might be prepared and circulated for information of Governments. The secretariat was also advised to explore the possibility of undertaking, with the International Labour Organisation, a joint study on the improvement of the productivity of labour and the training of technical personnel including diesel mechanics. With regard to the standardization of railway equipment, the Committee recommended that this problem should be referred in its entirety to the proposed Railway Association.

The problems of establishing international railway connexions and rehabilitating existing ones, promotion of transit and through railway traffic between countries interlinked by rail, including simplification of customs formalities, simplification and unification of terms and conditions of transport, including rates and fares and their apportionment, and the establishment of regulations for the exchange of rolling stock, were among other recommendations made by the Committee for studies to be taken up by the Inland Transport Committee.

In regard to roads and road transport, and in particular with reference to the secretariat's study, *The Most Economic Methods for the Construction, Repair and Maintenance of Roads Including Standardization and Other Characteristics and Comparative Methods of National Financing*, the Ad Hoc Committee (E/CN.11/262 & Add.1) stressed the importance of a long-term over-all planning of highway development and the need for increased adoption of mechanical methods of construction and repair. It recommended that initial steps be taken for the preparation of a long-term master plan of highway development and

that, to this end, countries should undertake national surveys of the availability of road-building equipment and technical manpower resources. The Committee took special note of the recent increase in the incidence of road accidents in the region and recommended that immediate further study of the problem be undertaken by an ad hoc working party of experts interested in highway safety, which should formulate specific proposals for improvement of existing practices in traffic control systems and recommend measures for improved accident prevention. The Committee felt that part of the solution of the problem of improved utilization of existing road transport equipment depended on improved repair facilities as well as better technical training of mechanics. It therefore decided that an ad hoc working party of experts should be established, in consultation with ILO, to study this problem.

The Committee recommended that Governments, faced with the problem of damage to roads caused by the iron-tired wheels of country carts, encourage the use of pneumatic tires on country carts in constant use in level country and, in other areas, promote improvements in the design of wheels and axles so as to minimize road wear. Long-term problems affecting road and road transport were referred to the Inland Transport Committee for consideration.

In regard to the development of inland waterways, the Ad Hoc Committee discussed a secretariat report dealing with the problem as a whole, and agreed with the conclusion that many countries had problems in common which were likely to benefit from a joint approach. The Committee recommended, *inter alia*, that the secretariat should continue its study on the fuller utilization of country boats; investigate the possibility of arranging for a pilot project covering craft design and operation under the auspices of the United Nations Technical Assistance Programme; prepare a study of the use of pusher craft in Indonesia, and of towing methods in the Associated States of Indochina and in Thailand; and discuss with Governments and the United Nations Technical Assistance Administration the possibility of arranging for a team of experts, drawn from countries of the region, to study abroad the technological advances in inland water transport methods. The Committee also agreed on a recommendation regarding the principles for measurement of craft.

The Committee recommended the establishment of a Sub-Committee on Waterways of the proposed Inland Transport Committee to deal with these problems, while other long-term problems

regarding inland water transport were referred to the proposed Inland Transport Committee.

The first issue of a Transport Bulletin appeared in September 1950. It contained topical articles, transport news of the region, and transport documentation. This was also discussed by the Ad Hoc Committee, which recommended its publication as a quarterly in 1951.

#### (5) Problems of Flood Control

Following the approval, by the Commission at its fifth session (E/1710), of the work programme for 1950 of the Bureau of Flood Control, experts of the Bureau conducted a number of field investigations of the major rivers of the region. The rivers included the Irrawaddy and the Sittang rivers of Burma, the Kelani, Gin, Mahaveli and Kalu Ganga of Ceylon, the Cauvery, Damodar, Ganges, Godavery, Kistna and Mahanadi of India, the Mekong and Red of Vietnam, the Brantas of Indonesia, the Agno and Pampagna of the Philippines, the Indus of Pakistan and the Mekong of Thailand. These investigations enabled the Bureau to make detailed studies of the existing flood control methods employed on the major rivers, particularly the river deltas of the region, with a view to comparing the existing methods and recommending improvements.

These studies are included in the Flood Control Series published by the Bureau. The first number of the series entitled Flood Damage and Flood Control Activities in Asia and the Far East was published in December 1950. In addition, the Bureau published four issues of the Flood Control Journal in 1950, describing flood control activities and the latest developments in flood control works of the region.

To promote the exchange of technical information, the Bureau has secured the co-operation of many technical organizations of the region, in particular the Central Board of Irrigation in India, in supplying publications on flood control for distribution by the Bureau among countries of the region.

Following the views on the importance of a programme of experiment and study on the silt problem repeatedly stressed by the Commission, the Bureau initiated a joint study with the Punjab Irrigation Research Institute of India in January 1950.

In response to a request by Ceylon, the Bureau sent experts to draw up a flood control scheme for the Kalu Ganga, one of the main rivers of the island, whose floods frequently threaten two towns and damage extensive areas of paddy fields. The

experts conducted an over-all investigation during May-June 1950 and a comprehensive report was submitted to the Government of Ceylon in December 1950.

In August 1950, at the request of the Royal Irrigation Department of Thailand, the Bureau assisted in conducting the first hydraulic model tests in the country in connexion with the Chao Phya Barrage Project, a joint irrigation and flood control scheme.

Before the outbreak of the war in Korea, the Republic of Korea sought the advice of the Bureau in joint research and planning of flood control for South Korean rivers.

Late in 1950, two of the Bureau's experts were invited by India to serve on the Assam Committee, which investigated the flood damage caused by the Brahmaputra in Assam, following the earthquake. Recommendations made by the Committee are to be implemented by the authorities concerned.

The Bureau has also helped various countries of the region in recruiting technical personnel for flood control and allied works during the year.

At its sixth session (E/1710), ECAFE approved the Bureau's work programme and priorities for the remainder of 1950 and for 1951.

#### d. ECONOMIC SURVEY OF ASIA AND THE FAR EAST, 1949

The Economic Survey of Asia and the Far East<sup>107</sup> was published in June 1950. Part I deals with economic developments in the ECAFE region during the year and Part II is devoted to the factors and problems underlying the post-war economic development of the region.

The Survey reported that the year 1949 may have marked the end of the first phase of slow and painful post-war recovery, and that, in the light of changes in the year, the economic situation of ECAFE countries might be considered encouraging. Mineral and industrial production had improved. So also had transport and, to a lesser degree, agricultural production. Inflationary pressures had been arrested and, in some countries, the measures taken had produced deflationary conditions, if not actual deflation. As a result of the reversal of the recession in the United States, exports of the region had recovered both in quantity and price. Devaluation of most currencies of the region, following the devaluation of the pound sterling, exerted a favourable influence, although it was too early to trace the full effects.

<sup>107</sup> U.N.P., Sales No. 1950.II.F.1.

However, against the over-all improvement, the most disquieting feature of the post-war economic conditions in the region still persisted, namely, the low level, both relative and absolute, of agricultural output. Food was still the basic need of Asia and the Far East, one of the poorest nutritional areas in the world, and the post-war years had witnessed a serious decline in the region's position as a producer and supplier of foodstuffs, as well as of fibres.

According to preliminary reports, agricultural production had increased 2 per cent as compared with 1948, which was, however, still 8 per cent below pre-war production.

Marked improvement was noted in industrial and mineral production despite a decline in most categories in China and a fall in textile production in India. In electric power, coal, iron and steel production rose 8 to 9 per cent over 1948.

Transport showed an improvement over the pre-war position, but this was due more to greater exploitation of existing resources than to increased supplies. The strain on transport systems continued. Air transport expanded more rapidly than in previous years, but the prospects of further expansion were not very favourable.

The year 1949 registered a further advance over 1948 in international trade. Excluding China, Nepal and the British Borneo territories, the total value of trade of the ECAFE region was 6 per cent above that of 1948. A significant change in the composition of the region's trade in 1949 was the increase in imports of machinery from Japan by about ten times, from the United States by 11 per cent and from the United Kingdom by 13 per cent, as compared with 1948.

Large increases in the import surpluses of ECAFE countries in the first half of 1949 contributed to the success in curbing inflation. However, they had led to a serious drain on foreign exchange holdings. Contributing to the increase in the balance of payments deficit of the ECAFE region, was a marked increase in dollar deficits, to which India, among the sterling area countries, and the Philippines, among the non-sterling countries, contributed the major share. Various measures were taken in 1949 to relieve the dollar deficits, principally by devaluation, and by export, import and exchange controls. But in view of the limited effectiveness of measures so far taken, continuance of external aid seemed to be necessary.

The current financial resources of the countries of the region were being stretched nearly to their limit. Aspirations for development and for social welfare were much in evidence. Plans for economic

development, which had been somewhat unrealistic in the past, had been reviewed by most countries in 1949, and great interest was being shown in the United Nations expanded programme of technical assistance and in the United States programme of aid.

Without external aid, the Survey discounted the possibility of increasing agricultural and industrial production and employment opportunities more rapidly than the continuous increase of population, which exceeded a rate of 1 per cent per year.

In the latter half of 1950, a quarterly Economic Bulletin for Asia and the Far East was started. Three issues were published covering the first, second and third quarters of 1950, respectively. The Bulletin is designed primarily to give up-to-date information on economic developments in the region and Japan in the intervals between publication of the annual Economic Surveys. It contains reviews of the more important developments during the quarter in the fields of agricultural and industrial production, trade, finance, and price movements, and articles on economic problems of the region. It also contains a comprehensive statistical section, "Asian Economic Statistics", including series on production, transport, trade, finance and prices.

Preparatory work was started in connexion with the first Regional Conference of Statisticians, to be convened pursuant to a resolution of the fifth session. Documents were prepared on problems of availability and utilization of trade statistics, customs statistical procedure, estimation of balance of payments, and statistical organization of countries of Asia and the Far East.

#### e. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL

##### (1) Action taken at the Council's Tenth Session

At its tenth session in February-March 1950, the Council considered a report (E/1578) by the Secretary-General on action arising out of certain resolutions adopted by the Commission at its fifth session (E/1710). These resolutions, the Secretary-General stated, might be regarded by the Council as necessitating action at its tenth session and would require additional resources if they were to be undertaken in 1950.

The Council considered the question at the 81st and 82nd meetings of its Economic Committee on 9 February and at its 349th plenary meeting on 13 February 1950.

The debate concentrated on the Commission's resolutions on inland transport, technical assis-

tance, date and place of the next session of ECAFE, and the financial implications of these resolutions. The Council also considered the Commission's resolution on implementation of Commission recommendations.

The Commission's resolution on inland transport had endorsed, in general, the intensive programme with regard to railways, roads and inland waterways outlined by the Conference of Inland Transport Experts held in October 1949 (E/CN.11/204), and had proposed that an ad hoc Committee of Experts on Inland Transport should review the results of studies undertaken in the meantime and recommend further intra-regional measures of co-operation. Some representatives, among them those of Brazil, Chile, China and India, were of the opinion that inland transport problems were of considerable importance in the region, and that the Commission's resolution on this subject should be given urgent attention; the secretariat, they held, should especially be authorized to start proposed activities as soon as possible. Other representatives, including those of Australia, the United Kingdom and the United States, while recognizing the urgent character of the problem, did not consider it necessary to request additional appropriations for the current year, and thought it proper that the matter should be considered at the time of the preparation of the 1951 budget estimates.

In its resolution on technical assistance, the Commission had urged its members to make full use of the technical assistance available under General Assembly resolution 200(III) and under the Expanded Programme. It asked the Council to consider ways in which ECAFE could participate in specific aspects of the programme. It also recommended that technical assistance under resolution 200(III) should be extended to certain associate members of ECAFE.

During the Council's discussion of this resolution, some representatives, including those of Canada and the United States, expressed their appreciation of the action of ECAFE in requesting the guidance of the Council concerning the role it should play in this field. Some representatives, including those of Brazil and India, noted with satisfaction the policy of the Secretary-General, as expressed in his third report on activities under General Assembly resolution 200(III) (E/1576), namely, that the secretariats of the regional economic commissions should play a full and active role in the development of the technical assistance programme and should have an important part in

stimulating and developing its implementation. Several representatives, including those of Brazil, India, the United Kingdom and the United States, expressed the view that every advantage should be taken of the expert knowledge and experience in the field of economic development acquired by the secretariats of the regional economic commissions through their normal activities in their areas of operation. It was felt, however, by some representatives, including those of Australia, France, Pakistan, the United Kingdom and the United States, that it would be advantageous for the work to be centralized, at the outset at any rate, in the secretariat of the United Nations at Headquarters. The representative of the United States stated that the regional commissions, which were composed of Government representatives meeting only once or twice a year to consider specific problems, should not act as operating groups and should not determine the technical assistance to be granted to individual countries. The representatives of Peru, the United Kingdom and Pakistan stressed the importance of promoting trade relations between Asia and the Far East and other parts of the world.

A major issue concerned the availability of technical assistance for non-member countries which are associate members of ECAFE. Some representatives, including those of Brazil, Chile and India expressed themselves strongly in favour of the ECAFE recommendations, and a motion was put forward by the representative from Chile (E/AC.6/L.1 & Corr.1) recommending adoption by the General Assembly of a draft resolution which would amend General Assembly resolution 200(III) by including non-member countries which are responsible for their international relations and which participate as associate members in the work of any of the regional economic commissions of the United Nations, but are not now eligible to request technical assistance under that resolution. The representatives of Australia, Peru, the United Kingdom and the United States considered that an amendment of resolution 200(III) would raise several complicated policy issues and thought that the matter should be deferred. An Australian oral proposal, to defer consideration of the question to the eleventh session, was adopted at the 82nd meeting of the Economic Committee, by 9 votes to 3, with 3 abstentions. It was, however, pointed out during the discussion that non-member countries would be eligible to request technical assistance under the expanded programme, by joining any one of the participating specialized agencies.

As to the resolution of implementation of Commission recommendations, it was generally considered that any action by ECAFE should conform with the recommendations contained in the report to the Council of the Ad Hoc Committee on Implementation of Recommendations on Economic and Social Matters (E/1585); that unnecessary duplication in requesting Governments for information in respect of implementation of recommendations should be avoided, and that the matter should be watched in direct collaboration between Headquarters and regional secretariats. Many members of the Council expressed the opinion that all inquiries of a general character should be undertaken by the Council itself.

As the question of an additional appropriation resulted from the fact that regular sessions of the Commission used to meet at the time of or after sessions of the General Assembly, the Council paid special attention to the calendar of Commission sessions. At its fifth session ECAFE had resolved "to convene its sixth session at any time between 15 October and 15 November 1950, and to meet as a Committee of the Whole in May 1950 in Bangkok for the sole purpose of considering and adopting a report for the Economic and Social Council". During the debate, members of the Council agreed that in the future ECAFE should avoid requests for funds other than as provided for in the regular budget, and that the calendar of meetings should be adjusted so that the annual sessions would be held in the early part of the year, and the financial implications of its resolutions could be incorporated in the regular annual budget.

The Economic Committee, at its 82nd meeting, unanimously adopted two resolutions proposed by India (E/AC.6/L.2), after the first had been amended to meet points raised by Council members, and one resolution proposed by the United States (E/AC.6/L.4). The three resolutions were unanimously adopted by the Council at its 349th plenary meeting on 13 February, without further discussion (resolution 270 A, B, C (X)).

In resolution 270 A (X), the Council took note of the report by the Secretary-General; considered it important that the proposed expansion of activities in the field of inland transport and technical assistance be started without delay; and recommended that the necessary funds be allocated for the purpose of implementing the Commission's 1950 programme of high priority work should the 1950 budget prove inadequate. In resolution 270 B (X) the Council asked the Secretary-General to send to the Commission the records of its discussions on implementation of recommendations.<sup>108</sup> It called the Commission's attention to the arrangements adopted for the review of implementation, and it asked the Secretary-General to take all possible steps to avoid

duplication in requesting information from Governments on implementation. The Council also recommended (270 C (X)) that the Commission hold a session of a Committee of the Whole in a plenary session at Bangkok in May 1950 and a plenary session at Lahore in January 1951.

(2) Action Taken at the Council's Eleventh Session

At its eleventh session, the Council had before it the annual report of ECAFE (E/1710 & Add.2) covering the period from 6 April to 20 May 1950. The report also included an account of the proceedings and discussions of the fifth and sixth sessions of ECAFE, a statement assessing the work of the Commission and its secretariat, and a work programme for 1950-51 including an assignment of priorities to the proposed tasks. The Council also had before it a note by the Secretary-General of the financial implications involved (E/1710 & Add.1).

In the debate at the 402nd and 403rd plenary meetings on 8 August, members of the Council were unanimous in appreciating the considerable progress achieved by the Commission during the period under review. Several representatives emphasized that this progress was achieved by concentration of efforts on specific problems and avoidance of broad generalization, and was facilitated by the operations of several subsidiary bodies of the Commission established at an earlier stage of its activities. The methods of inquiry and study were generally commended, and the progress achieved in collecting statistical information on economies of the countries in the region on a comparable basis was fully appreciated.

The development of advisory services rendered by the secretariat to the Governments of members was fully discussed in the light of the Commission's report and various representatives, including those of Australia, Brazil, the United Kingdom and the United States, expressed the opinion that these services should be developed in the future. In this connexion, some delegations, including those of Brazil, Canada, Chile, France, India and the United States, emphasized that the ECAFE secretariat should co-operate fully with the Headquarters secretariat and with the specialized agencies in the execution of the technical assistance programme.

The desirability of intensifying the activities of the Commission in the field of trade expansion, along the lines proposed in the co-operative project of the Economic Commission for Europe and the Economic Commission for Latin America, was also pointed out.

<sup>108</sup> See pp. 668-72.

In connexion with the activities of the Bureau of Flood Control, several representatives, including those of Australia, Chile, India and the United States, considered that these activities should not be limited to flood control but should jointly deal with such problems as pure and industrial water supply, irrigation, drainage, etc., in order to secure co-ordinated river system development.

The Council discussed, in the light of the Economic Survey of Asia and the Far East, 1949, the economic conditions of this region where great and widespread poverty, aggravated by the war, continued. It was emphasized that there was but little chance to secure political security without

social and economic security. The need of the countries in the region for international and foreign assistance to improve standards of living of their people and encourage balanced economic development and industrialization was generally considered by members of the Council as a highly urgent problem.

Finally, in resolution 302 (XI), adopted unanimously, as proposed by the Commission, the Council took note of the annual report of the Commission and of its work programme and priorities, and recommended that the necessary funds be allocated for the purpose of implementing the Commission's 1951 programme of work.

## I. HUMAN RIGHTS

### 1. Draft First International Covenant on Human Rights and Measures of Implementation

#### a. CONSIDERATION AT THE SIXTH SESSION OF THE COMMISSION ON HUMAN RIGHTS

At its sixth session, held from 27 March to 19 May 1950, the Commission on Human Rights had before it comments and observations received from the Governments of Australia, Denmark, France, India, Israel, Netherlands, Norway, Philippines, USSR, United Kingdom, United States and Yugoslavia (E/CN.4/353 & Addenda) in answer to an invitation it had addressed to Member Governments at its fifth session<sup>109</sup> (a) to comment on the draft international Covenant, including proposals for additional articles and the proposals concerning measures of implementation, and (h) to reply to a questionnaire on implementation.

The Commission also had before it documentation referred to it by the General Assembly and the Council relating to trade union rights (E/CN.4/164 & Add.1; E/CN.4/156); the survey of forced labour and measures for its abolition (E/CN.4/157 & Add.1); and the draft Convention on Freedom of Information (E/CN.4/360 & Corr.1 & 2); the recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/351 & 358); proposals on measures of implementation made at the fifth session of the Commission (E/1371, Annex III); communications from the World Health Organization (E/CN.4/359); and the International Labour Office (E/CN.4/403); and a survey of the activities of bodies of the United Nations other than the Commission on Human Rights, and of the specialized agencies, in regard to matters within the scope of articles 22 to 27 (economic, social and cultural articles)<sup>110</sup> of the Universal Declaration on Human Rights (E/CN.4/364 & Corr.1-3).

The session was attended by representatives of the Commission on the Status of Women, and of ILO, IRO, UNESCO, and WHO, as well as observers from non-governmental organizations having consultative relationship.

The Commission took as a basis for its work on the draft Covenant the text adopted at its fifth session (E/1371) and examined it article by article. It transmitted to the Council, without discussion, articles 24 and 25 of that text, which became articles 43 and 44 and concerned the federal and territorial application clauses. At the same time, it requested the Secretary-General to submit to the Council a report on these articles, dealing with the legal aspect of previous action taken by the United Nations and its specialized agencies in this connexion.

The Commission discussed the question of including in the draft Covenant additional articles on economic, social and cultural rights (E/1681, Annex III). Some representatives thought that such rights were a prerequisite for the enjoyment of other rights already drafted and that they should be included in the Covenant. The majority view was, however, that more detailed discussion was necessary than would be possible at the sixth session, and that this should include full consultation with the specialized agencies, especially with ILO and UNESCO. Two resolutions were adopted on the question.

In the first, the Commission stated that it considered that the draft Covenant relating to some of the fundamental rights of the individual and to certain essential civil freedoms was the first

<sup>109</sup> See Y.U.N., 1948-49, p. 539-

<sup>110</sup> See Y.U.N., 1948-49, p. 536-37.

of the series of covenants and measures to be adopted in order to cover the whole of the Universal Declaration of Human Rights, and decided to proceed at its next session with the consideration of additional covenants and measures dealing with economic, social, cultural, political, and other categories of human rights. It decided also to consider the additional articles proposed which had not been examined at the sixth session and the importance of which it fully recognized, together with any other articles which Governments might propose. It requested the Council to confirm this decision. It was agreed that, at the seventh session of the Commission, economic and social rights would be taken up first (E/1681, Annexes III, IV).

In the second resolution, the Commission stated its resolve to begin at once with the preparation of the execution of its programme of work for 1951 with a view to assuring to everyone the enjoyment of economic, social and cultural rights as set forth in articles 22 to 27 of the Universal Declaration. After taking note of the survey prepared by the Secretary-General regarding the activities of other bodies of the United Nations and of the specialized agencies in matters within the scope of these articles—and referring to the significance of measures already taken or planned by such bodies and by the specialized agencies, as well as the desirability of promoting and supplementing their activities—the Commission took note with gratitude of the readiness of ILO and UNESCO to assist in preparing the draft texts to be considered at its next session. It recommended to the Council that the latter should instruct the Secretary-General to take the necessary steps to secure similar co-operation from other United Nations organs and specialized agencies, and it requested him to submit to it, before its first session of 1951, the documents thus assembled, together with any others which he might deem useful (E/1681, Annex IV).

On the question of implementation (E/1681), the Commission decided unanimously that some machinery should be included in the draft Covenant. It was understood, however, that this did not prejudice the possibility of the submission of further measures of implementation, such as the possibility of petitions filed by individuals and non-governmental organizations, by members of the Commission for inclusion in a separate protocol to the Covenant. It decided that the measures of implementation to be included in this draft First Covenant should include provisions for the consideration of complaints by States, but rejected

a proposal for the consideration of complaints from non-governmental organizations and of petitions from individuals.

As regards the machinery of implementation the Commission decided in favour of the establishment of a permanent Human Rights Committee to be elected by the States parties to the Covenant. Its functions would be to ascertain the facts in cases of alleged violations brought to its attention by a State party to the Covenant, and to make available its good offices to the States concerned, with a view to a friendly solution of the matter on the basis of respect for human rights as defined in the Covenant. The Committee would, normally, be empowered to act only after available domestic remedies had been invoked and exhausted.

The Commission adopted a resolution stating that it considered it desirable that the Committee should be able to obtain advisory opinions from the International Court of Justice on questions of law arising in the course of its work. It asked the Secretary-General to report to the Council on how this might be arranged, in conformity with the United Nations Charter (E/1681).

It also submitted a draft resolution to the Council for consideration, with a view to its adoption by the General Assembly. The draft resolution would have the Assembly state that Member States of the United Nations had pledged themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55 of the Charter, and in particular to encourage and promote "universal respect for, and observance of, human rights", and that the United Nations has subsequently proclaimed the Universal Declaration of Human Rights, and request the Council to instruct the Commission on Human Rights to draw up, subject to the approval of the Council, a scheme providing for the compilation of annual reports by States in conjunction with the publication of the Yearbook on Human Rights. The draft resolution would have the Assembly recommend Member States to agree to act in the spirit of the scheme by forwarding annually to the Secretary-General, in particular with a view to the preparation of the Yearbook, a report on the manner in which they have promoted respect for, and the progress of, human rights in the course of the preceding year (E/1681, Annexes IV, V).

The Commission completed its work on the draft Covenant after a second reading of all the articles, including the measures of implementation.

It decided to submit to the Council for consideration at its eleventh session the draft First Covenant on Human Rights with the draft measures of implementation, together with the summary records of the 198th and 199th meetings of the Commission.

**b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION**

The Economic and Social Council considered the report of the sixth session of the Commission on Human Rights (E/1681 & Corr.1 & Add.1) at its eleventh session. Those parts of the report dealing with the draft covenant and measures of implementation were discussed at the 139th to 155th and 157th meetings of the Social Committee from 17-31 July and at the 377th, 379th and 404th plenary meetings on 4-5 July and 9 August 1950. The Council decided, at its 379th plenary meeting on 5 July, by 8 votes to 6, with one abstention, to examine the draft covenant in its broad aspects with a view to its transmission, together with the relevant summary records and documentation, to the General Assembly for consideration. It was agreed that the report as a whole should be submitted to the Social Committee.

In addition to the report of the Commission on Human Rights, the Council had before it two reports which the Commission had requested the Secretary-General to submit it. The first, the report on the federal and colonial clauses (E/1721 & Corr.1), dealt with the discussions and decisions taken in United Nations bodies and specialized agencies and the actual texts used in various conventions. The second, the report on the means by which the proposed Human Rights Committee might be able to obtain advisory opinions from the International Court of Justice (E/1732), dealt with the question of whether the "Human Rights Committee" could be authorized to request such opinions, either directly or through the intermediary of a United Nations organ.

The Council also had before it:

Certain observations by the Secretary-General on the first international Covenant on Human Rights (E/L.68), which contained comments made by members of the Commission included in the Commission's report (E/1681); a report by the Director-General of UNESCO on regulations concerning economic and social rights in the Covenant (E/1752) and statements by the following non-governmental organizations in consultative status—the International League for the Rights of Man (E/C.2/254/Add.1 & E/C.2/276), the World Jewish Congress (E/C.2/259) and the Pax Romana International Catholic Movement for Intellectual and Cultural Affairs (E/C.2/268).

**(1) Discussion in the Council on the Draft Covenant**

The Social Committee agreed to a full discussion under the following main headings: (1) the general substance of the first eighteen articles; (2) the problem of implementation; (3) the inclusion of clauses dealing with the application of the covenant to federal and colonial territories; and (4) general observations and specific articles.

**(a) THE GENERAL SUBSTANCE OF THE FIRST EIGHTEEN ARTICLES**

When the Committee discussed the general substance of the first eighteen articles, the view was expressed by some representatives, among them those of China, France, Pakistan and the United States, that the draft Covenant had already become an adequate framework on which to conduct further study, though there was some difference of opinion on how this could best be achieved (see below). The representatives of Belgium and China, among others, said that the draft Covenant failed to protect certain rights which they regarded as important and that these omissions should be corrected. Though it was generally felt that there was a lack of precision in the definition of the rights formulated in the covenant and some representatives, including those of Belgium, Canada and the United Kingdom, expressed their dissatisfaction both with its form and substance; others including the representatives of France and India, emphasized that the Commission, in drafting the covenant, had felt that the text should be at once sufficiently conservative to command ratifications from the largest number of States and sufficiently progressive to promote human rights without delay and to leave no loopholes.

**(b) THE PROBLEM OF IMPLEMENTATION**

Discussion by the Committee on articles 19-38 of the draft Covenant (the articles relating to measures of implementation) centred in the question of who should have the rights to lay complaints before the proposed Human Rights Committee. Unanimity appeared to have been reached on the principles that States parties to the covenant should have that right. There seemed to be a majority feeling that, in the current state of international atmosphere and organization, it would not be practical to confer the right of petition on individuals, though some members felt that this matter should be considered further, especially with regard to the possibility of allowing complaints from certain restricted non-governmental organizations.

During the discussion, members of the Committee stated what they considered to be the defects of the articles relating to measures of implementation. For example, the representative of France called attention to the danger that the election of members to the Human Rights Committee might assume a political character and the representative of Belgium observed that the provision of article 39, under which an individual was obliged to exhaust all means of remedy in his own country, would involve the individual in much loss of time and money.

**(c) THE INCLUSION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

While representatives generally were agreed on the need for promoting the observance of fundamental economic and social rights, their inclusion in the Covenant was considered premature by a number of representatives, including those of Denmark, India, Pakistan, United Kingdom and the United States. These representatives felt that, although the inclusion of the articles was desirable, the difficulties of their incorporation at that time were great. On the other hand, the immediate or subsequent incorporation of such articles was advocated by seven representatives (those of Australia, Belgium, Brazil, Chile, France, Mexico and Peru). The representatives of Chile, France and Mexico said that the omission of certain fundamental rights in the draft covenant would constitute a failure to affirm and recognize these rights. Though there was support for this view, it was felt by some representatives that a detailed listing of such rights was not necessary but that certain general principles relating to them should be included.

**(d) THE INCLUSION OF FEDERAL AND COLONIAL CLAUSES**

Discussion in the Social Committee on the desirability of including clauses defining the application of the Covenant to federal States and colonial powers centred on the difficulties experienced by Governments facing such problems in becoming parties to international obligations.

Support for the inclusion of a federal State article was given in the Committee by the representatives of Australia, Canada and the United States. It was stressed by the representatives of Denmark, India and Pakistan, on the other hand, that if such a clause were included it should not provide an opportunity for any States with federal constitutions to evade their international obligations. Two further points of view were expressed: first (by the representative of India),

that the failure to include such a clause might delay ratification of the draft Covenant by some federal States and thus their peoples might be deprived of all protection of the covenant; and second (by the representative of Pakistan), that it should be possible for any federal Governments to consult their constituent parts.

The inclusion of a colonial clause in the draft Covenant was opposed in the Committee by the representatives of Chile, China, India, Mexico and Peru, mainly on the ground that it would allow the possibility of discrimination, without the colonial people having any vote in the matter. Among those who urged the inclusion of such a clause, on the other hand, were the representatives of Australia, Belgium, Canada, Denmark, France, Iran and the United Kingdom. It was suggested by the United States representative that it might be preferable to describe the clause as a "territorial" clause rather than as a "colonial" clause. This might help to remove some of the stigma attaching to a colonial clause and would also imply a recognition of the different degrees of self-government reached by the territories in question and the different types of territories covered, such as the Trust Territories. The representative of Belgium, referring to the varying levels of development reached by the populations of Non-Self-Governing Territories, observed that this should be taken into account in drafting such a clause.

**(e) GENERAL OBSERVATIONS AND SPECIFIC ARTICLES**

Apart from views expressed on particular aspects of the draft Covenant (see above), a number of representatives made general observations and referred to the text of individual articles. In the Social Committee, the representatives of Australia, Belgium, Brazil, Denmark, France, India, Pakistan, United Kingdom and the United States criticized the text of the draft Covenant as being too vague in its definitions. Several representatives pointed out that the Commission had not had time for the completion of a difficult and complex task. Some, including those of Australia and Belgium, indicated that they would urge that the draft Covenant should be returned to the Commission for further study, while others, including those of Chile, China, France, Mexico, Pakistan and the United States, felt that it should be sent to the General Assembly for consideration. The representatives of India and the United States expressed the view that the Commission had already achieved much on an important document and warned against undue haste. The representatives of France and Mexico felt that the draft Covenant

should be circulated to Member Governments for their comments. These two views were incorporated in two draft resolutions which later came before the Committee.

(2) Draft Resolutions before the Council

The first (E/AC.7/L.50 & Add.1), submitted by the representative of France, would refer the Covenant to the Commission to review the first eighteen articles in the light of the Council's discussion; to revise other articles in the light of this discussion; to consider the desirability of including federal and colonial clauses; and to consider further the question of economic and social rights. Further, the draft resolution would have the Commission report back to the Council on these matters at the thirteenth session of the Council. The Council would then submit to the sixth session of the General Assembly proposals to facilitate the adoption by the General Assembly of final texts.

The second draft resolution (E/AC.7/L.51), proposed jointly by Chile, Peru and the United States, sought to refer the question to the General Assembly on the ground that certain basic policy decisions with regard to the content of the draft covenant should be made by all Members of the United Nations; only in such a way could the covenant be completed. The discussion that followed showed that there was a division of opinion on whether the draft Covenant should be referred to the Commission or to the General Assembly; a drafting committee was then set up, in an attempt to reduce the alternatives before the Committee.

(3) Resolution Adopted by the Council

The proposals of the drafting committee (E/AC.7/L.58) were discussed at the 157th meeting of the Social Committee on 31 July 1950, and after a series of votes on paragraphs of the draft resolution and the alternatives it offered, the resolution as a whole was adopted by 11 votes to 2, with 2 abstentions.

The resolution proposed by the Committee was adopted as a whole by the Council (303 I (XI)), at its 404th plenary meeting on 9 August 1950, by 11 votes to none with 4 abstentions. In this resolution, the Council concluded that further progress on the Covenant could not be made without basic policy decisions being taken by the General Assembly on the following matters:

(1) the general adequacy of the first eighteen articles; (2) the desirability of including special articles on the application of the covenant to federal States and to Non-Self-Governing and Trust Territories;

(3) the desirability of including articles on economic, social and cultural rights;

(4) the adequacy of the articles relating to implementation.

The Council also transmitted the draft Covenant, together with records of its discussions, to the General Assembly at its fifth session with a view to reaching policy decisions on these matters and asked the Commission on Human Rights to reconsider the draft Covenant—bearing in mind the directives of the General Assembly and the views expressed by the Council—and to submit a revised draft at the Council's thirteenth session. It also asked the Secretary-General to transmit the Council's resolution, together with records of its debate, to Member States with a view to obtaining their observations after the fifth session of the General Assembly for transmission to the Commission on Human Rights.

(4) Other Questions Relating to the Draft Covenant

(a) CONSIDERATION OF ADDITIONAL COVENANTS

The Commission on Human Rights also sought the Council's approval of its decision, taken at its sixth session (E/1681), to proceed at its seventh session with the consideration of additional covenants and measures dealing with economic, social, cultural, political and other categories of human rights, and consider additional proposed articles included in its report of its sixth session, together with any other articles which might be further proposed by Governments. After support for the Commission's decisions had been voiced by the representatives of Chile, Denmark, France, India, Pakistan and the United States, the Committee, at its 140th meeting on 18 July, and the Council, without discussion, at its 404th plenary meeting on 9 August 1950, adopted resolution (303 C (XI)), by 14 votes to none, with 1 abstention, approving these decisions.

(b) COLLABORATION WITH SPECIALIZED AGENCIES AND OTHER UNITED NATIONS ORGANS

The Committee, at its 141st meeting on 18 July and the Council, without discussion, at its 404th plenary meeting, unanimously adopted (resolution 303 D (XI)) the amended text of a draft resolution submitted by Belgium (E/AC.7/L.46) which outlined procedure for studies and collaboration with ILO and UNESCO, and other organs of the United Nations and specialized agencies on the subject of economic, social and cultural rights. The Committee heard statements on co-operation from representatives of ILO and UNESCO at its 140th and 141st meetings respectively.

**(c) ANNUAL REPORTS TO BE SUBMITTED BY STATES**

The Commission on Human Rights recommended (E/1681) that the Council ask the General Assembly to authorize the preparation by the Commission of a scheme providing for annual reports to be submitted by States in conjunction with the publication of the Yearbook on Human Rights. It also asked that the General Assembly recommend that Member States agree to act in the spirit of the scheme by reporting annually, in particular with a view to the preparation of the Yearbook, a report on the manner in which they had promoted respect for human rights in the preceding year.

During the discussion in the Committee several representatives, including those of Canada, Denmark and the United States, expressed the view that the draft resolution should be referred back to the Commission for further consideration; other representatives, among them those of China, France and India, felt that though they agreed with the principle embodied in the draft resolution, they were not satisfied with the form of the resolution itself, which had changed from the original proposal made in the Commission. It was also felt by certain representatives (including those of the United Kingdom and the United States) that progress in the promotion of human rights would best be shown by legislation adopted and judicial decisions protecting human rights which would be amply reported in the Yearbook on Human Rights. At its 143rd meeting on 19 July, the Committee adopted a resolution submitted orally by the representative of Denmark, which proposed that the draft resolution submitted by the Commission be returned for further consideration, together with the records of the discussions in the Council. This draft resolution (E/1808) was unanimously adopted by the Council, without discussion, at its 404th plenary meeting, as resolution 303 E (XI).

**c. CONSIDERATION BY THE GENERAL ASSEMBLY**

At the fifth session of the General Assembly the question of the draft Covenant and measures of implementation was considered by the Third Committee at its 287th to 316th and 318th meetings, from 18 October-1 November, and at the 317th plenary meeting, on 4 December 1950.

**(1) Discussion in the Third Committee**

The Committee examined each of the four questions referred by the Council for policy de-

terminations: (1) the general adequacy of the first eighteen articles; (2) the desirability of including special articles on the application of the covenant to federal States and to Non-Self-Governing and Trust Territories; (3) the desirability of including special articles on economic, social and cultural rights; and (4) the adequacy of the articles relating to implementation.

**(a) THE GENERAL ADEQUACY OF THE FIRST EIGHTEEN ARTICLES**

In considering this question the Committee discussed two major questions put before it by the Secretary-General (A/C.3/534): (a) whether the catalogue contained in the first eighteen articles of rights to be provided for in the Covenant was adequate, and (b) whether the existing articles as drafted were adequate to protect the rights to which they related.

Some representatives, including those of the Byelorussian SSR, Czechoslovakia, India, Iraq, Poland, Saudi Arabia, Turkey, the USSR and Yemen, considered that there were important omissions from the catalogue of rights which should be corrected. Others, among them the representatives of Afghanistan, Brazil, Canada, Chile, Egypt, El Salvador, Ethiopia, France, Lebanon, the Netherlands, the United Kingdom, the United States, Uruguay and Yugoslavia, felt, generally speaking, that the scope of the first eighteen articles was adequate although reservations were made on the form of the articles and certain amendments were suggested. Representatives expressed differing points of view as to the adequacy of the definitions and limitations contained in individual draft articles and cited particular provisions which, in their view, should either be deleted, added to or changed, but were, on the whole, agreed that the articles needed revision.

**(b) FEDERAL AND COLONIAL ARTICLES**

The Committee decided to deal separately with the question of the application of the Covenant to federal States on the one hand and to Non-Self-Governing and Trust Territories on the other.

During the discussion on the federal clause, it was pointed out that in certain federal States not all matters relating to human rights were within the jurisdiction of the federal Power, but were the concern of State, provincial or cantonal authorities. It was explained that it was the purpose of the federal clause to enable federal Governments to accept obligations concerning those matters which were within their jurisdiction and

to recommend favourably to the State, provincial or cantonal authorities those which fell within their jurisdiction. Support for the inclusion of a federal clause was given during the discussion by the representatives of Australia, Brazil, Canada, France, Greece, the Netherlands, New Zealand, the United Kingdom and the United States, among others. Opposition was voiced by, among others, the representatives of the Byelorussian SSR, Colombia, Cuba, Czechoslovakia, Denmark, the Dominican Republic, India, Iraq, Mexico, Pakistan, Poland, the Ukrainian SSR and Uruguay. Some of the representatives opposing the inclusion of the article declared that its acceptance would have the same effect as a reservation and would provide an escape clause, which would mean, in effect, that different States parties to the covenant would undertake different obligations. To meet this objection, it was suggested by the representatives of India, Lebanon, Norway, Turkey and Yugoslavia that if a federal clause were adopted, it should contain certain guarantees. The representatives of China and Egypt expressed the view that federal authorities should be able to ensure the acceptance by their constituent parts of obligations undertaken by the federal Power. The representative of Pakistan suggested that the objection raised by federal States could be met by their reaching prior agreement with the constituent units.

The inclusion in the Covenant of a special clause to provide for its application to Non-Self-Governing and Trust Territories was favoured by Australia, Belgium, Brazil, Canada, France, Greece, New Zealand, the United Kingdom and the United States. In support of this view, it was advanced that some Non-Self-Governing Territories had reached a stage in their development toward self-government which placed them in a position to enact, through their own autonomous organs, the laws covering those matters dealt with in the draft Covenant, and that the metropolitan Powers could not therefore automatically adhere to the Covenant on behalf of such territories under their administration without consulting these legislative organs. The majority of the Committee, however, were in favour of the principle of the universal application of the Covenant and doubted whether such territories really exercised the powers to which reference was made. Members holding this view included: the Byelorussian SSR, Chile, China, Cuba, Czechoslovakia, Egypt, Ethiopia, India, Indonesia, Iraq, Mexico, Pakistan, the Philippines, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR and Yugoslavia.

(c) ARTICLES ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

When the Committee took up the question, almost all participants in the debate were in favour of international instruments, to be adopted under the auspices of the United Nations, defining and guaranteeing such rights. There was some difference of opinion, however, on the feasibility of including articles on these rights in the existing draft Covenant. Some representatives felt that the incorporation at that time might delay the drafting and coming into effect of the covenant; others felt that it would be desirable to incorporate such articles in a separate covenant as the nature of these rights and their implementation posed special problems, and that their inclusion should be considered later. Among representatives who spoke against the immediate inclusion of economic, social and cultural rights in the draft covenant were those of Canada, Denmark, the Dominican Republic, France, Greece, Israel, the Netherlands, New Zealand, the United Kingdom and the United States. Among those who urged that such articles were an essential part of human rights and should be incorporated in the Covenant were the representatives of Afghanistan, Argentina, Belgium, Brazil, the Byelorussian SSR, Chile, Cuba, Czechoslovakia, Egypt, India, Iran, Iraq, Mexico, Poland, Saudi Arabia, Syria, the USSR and Yugoslavia.

Many speakers emphasized the necessity of the United Nations being assisted in this task by the specialized agencies. The Committee, in this connexion, heard statements by representatives of ILO and UNESCO.

(d) ADEQUACY OF THE ARTICLES RELATING TO IMPLEMENTATION

When this question was discussed in the Committee, several representatives, among them those of Brazil, Chile, the Netherlands, Turkey and the United States, expressed the view that the articles were generally adequate, though certain drafting changes might be necessary. The opposite view, however, was expressed by the representatives of Ethiopia, the USSR and Uruguay, among others. There was some divergence of opinion, also, on whether an implementation system restricted to State-to-State complaints was satisfactory: some representatives, including those of Brazil, India, the Netherlands, Sweden, Syria and Uruguay, held that complaints from individuals in respect of the violation of human rights should also be considered, and the representatives of Chile and Israel thought that petitions might also be entertained from certain non-governmental organiza-

tions contributing to the work of the United Nations. It was suggested by the representative of the United States, among others, that provisions on the admissibility and handling of petitions should be included in a separate protocol. Some favoured machinery which could be linked with the United Nations and not be based on a group of States. As regards the proposed Human Rights Committee, it was suggested that it should submit annual reports on its work to the General Assembly and that provision should be made for the Committee to have recourse to the International Court of Justice for advisory opinions.

(e) **DRAFT RESOLUTIONS BEFORE THE COMMITTEE**

At the conclusion of the debate on the above four questions, the Third Committee had before it one draft resolution dealing with the territorial application clause: a draft resolution by the Philippines and Syria (A/C.3/L.71/Rev.1), according to which the provisions of the Covenant would extend or be applicable to a signatory metropolitan State as well as to all the territories administered or governed by it, whether Non-Self-Governing, Trust or Colonial Territories.

The Committee also had before it two general draft resolutions on the matters on which the Commission on Human Rights and the Economic and Social Council had asked for guidance: one submitted jointly by Brazil, Turkey and the United States (A/C.3/L.76), to which amendments were suggested by Ethiopia and France, jointly (A/C.3/L.78), by France (A/C.3/L.82) and by Greece and New Zealand, jointly, (A/C.3/L.83), and one submitted by the USSR (A/C.3/L.77/Rev.1).

The joint draft resolution would state that the General Assembly, commending the Commission on Human Rights for the important work it had so far accomplished, called upon the Economic and Social Council to request the Commission:

- (a) to continue to give priority in its work to the completion of the draft Covenant and measures of implementation so that the General Assembly, at its sixth session, might have before it the revised draft of this Covenant;
- (b) to take into consideration in its revision the views expressed in the General Assembly at its fifth session and the Economic and Social Council at its eleventh session;
- (c) to study the federal State article and to prepare, for consideration by the General Assembly at its sixth session recommendations designed to meet the constitutional problems of federal States;
- (d) to study the article dealing with the territorial application of the draft Covenant and to make similar recommendations on this matter;
- (e) to proceed with the consideration of additional instruments and measures dealing with economic, social,

cultural and other human rights not included in the draft Covenant, taking into account the work of other organs of the United Nations and of specialized agencies in this connexion;

(f) to take steps necessary for the co-operation of these bodies in considering such rights;

(g) to proceed with consideration of separate protocols for the examination of petitions from individuals and organizations with respect to alleged violations of the Covenant;

(h) to report to the thirteenth session of the Economic and Social Council on these matters. Under the joint draft resolution the Secretary-General would be requested to invite Member States to submit their views by 15 February 1951 concerning the draft Covenant, as revised by the Commission at its sixth session.

The joint Ethiopian-French amendment proposed to insert a provision to the effect that preparation should be made for the establishment of an implementation body which, by its very composition, would offer all possible guarantees of independence and competence and be responsible, in accordance with precise terms of reference, for examining all charges of violations of the Covenant.

The French amendment would add to the draft a request to the Economic and Social Council to give consideration at its twelfth session to the methods by which the specialized agencies might assist the work of the Commission on Human Rights with regard to economic, social and cultural rights.

The joint Greek-New Zealand amendment would add a request to the Commission on Human Rights to proceed with the consideration of additional instruments and measures dealing with economic, social, cultural and other human rights not included in the First International Covenant on Human Rights, only after the completion of work on the First International Covenant.

The USSR draft resolution would state in the preamble that the first eighteen articles of the draft Covenant did not correspond to the aims envisaged either in the rights enumerated or in the guarantees provided; that the Covenant omitted a number of essential provisions; that it was essential that provisions should be included rendering it obligatory for States to take the necessary steps, including legislation, to guarantee to everyone a real opportunity of enjoying the rights and freedoms provided; that it should be recognized that the implementation of the Covenant fell entirely within the domestic jurisdiction of States. In its operative part, the draft resolution recommended: that the Commission on Human Rights should be instructed to include in the draft Covenant additional provisions covering the right to participate in the government of one's

country, the right to national self-determination, the protection of minorities, the right to freedom of expression, the prohibition of propaganda on behalf of Fascist or Nazi views, the prohibition of incitement to hatred among peoples as well as the prohibition of racial discrimination and the dissemination of slanderous rumours. The proposal also contained a comprehensive list of economic, social and cultural rights suggested for inclusion in the Covenant.

In addition, various draft resolutions before the Committee were concerned with particular aspects of the question.

Two draft resolutions dealt with the adequacy of the first eighteen articles:

(1) Yugoslav draft resolution (A/C.3/L.79), which would state that certain basic rights had been omitted from the first eighteen articles and that in their present form they were not adequate to protect the rights to which they referred. The draft resolution also proposed to add to the Covenant the right to universal and equal suffrage, the right of everyone to participate in the administration of his country, the right of every member of a minority to use his own language and develop his culture, and the right of asylum. It would state that the purposes and principles of the United Nations Charter should be logically implemented and properly protected against the abuse of certain rights and that fundamental human rights and freedoms should be based on general principles of the rights acquired by mankind in efforts to promote human welfare and democratic relations between human beings.

(2) Egyptian draft resolution (A/C.3/L.75/Rev.1), which would recommend to the Commission on Human Rights the deletion from the draft Covenant of the right of freedom to change one's religion or belief. The resolution would also add to the list of limitations in the article dealing with freedom of expression (those safeguards necessary for the protection of national security, public order, safety, health or morals, or of the rights, freedoms or reputations of others), the maintenance of peace and friendly relations between States.

One draft resolution, submitted by Yugoslavia (A/C.3/L.80), dealt specifically with economic, social and cultural rights. It proposed that the Assembly decide to include economic, social and cultural rights in the Covenant and invite the Commission on Human Rights to incorporate in the Covenant, in the spirit of the Universal Declaration, a clearly worded provision for such rights, corresponding to the provisions guaranteeing civic and political freedoms.

Three draft resolutions dealt with implementation:

(1) By Uruguay (A/C.3/L.74 & Add.1), which would have the General Assembly recommend that the Commission on Human Rights, in revising the draft articles on implementation, should take into account the proposal for the creation of a permanent agency of the United Nations, to be known as an Attorney-General or High Commissioner for Human Rights.

This agency would initiate proceedings before a standing committee upon receipt of complaints concerning non-observance from Governments parties to the Covenant, individuals or groups of individuals; would act as official plaintiff in these proceedings; would be responsible for the general supervision of the observance of the covenant by signatory States; would have power to make investigations ex officio; and would attempt to secure an amicable settlement before referring the case to the implementation body.

(2) By Chile (A/C.3/L.81), which would have the Assembly recommend that the Economic and Social Council give consideration to the inclusion in the Covenant of a new article or paragraph to the effect that not only a State party to the Covenant might have access to the contemplated Human Rights Committee, but that the right of access to the Committee might also be exercised by non-governmental organizations duly recognized by the United Nations.

(3) By Israel (A/C.3/L.84), which would recommend that the Commission on Human Rights insert in the provisions dealing with implementation, additional provisions to the effect: (a) that the right to bring cases of non-compliance with the provisions of the Covenant to the attention of the Human Rights Committee should be limited to such non-governmental organizations enjoying consultative status as would be included in a list drawn up for this purpose by the Secretary-General in conjunction with the Chairman of the Human Rights Committee; (b) that the Human Rights Committee might (by a majority decision of the members present) be seized of cases of non-compliance with the provisions of the Covenant by parties thereto on its own motion when the facts before the Committee appeared in its view to warrant such consideration; (c) that in urgent cases, the Human Rights Committee might recommend to the State or States concerned the adoption of measures designed to give immediate effect to the provisions of the Covenant and that it should have the right to suggest to the States concerned such remedies as it deemed advisable.

The Committee dealt first with the joint draft resolution submitted by the Philippines and Syria (A/C.3/L.71/Rev.1), which sought to extend the application of the Covenant to all territories, whether Non-Self-Governing, Trust or Colonial Territories, of a metropolitan State signatory to the Covenant. Support for the joint draft resolution was expressed by the representatives of Afghanistan, Argentina, Guatemala, Pakistan and Saudi Arabia, who felt that the inclusion of such a clause in the Covenant would help promote respect for human rights, but the inclusion of such a clause was questioned by the representatives of France and New Zealand. During the discussion, a number of oral amendments were accepted by the sponsors of the draft resolution, which was adopted by a roll-call vote of 30 votes to 11, with 8 abstentions. Later, the representatives of Brazil, Turkey and the United States withdrew from their joint draft resolution (A/C.3/L.76) a paragraph which would conflict with the above decision of the Committee.

The Committee decided, at its 303rd meeting on 3 November 1950, by 28 votes to 13, with 4 abstentions, to adopt as the basic text for its further work, one of the two draft resolutions, namely the joint draft resolution submitted by Brazil, Turkey and the United States (A/C.3/L.76) and the draft resolution submitted by the USSR (A/C.3/L.77/Rev.1), which could be regarded as general resolutions covering the whole range of problems submitted to the General Assembly by the Council for policy decisions. It then decided, by 31 votes to 8, with 10 abstentions, to adopt as the basic text the joint draft resolution submitted by Brazil, Turkey and the United States. Representatives who had submitted draft resolutions and proposals to the Committee then redrafted them in the form of amendments to the basic text of this resolution. (Ethiopian-French amendment, A/C.3/L.78; French amendment, A/C.3/L.82/Rev.1; Greek-New Zealand amendment, A/C.3/L.83/Rev.1; USSR draft resolution, A/C.3/L.96; draft resolution by Yugoslavia, A/C.3/L.92; draft resolution by Uruguay, A/C.3/L.93; draft resolution by Chile, A/C.3/L.81; and draft resolution by Israel, A/C.3/L.91/Rev.1 & Corr.1.)

Broadly speaking, the discussion in the Committee followed the main lines laid down by the proposed amendments, which were later voted on separately.

In so far as it related to the preamble of the joint draft resolution, the amendment by the USSR (A/C.3/L.96) was considered at the 315th meeting of the Committee on 16 November 1950. The Committee adopted, by 16 votes to 15, with 12 abstentions, the proposals which would declare that it was essential that provisions should be included in the draft Covenant rendering it obligatory for States to take the necessary steps, including legislation, to guarantee everyone a real opportunity of enjoying the rights and freedoms provided. It rejected, by 20 votes to 8, with 11 abstentions, a proposal which would state in the preamble that the first eighteen articles did not correspond to the aims envisaged, either in the rights enumerated or the guarantees provided. It also rejected, by 32 votes to 5, with 14 abstentions, a proposal which would recognize that the implementation of the Covenant fell entirely within the jurisdiction of States. The Committee also felt unable to adopt further proposals made by the USSR.

The first, which recommended that the Commission be instructed to include in the draft Covenant additional provisions covering the right to

participate in the government of one's country, the right to national self-determination, the protection of minorities, the right to freedom of expression, the prohibition of propaganda on behalf of Nazi or Fascist views, the prohibition of incitement to hatred among peoples as well as the prohibition of racial discrimination and the dissemination of slanderous rumours, was rejected by the Committee by roll-call vote at its 305th meeting on 6 November 1950, by 28 votes to 17, with 4 abstentions.

A proposal to include in the Covenant a comprehensive list of economic, social and cultural rights was rejected as a whole by 26 votes to 8, with 15 abstentions at the 313th meeting of the Committee on 14 November.

At its 314th meeting on 15 November, the Committee also rejected, by roll-call vote of 29 to 5, with 12 abstentions, a proposal that the articles on implementation should be deleted from the draft International Covenant on Human Rights on the ground that their inclusion would constitute an attempt at intervention in the domestic affairs of States and would encroach on their sovereignty.

As far as the amendments by Chile, Ethiopia and France, Israel and Uruguay were concerned, the Committee, at its 314th meeting on 15 November 1950, adopted as a whole, by 28 votes to 9, with 8 abstentions, an oral amendment by Mexico which would have the General Assembly call upon the Council to request the Commission to take into consideration the proposals presented by these representatives.

The French amendment, which would add to the draft a request to the Council to consider at its twelfth session methods by which the specialized agencies might assist the Commission with regard to considering economic, social and cultural rights, was adopted by the Committee, at its 315th meeting on 16 November, by 36 votes to none, with 1 abstention.

The Greek-New Zealand amendment was not put to the vote, in view of the Committee's decision concerning economic, social and cultural rights.

The Committee adopted, at its 307th meeting on 8 November 1950, by 25 votes to 16, with 9 abstentions, the Yugoslav amendment, in so far as it referred to the statement that certain rights had been omitted from the first eighteen articles. It further adopted, at its 307th meeting on 8 November, by 48 votes to none, with 2 abstentions, a revised text of the amendment, declaring that in their present form these articles were not ade-

quate to protect the rights to which they referred. It rejected, however, by 24 votes to 18, with 5 abstentions, at its 305th meeting on 6 November, the proposals to add to the Covenant the right to universal and equal suffrage, the right of everyone to participate in the administration of his country and the right of every member of a minority to use his own language and develop his own culture, and the right of asylum.

In so far as the Yugoslav amendment sought to add to the joint draft resolution the statement that the purposes and principles of the United Nations Charter should be implemented in the draft Covenant, the Committee adopted, by 43 votes to none, with two abstentions, at its 309th meeting on 9 November, a joint amendment by the United States and Yugoslavia (A/C.3/L.101) to the Yugoslav amendment. The joint amendment would have the General Assembly state that it considered that, in drafting the Covenant, account should be taken of the principles and purposes of the Charter, and that these should be "consistently applied and assiduously protected".

The Committee also adopted, by 23 votes to 17, with 10 abstentions, at its 313th meeting on 14 November, the part of the Yugoslav amendment which would have the General Assembly call upon the Council to request the Commission to include in the Covenant a clear expression of economic, social and cultural rights in a manner which related them to the civic and political freedoms to be proclaimed by the Covenant.

The Egyptian draft resolution, seeking, *inter alia*, the deletion from the draft Covenant of the right of freedom to change one's religion and belief, was incorporated in a joint amendment by Egypt, United Kingdom and United States (A/C.3/L.99), which asked that the Commission take into consideration views expressed during the discussion in the General Assembly, including those relating to the articles on freedom of thought, conscience and religion and freedom of expression, and those views relating to the rights set forth by the USSR in document A/C.3/L.96 and Yugoslavia in document A/C.3/L.92. The joint amendment was adopted by the Committee, at its 306th meeting on 7 November 1950, by 25 votes to 18, with 6 abstentions.

Among the additional proposals dealt with by the Committee were the following:

The Committee, at its 311th meeting on 10 November, adopted by roll-call vote of 31 to 16, with 5 abstentions, a joint amendment by Afghanistan and Saudi Arabia (A/C.3/L.88), urging the study by the Commission of the problem

of the right of peoples and nations to self-determination. The Committee rejected, by a roll-call vote of 16 to 7, with 28 abstentions, a proposal by Lebanon (A/C.3/L.104), whereby the General Assembly would decide to include in the agenda of its sixth session, as a separate item, the question of the study of ways and means which would ensure the right of nations to self-determination.

With regard to the federal clause, the Committee, at its 309th meeting on 9 November, considered three proposals. The first, proposed by the USSR, suggesting that the General Assembly declare its intention to extend the provisions of the Covenant without restrictions to all parts of federal States, was rejected by roll-call vote of 21 to 6, with 21 abstentions. The Committee also rejected, by a roll-call vote of 21 to 12, with 13 abstentions, an amendment by Mexico (A/C.3/L.89/Rev.1), which would have the Council request the Commission "to study the problem of the so-called federal clause in order to obtain a formula that will definitely preclude the possibility of the non-application of the Covenant in any one or more of the territories forming a federation". An amendment by Lebanon (A/C.3/L.86), which would seek provisions to secure the maximum extension of the Covenant to constituent units of federal States, was adopted by roll-call vote of 27 to 6, with 16 abstentions.

An amendment by Iraq (A/C.3/L.106), which would add a clause to the joint draft resolution giving "an explicit recognition of men and women in related rights, as set forth by the Charter of the United Nations", was adopted by the Committee by 34 votes to none, with 13 abstentions, at the 313th meeting on 14 November.

A joint amendment by Lebanon and the United Kingdom (A/C.3/L.94/Rev.1), asking for consideration of the view that it was desirable to define the rights set forth in the Covenant and the limitations thereto with the greatest possible precision, was adopted by the Committee, by 39 votes to none, with 10 abstentions, at the 307th meeting on 8 November.

The consolidated text (A/C.3/L.111) of the joint draft resolution of Brazil, Turkey and the United States (A/C.3/L.76) was adopted as a whole by 29 votes to 5, with 13 abstentions, at the 318th meeting of the Committee on 17 November 1950, and later by the General Assembly in plenary session (see below).

#### (2) Discussion by the General Assembly in Plenary Meeting

At its 317th plenary meeting on 4 December 1950, the General Assembly discussed the report

of the Third Committee on the draft Covenant and measures of implementation, together with the draft resolutions submitted by the Committee (A/1559 & Corr.1).

Criticisms of aspects of the draft resolutions were made by a number of delegations, including those of Australia, the Byelorussian SSR, Czechoslovakia, France, Guatemala, Greece, Lebanon, Mexico, Poland, the Ukrainian SSR, the USSR and the United Kingdom. These delegations considered, generally speaking, that the recommendations on the future work of the Commission were inadequate as precise replies to the Commission on Human Rights and to the Economic and Social Council, which had asked for decisions of policy in carrying out their task in drafting the Covenant, and that proposals concerning the implementation did not meet the needs of the situation. Certain representatives, including those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR considered that certain minimum rights should be guaranteed; that certain fundamental rights had been omitted from the draft Covenant, and that it was the duty of the General Assembly to point out these deficiencies and to recommend concrete measures for remedying them. Accordingly, the representative of the USSR proposed an amendment (A/1576 & Corr.1) to the draft resolution dealing with the future work of the Commission on Human Rights, which sought amendments to five paragraphs of the Committee's draft resolution and which enumerated a series of thirteen economic, social and cultural rights, including trade union rights, to be specifically included in the draft Covenant. The amendments were voted on separately and each was rejected.

The draft resolution proposed by the Third Committee on the future work of the Commission was voted on in parts and adopted as a whole (421(V)) by the General Assembly, at its 317th plenary meeting on 4 December 1950, by 38 votes to 7, with 12 abstentions. It read as follows:

The General Assembly,

Appreciating the priority which, in accordance with General Assembly resolution 217(III), the Commission on Human Rights during its 1949 and 1950 sessions gave to the preparation of a draft International Covenant on Human Rights and measures for its implementation,

Noting the decision of the Economic and Social Council at its eleventh session to transmit the draft Covenant together with the relevant documentation and records of the discussion in the Council to the General Assembly at its fifth session for consideration with a view to reaching policy decisions on the points listed in Economic and Social Council resolution 303 I (XI),

Considering it essential that the Covenant should include provisions rendering it obligatory for States to

promote the implementation of the human rights and fundamental freedoms proclaimed in the Covenant and to take the necessary steps, including legislation, to guarantee to everyone the real opportunity of enjoying those rights and freedoms,

Having considered the draft Covenant prepared by the Commission on Human Rights, particularly with reference to certain basic policies,

#### A

1. Commends the Commission on Human Rights for the important work it has thus far accomplished;

2. Calls upon the Economic and Social Council to request the Commission on Human Rights to continue to give priority in its work to the completion of the draft Covenant and measures for its implementation in order that the General Assembly may have before it at its sixth session the revised draft of this Covenant;

#### B

3. Considers:

(a) That the list of rights in the first eighteen articles of the draft Covenant does not contain certain of the most elementary rights;

(b) That the present wording of some of the first eighteen articles of the draft Covenant should be improved in order to protect more effectively the rights to which they refer;

(c) That in the drafting of the Covenant account should be taken of the Purposes and Principles of the Charter of the United Nations and that these Purposes and Principles should be consistently applied and assiduously protected;

4. Calls upon the Economic and Social Council to request the Commission on Human Rights to take into consideration in its work of revision of the draft Covenant:

(i) The views expressed during the discussion of the draft Covenant at the fifth session of the Economic and Social Council, including those relating to articles 13 and 14 of the draft Covenant and, with a view to the addition in the draft Covenant of other rights, those relating to the rights set forth by the Union of Soviet Socialist Republics in document A/C.3/L.96 and Yugoslavia in document A/C.3/L.92;

(ii) The view, expressed during the discussion of the draft Covenant at the fifth session of the General Assembly and at the eleventh session of the Economic and Social Council, that it is desirable to define the rights set forth in the Covenant and the limitations thereto with the greatest possible precision;

#### C

5. Calls upon the Economic and Social Council to request the Commission on Human Rights to study a federal State article and to prepare, for the consideration of the General Assembly at its sixth session, recommendations which will have as their purpose the securing of the maximum extension of the Covenant to the constituent units of federal States, and the meeting of the constitutional problems of federal States;

#### D

6. Calls upon the Economic and Social Council to request the Commission on Human Rights to study ways and means which would ensure the right of peoples and nations to self-determination, and to pre-

pare recommendations for consideration by the General Assembly at its sixth session;

## E

Whereas the Covenant should be drawn up in the spirit and based on the principles of the Universal Declaration of Human Rights,

Whereas the Universal Declaration regards man as a person, to whom civic and political freedoms as well as economic, social and cultural rights indubitably belong,

Whereas the enjoyment of civic and political freedoms and of economic, social and cultural rights are interconnected and interdependent,

Whereas, when deprived of economic, social and cultural rights, man does not represent the human person whom the Universal Declaration regards as the ideal of the free man,

7. (a) Decides to include in the Covenant on Human Rights economic, social and cultural rights and an explicit recognition of equality of men and women in related rights, as set forth in the Charter of the United Nations;

(b) Calls upon the Economic and Social Council to request the Commission on Human Rights, in accordance with the spirit of the Universal Declaration, to include in the draft Covenant a clear expression of economic, social and cultural rights in a manner which relates them to the civic and political freedoms proclaimed by the draft Covenant;

(c) Calls upon the Economic and Social Council to request the Commission on Human Rights to take such steps as are necessary to obtain the co-operation of other organs of the United Nations and of the specialized agencies in the consideration of such rights;

(d) Requests the Economic and Social Council to consider, at its twelfth session, the methods by which the specialized agencies might co-operate with the Commission on Human Rights with regard to economic, social and cultural rights;

## F

8. Calls upon the Economic and Social Council to request the Commission on Human Rights to proceed with the consideration of provisions, to be inserted in the draft Covenant or in separate protocols, for the receipt and examination of petitions from individuals and organizations with respect to alleged violations of the Covenant; and to take into consideration in its studies of questions relating to petitions and implementation of the proposals presented by Chile (A/C.3/L.81), Ethiopia and France (A/C.3/L.78), Israel (A/C.3/L.91/Rev.1) and Uruguay (A/C.3/L.93);

## G

9. Calls upon the Economic and Social Council to request the Commission on Human Rights to report to the Economic and Social Council at its thirteenth session concerning the above matters;

## H

10. Requests the Secretary-General to invite Member States to submit, by 15 February 1951, their views concerning the draft Covenant as revised by the Commission on Human Rights at its sixth session, in order that the Commission may have such views before it during its further consideration of the draft Covenant at its seventh session.

With regard to the draft resolution seeking to extend the provisions of the draft Covenant automatically to the Non-Self-Governing, Trust and Colonial Territories of a signatory metropolitan State, submitted to the General Assembly by the Third Committee, the Assembly heard divergent views from the representatives of Australia, Greece and the United Kingdom, on the one hand, and from Czechoslovakia and Guatemala on the other. Opposing the draft resolution, the representative of the United Kingdom said that his Government would adhere, in the case of the Covenant, to the normal practices and procedures which regulated the constitutional relationship between the United Kingdom and the territories for whose international relations it was responsible. The effect of a decision by the General Assembly to delete a colonial application clause from the Covenant might be to delay unduly the accession of the United Kingdom Government to the Covenant and the application of the Covenant to several territories. The representative of Australia told the Assembly that no real account had been taken of the constitutional difficulties which would face certain countries in the application of the Covenant to the territories for which they were responsible. The representative of Greece said that although the draft resolution expressed a cherished ideal, the necessary measures had not yet been taken to ensure its application, and, without them, the resolution would be purely academic.

Supporting the draft resolution, the representative of Czechoslovakia stated that it contained an unequivocal directive to the Commission on Human Rights and in this way corresponded to the demands for basic policy decisions. The representative of Guatemala said he saw no reason why the provisions of the Covenant should not be applicable to all States, whether self-governing or not; States which had had difficulty in ratifying the Covenant on behalf of Non-Self-Governing Territories which they administered had other ways of achieving the desired result.

The General Assembly adopted the draft resolution as submitted by the Third Committee, at its 317th plenary meeting on 4 December 1950, by 36 votes to 11, with 8 abstentions. It read as follows (resolution 422 (V)):

The General Assembly

Requests the Commission on Human Rights to include the following article in the International Covenant on Human Rights:

"Article . . . .

"The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan

State and to all the territories, be they Non-Self-Governing, Trust or Colonial Territories, which are being administered or governed by such metropolitan State."

## 2. Yearbook on Human Rights

The Economic and Social Council at its tenth session, at the 119th meeting of the Social Committee on 13 February and the Council's 354th plenary meeting on 17 February 1950, discussed the form which should be adopted for the Yearbook on Human Rights.

The Council had before it certain recommendations (E/1371, Annex IV) made by the fifth session of the Commission on Human Rights, held from 9 May to 20 June 1949. The Commission recommended that as soon as circumstances permitted, summaries of the decisions or the decisions in extenso of the highest court in every country relevant to human rights of international interest should be included in a special chapter of the Yearbook on Human Rights and that, in exceptional cases, summaries or full reports of decisions by other courts should be included in the Yearbook, if the information were of value to other countries. The Commission recommended also that, as of 1949, the Yearbook should be published in Chinese, Russian and Spanish and that the Secretariat should collect and include in the Yearbook all the texts of laws on human rights in respect of Non-Self-Governing and Trust Territories.

A draft resolution was presented to the Social Committee by the United Kingdom (E/AC.7/L.3) which sought to refer to the Commission for further consideration, in the light of discussions at the tenth session of the Council, the form which the Yearbook might take. The United Kingdom draft resolution received general support during the discussion and the view that further study by the Commission was desirable was expressed by the representatives of Canada, Chile, China, Denmark, India, Mexico, Pakistan and the United States of America. Some representatives, including those of Chile, India and Pakistan, felt that the cost of publishing the Yearbook in Chinese, Russian and Spanish, as recommended by the Commission, would involve great expense. The United Kingdom draft resolution was adopted by the Committee, after a drafting change, by 13 votes to none, with 2 abstentions.

The draft resolution (E/1613), with the addition of two amendments proposed by India (E/L.13), was unanimously adopted by the Council. The Indian amendments provided that

(1) nothing in the resolution would be interpreted as postponing the publication of Yearbooks in preparation and (2) texts of basic laws on human rights in Non-Self-Governing and Trust Territories should be included. In its resolution (275 C (X)), the Council therefore stated:

Considering that the question of the form which the Yearbook might take in future years should be given further consideration, provided that nothing in this resolution should be interpreted as postponing the publication of Yearbooks at present in preparation;

The Council:

Requests the Commission on Human Rights to examine this question in the light of the discussions at the tenth session of the Council, and

Decides that in all publications of the Yearbook, texts of basic laws on human rights in respect of Non-Self-Governing and Trust Territories should be included in the same manner as may be done in respect of self-governing territories.

At its sixth session, held from 27 March to 19 May 1950, the Commission on Human Rights considered resolution 275 C (X) of the Council and discussed in some detail the form and character of the Yearbook. It was felt that, without losing its present form and character as an annual work of reference, the Yearbook could be of greater use to Governments and experts and could also reach a wider public if it devoted less space to reproduction of original texts and treated in each volume the application, in as many countries as possible, of a particular right or group of closely-related rights set forth in the Universal Declaration—on the basis of material to be supplied by Governments. The Yearbook should contain references to, summaries of, and (in cases of special importance), quotations from new constitutions and statutory provisions, national legislation, court decisions and international instruments concerning human rights; it should, however, avoid the reproduction of material otherwise available to experts.

A draft resolution adopted by the Commission (E/1681, Annex IV) asked the Council to request the Secretary-General to continue annually the compilation and the publication of the Yearbook and that it should be compiled along the lines indicated, beginning as soon as possible, but not later than with the Yearbook for 1951. The Yearbook, the Commission further recommended, should also include texts or summaries of basic laws on human rights in respect of Non-Self-Governing and Trust Territories.

Consideration was given to the recommendations of the Commission by the Council at its eleventh session, at the 142nd and 143rd meetings of the Social Committee on 19 July, and at the 404th plenary meeting on 9 August 1950.

The Social Committee accepted the substance of the Commission's recommendations, but, in addition to drafting changes, adopted: (1) an Australian oral amendment, adopted by 10 votes to 2, with 2 abstentions, to have the Secretary-General's plan indicating which right or group of rights should be treated each year considered by the Commission; and (2) a United States amendment, adopted by 12 votes to none, with 2 abstentions, adding a paragraph to invite Governments to supply the Secretary-General, at the request of the Commission on Human Rights, with the relevant information on the points noted in the resolution, either directly or through correspondents appointed for this purpose. It was also decided to include, in respect of Non-Self-Governing and Trust Territories, not only basic laws, but also other relevant texts, in the same manner as for independent countries. The draft resolution recommended by the Social Committee (E/1613) was adopted unanimously and without discussion by the Council as resolution 303 H (XI). It read as follows:

The Economic and Social Council,

Having requested the Secretary-General, in its resolution 2/9 [Section 4, paragraph (a)] of 21 June 1946 to make arrangements for the compilation and publication of a Yearbook on Law and Usage relating to Human Rights;

Having considered the reports of the fifth and sixth sessions of the Commission on Human Rights relating to the question of the Yearbook;

Having considered the Yearbooks on Human Rights for 1946, 1947 and 1948 compiled and published by the Secretary-General;

Requests the Secretary-General to continue annually the compilation and publication of the Yearbook on Human Rights which, beginning as soon as possible but not later than with the Yearbook for 1951, shall be compiled on the following general lines:

(a) Each volume of the Yearbook shall contain a compilation concerning the application, and so far as necessary, the evolution in as many countries as possible of one of the rights or of a group of closely related rights set forth in the Universal Declaration of Human Rights. This compilation shall be prepared from information supplied by Governments and may include digests of this information prepared by the Secretary-General and shall be documented by reference to legislative enactments and other authoritative sources;

(b) For this purpose, the Secretary-General shall draw up a plan for the consideration of the Commission on Human Rights indicating, for a number of years ahead, which right or group of rights should be treated in each year;

(c) The Yearbook shall continue to record international and national developments concerning human rights which have taken place during the year, and for this purpose shall contain:

(i) A report on the work of the United Nations in the field of human rights;

- (ii) Relevant texts or summaries of international instruments in this field, including decisions of international courts and arbitral tribunals;
- (iii) Texts or summaries of or sufficient references to constitutional and statutory provisions which constitute important developments in the field of human rights during the year;
- (iv) Summaries of or sufficient references to decisions of national courts where these decisions constitute important developments in the field of human rights;

(d) The Yearbook shall also include texts or summaries of, or sufficient references to, basic laws on human rights in respect of Non-Self-Governing and Trust Territories, together with other relevant texts in respect of such territories in the same manner as indicated in paragraph (c) above;

(e) The Yearbook shall include adequate references to the sources of any texts or summaries which appear in it. It shall be produced in a form which is easy to handle and at a moderate price, and the reproduction of constitutional or statutory texts shall be confined within the limits imposed by these requirements; and

Invites Governments to supply to the Secretary-General, either directly or through correspondents appointed for this purpose at the request of the Commission on Human Rights, relevant information on the points noted above.

While discussing the Yearbook, the Council also considered a recommendation of the Sub-Commission on Freedom of Information and of the Press that a special section should be included in the Yearbook, which would contain excerpts from or summaries of new national legislation concerning freedom of information, to be furnished to the Secretary-General by the correspondents appointed by Governments. The Council, however, decided not to include a special section on freedom of information.

The Yearbook on Human Rights for 1948, which appeared in 1950, expanded the scope of the Yearbooks for 1946 and 1947, and introduced a number of new features. Part I of the Yearbook contained all constitutional provisions on human rights promulgated throughout the world during 1948 and legislative texts enacted in that year, with a selection of constitutional and legislative provisions relating to electoral law. International treaties and agreements recorded in Part II included basic agreements of specialized agencies, agreements concluded under the auspices of specialized agencies or by other inter-governmental organizations, regional treaties, and agreements and bilateral treaties. Part III reflected the expanded programme of the United Nations in a diverse range of human rights activities, including the action taken during 1948 in connexion with the Universal Declaration of Human Rights and the Convention on the Prevention and the Punishment of the Crime of Genocide. Two chap-

ters recorded the preliminary developments in the preparation of the Draft International Covenant on Human Rights and measures of implementation. Other chapters dealt with United Nations activities in the fields of freedom of information, the status of women, the prevention of discrimination and the protection of minorities, questions of human rights in certain territories and some specific questions involving stateless persons, the right of asylum, trade union rights, old age rights, the rights of the child and suppression of traffic in women and children.

### 3. Communications Concerning Human Rights

At its fifth session, held from 9 May to 20 June 1949, the Commission on Human Rights recommended<sup>111</sup> certain amendments to paragraphs (a), (b) and (e) of Council resolution 75 (V), concerning the procedure for dealing with communications relating to human rights (E/1371).

These proposals were considered by the Council at its tenth session, and adopted at the 119th meeting of the Social Committee on 13 February by 13 votes to none, with 3 abstentions, and at the 354th plenary meeting on 17 February without objection, as resolution 275 B (X).

Under the amended paragraphs (a) and (b) adopted by the Council, the Secretary-General was requested to compile two lists of communications concerning human rights: (a) a non-confidential list containing a brief indication of the substance of each communication, however addressed, dealing with the principles involved in the promotion of universal respect for and observance of human rights, the identity of the authors of such communications to be divulged unless they wished their names to remain confidential; and (b) a confidential list containing a brief indication of the substance of other communications concerning human rights, however addressed, this list to be furnished to members of the Commission, in private meeting, without divulging the identity of the authors of such communications, except in cases where they had stated that this had already been done or that they had no objection to their names being divulged. The amendment to paragraph (e) provided that in the future the Secretary-General would furnish each Member State concerned with a copy of any communication concerning human rights which referred explicitly to such State or to territories under its jurisdiction, without divulging the iden-

tity of the author as provided for in paragraph (b) above.

At its sixth session, held from 27 March to 19 May 1950, the Commission on Human Rights took note of the lists of communications on human rights prepared by the Secretary-General in accordance with Council resolution 75 (V), as amended by resolution 275 B (X) (E/CN.4/CR.14 & Add.1; E/CN.4/CR.16 & Add.1).

The Commission also took note of Council resolution 240 C (IX), relating to the establishment of a procedure by which the Sub-Commission on Freedom of Information and of the Press<sup>112</sup> would deal with communications concerning freedom of information. It noted, also, the recommendations of its Sub-Commission on Prevention of Discrimination and Protection of Minorities on the handling of petitions, but was of the opinion that until the Commission had decided upon measures of implementation of the International Covenant on Human Rights, it would be premature to sanction any procedure for dealing with complaints or petitions by a Sub-Commission other than at present in force for dealing with communications concerning human rights (E/1681).

### 4. Human Rights Day

At the fifth session of the General Assembly, the United States proposed (A/C.3/L.102), at the 315th meeting of the Third Committee on 16 November 1950, that Governments of Member States designate 10 December of each year as United Nations Human Rights Day and observe this day in recognition of the adoption of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948. The United States draft resolution requested that the anniversary of this event be "appropriately celebrated in all countries as part of a common effort to bring the Declaration to the attention of the peoples of the world."

The Third Committee also had before it, at its 315th meeting, a memorandum by the Secretary-General regarding the steps which 42 countries had taken the previous year to celebrate the adoption of the Universal Declaration. The report reproduced a letter sent by the Secretary-General to Member States on 20 October 1950, asking them to set aside 10 December every year in com-

<sup>111</sup> See Y.U.N., 1948-49, p. 543-

<sup>112</sup> See pp. 543 ff.

in memoriam of its proclamation. The representative of the United States, introducing the draft resolution, said that its aim was to have this request backed by a formal recommendation by the General Assembly.

General support for the United States draft resolution was expressed by members of the Committee, including the representatives of China, Dominican Republic, Guatemala, Lebanon, Mexico and the USSR. During the discussion at the 315th and 316th meetings of the Committee on 16 November, however, several representatives sought to widen the scope of the draft resolution and to extend its application.

In addition to a number of proposed drafting changes, the following suggestions were made:

(1) The representative of China, stating that he considered it important not only to recall the anniversary of the Universal Declaration of Human Rights but also to encourage Governments and peoples to pursue their efforts to make the Declaration a living reality, proposed orally that the Secretary-General should be asked to report each year to the General Assembly on steps taken in various countries to publish the Declaration as widely as possible. This suggestion was supported by the representative of the United Kingdom and accepted by the United States at the 315th meeting.

(2) An addition to the preamble of the draft resolution, which would emphasize that the General Assembly considered the Declaration marked a distinct step forward in the march of human progress, was proposed orally by the representative of the Philippines and adopted, by 41 votes to none, with 9 abstentions, at the 315th meeting.

(3) An oral amendment by the representative of Afghanistan, who said that States which were not Members of the United Nations had also helped to make the Declaration known throughout the world and that the preamble should express special appreciation of the efforts of those countries, was adopted at the 315th meeting, by 19 votes to 2, with 14 abstentions.

(4) The representative of Mexico suggested at the 315th meeting that, instead of making a recommendation only to Member Governments, the draft resolution should also invite non-member States to adopt 10 December as Human Rights Day. This suggestion was accepted by the United States.

(5) Some representatives, including those of Chile, France and Greece, urged the further extension of the draft resolution to make it applicable to organizations. This was accepted by the United States at the 316th meeting and, when a separate vote on this addition was called for by the representative of Canada, was adopted by 20 votes to 12, with 16 abstentions.

(6) An oral amendment by the USSR to the draft resolution, seeking to make 24 October each year Human Rights Day, on the ground that a celebration honouring both the Declaration and the Charter would give added meaning to United Nations Day, was rejected at the 316th meeting, by 24 votes to 9, with 12 abstentions.

The draft resolution as amended was adopted by the Committee at the 316th meeting on 16

November 1950, by 44 votes to none, with 4 abstentions. The General Assembly, at its 317th plenary meeting on 4 December 1950, accepted an amendment to the last paragraph of the resolution, made orally by the representative of Australia. The amendment, which concerned the clause inviting reports from "all States and interested organizations" on the observance of Human Rights Day, sought to eliminate the words "and interested organizations". The amendment was adopted without discussion, by 25 votes to 10, with 19 abstentions, and the draft resolution, as amended, was adopted (resolution 423(V)), also without discussion, by 47 votes to none, with 5 abstentions.

The resolution, as adopted by the General Assembly, read:

The General Assembly,

Considering that on 10 December 1948 the General Assembly proclaimed the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

Considering that the Declaration marks a distinct forward step in the march of human progress,

Considering that the anniversary of this event should be appropriately celebrated in all countries as part of a common effort to bring the Declaration to the attention of the peoples of the world,

Expressing its appreciation to all those countries Members or non-members of the United Nations which have already celebrated this anniversary,

1. Invites all States and interested organizations to adopt 10 December of each year as Human Rights Day, to observe this day to celebrate the proclamation of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948, and to exert increasing efforts in this field of human progress.

2. Invites all States to report annually through the Secretary-General concerning the observance of Human Rights Day.

## 5. Prevention of Discrimination and Protection of Minorities

### a. CONSIDERATION BY THE COMMISSION AT ITS SIXTH SESSION

The Commission on Human Rights, at its sixth session held from 27 March to 19 May 1950, considered the reports of the second and third sessions of its Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/351 & Corr.1 & 2 & E/CN.4/358), held in June 1949 and January 1950 respectively.

It considered in particular the recommendations made by the Sub-Commission concerning:

(a) a request for information from Governments relating to legal measures to prevent discrimination and protect minorities;

(b) educational measures for the prevention of discrimination;

(c) a definition of minorities for the purposes of protection by the United Nations, and interim measures to be taken for their protection (E/1681).

With regard to question (a), the Commission asked the Council to request the Secretary-General to invite Governments of Members of the United Nations, as well as of non-members, to supply:

(i) examples (with appropriate citations, where possible) of legislation, judicial decisions, and other types of action which have been found to be specially useful in their countries in preventing discrimination in one or more fields covered by the Universal Declaration of Human Rights;

(ii) full information regarding the protection of any minority within their jurisdiction by legislative measures and in the light of the provisions of the Universal Declaration of Human Rights;

(iii) in particular, such information as could serve for the establishment of a definition of minorities. The Commission also asked that the information received in response to this invitation should be distributed to the members of the Sub-Commission prior to its fourth session.

On the question of educational measures, the Commission recommended the adoption by the Council of a resolution which would affirm its conviction that the principal goals of education should be to abolish all forms of discrimination and to eradicate such prejudices as might lead to the commission of any unlawful acts of discrimination. The draft resolution:

(i) drew the attention of Member States to the urgent necessity of taking steps to eliminate all forms of discrimination in the schools;

(ii) emphasized the part which private educational establishments and non-governmental organizations must play in combating prejudice and discrimination;

(iii) referred to the activities of UNESCO, inviting it to give due emphasis to those practical activities in the field of education which are likely to lead to the eradication of prejudice and the elimination of discrimination and, in this connexion, to bear in mind the opportunities of progress afforded by adult educational activities;

(iv) noted with pleasure certain resolutions adopted by UNESCO in 1950 concerning the importance of textbooks and teaching materials, the conduct of educational seminars and the publication and distribution of selected materials from each seminar;

(v) referred to UNESCO's forthcoming statement on race from the viewpoint of present scientific knowledge,<sup>115</sup> and recommended that it should proceed as soon as practicable with the preparation, publication and dissemination of simple and readable books and pamphlets, based on scientific facts, explaining the fallacies of mistaken race theories and religious and other prejudices;

(vi) invited Member States to distribute such books or pamphlets widely among all their peoples, and to disseminate these ideas through their public education programmes.

On question (c), after considering the definition of the term "minority" recommended by the Sub-

Commission on Prevention of Discrimination and Protection of Minorities, and the interim measures suggested for the protection of minorities, the Commission decided that it was premature to forward these resolutions to the Council. It recognized that the Sub-Commission would consider the protection of minorities by international agreement at its fourth session, when it would have additional information from the Governments of Member States regarding minorities, which it proposed to consider before completing its recommendations for their protection by international agreement. It decided, accordingly, not to forward them to the Council so that the Sub-Commission might use them, if necessary, for the development of its further proposals on minorities, and it drew the attention of the Sub-Commission to the discussions in the Commission.

The Commission on Human Rights, at its sixth session, examined also the study which, in accordance with Council resolution 116 C (VI), had been prepared on the question of the continuing validity of the minorities treaties and declarations (E/CN.4/367). It was felt, however, that the study required careful consideration by Governments, and that the Commission should postpone consideration of the matter until its seventh session. It noted the study, and transmitted it to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its information.

## b. CONSIDERATION BY THE COUNCIL AT ITS ELEVENTH SESSION

Accordingly, at its eleventh session, held from 3 July to 16 August 1950, the Council had before it, in the report of the Commission on Human Rights (E/1681), two draft resolutions, one dealing with legal measures, the other with educational measures for the prevention of discrimination. These two draft resolutions (see above) were considered by the Social Committee at its 141st-145th meetings, from 18-20 July 1950, and at the 404th plenary meeting of the Council on 9 August.

### (1) Legal Measures

The draft resolution dealing with legal measures found general support in the Social Committee at its 141st meeting, although some representatives, including those of Belgium and Canada, pointed out that there were countries whose constitutions had for a long time been

<sup>115</sup> See p. 916.

extremely liberal in the matter of human rights and that in these cases there would be no point in raising problems of discrimination which did not exist. The draft resolution, with certain minor amendments was unanimously adopted by the Committee at the same meeting and by the Council (resolution 303 F (XI)), at its 404th plenary meeting on 9 August 1950, unanimously and without discussion. It was understood that in transmitting the request for information to Governments, the Secretary-General would also send the tentative definition of the term "minority" which the Sub-Commission had suggested.

### (2) Educational Measures

In discussing the second draft resolution proposed by the Commission, members of the Council expressed general agreement with the principles expressed in it, but considered that some re-drafting of the resolution was necessary. Suggested revised texts by India (E/AC7/L.47) and Belgium (E/AC7/L.48) were considered by the Social Committee, but a number of representatives felt that the original text was to be preferred, and a drafting committee consisting of the representatives of Belgium, China, India and the United States was appointed. After lengthy discussions on drafting changes, the Committee adopted a revised text in paragraph by paragraph votes, and, as a whole, by 14 votes to none, with 1 abstention.

The representative of China had suggested that some reference should be made in the resolution to the dissemination and promotion of moral values as well as the dissemination of information based on scientific facts. He proposed the insertion of a phrase to have the Council urge UNESCO to base its pamphlets on "generally accepted moral principles" as well as on scientific facts, but this was rejected by the Committee, by 11 votes to 1, with 3 abstentions.

At the Council's 404th plenary meeting, however, Belgium, China and France introduced a joint amendment (E/L.87) to the same effect.

The sponsors of the amendment maintained that, whereas books and pamphlets based on scientific knowledge could help to eliminate the fallacies of racial theories, they alone could not eliminate those fallacies and the other forms of religious and racial prejudice which lead to discrimination. The representatives of Mexico, Peru and the United States supported the joint amendment. It was opposed by a number of representatives, including those of Canada, Denmark, India, Pakistan and the United Kingdom who, however,

emphasized that in opposing the amendment, they were not expressing opposition to moral principles. The view was expressed by the representative of Pakistan that the amendment was not only imprecise but could be opposed on other grounds: (1) there were many different concepts of moral principles; (2) morality was itself a kind of prejudice which gave rise to discrimination; and (3) if UNESCO were faced with what it considered to be a conflict between science and generally accepted morality, the amended paragraph would give it no indication of how it should deal with such a conflict. An amendment proposed orally by the representative of Denmark, which sought to define the moral principles referred to as those contained in the Charter of the United Nations and the Declaration of Human Rights, was adopted by the Council, by 10 votes to 3, with 2 abstentions. The Council adopted the amended draft resolution by 12 votes to none, with 3 abstentions.

In this resolution 303 G (XI), the Council stated its belief that education plays a great part in the prevention of discrimination and that positive and lasting results are obtainable in educational establishments. It confirmed its conviction that one of the principal goals of education should be to eliminate all forms of discrimination and to eradicate such prejudices as may lead to the commission of acts of discrimination. It emphasized that considerable assistance might be given by non-governmental organizations and private institutions, and noted with satisfaction the initiative taken in this field by UNESCO in the improving of textbooks and teaching materials, in the conduct of educational seminars, the training of teaching personnel and the preparation of the statement on race from the viewpoint of present scientific knowledge. The resolution contained recommendations to Member States and to UNESCO. It asked the latter to give emphasis to such practical educational activities as are likely to eradicate prejudice and discrimination, bearing in mind the opportunities afforded through adult education, and to undertake, as soon as practicable, the preparation and the widest possible dissemination of information through suitable books and pamphlets based on scientific knowledge as well as general moral principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights, and designed to expose fallacies on race theories and to combat prejudices which give rise to discrimination. The Council recommended that Member States should adopt measures to be applied in educational estab-

ishments designed to eliminate discrimination, should distribute the books and pamphlets to be prepared by UNESCO as widely as possible among all their peoples, and should introduce into their educational programmes, in so far as possible, the ideas contained in the books or pamphlets.

## 6. Trade Union Rights

By resolution 239 (IX), adopted on 2 August 1949 during its ninth session, the Economic and Social Council requested the International Labour Organisation (ILO) to proceed on behalf of the United Nations as well as on its own behalf, with the establishment of a Fact-Finding and Conciliation Commission on Freedom of Association in connexion with the question of safeguarding of trade union rights. By the same resolution, the Council requested the Secretary-General and the Director-General of ILO to consult together with a view to exchanging information and formulating procedures for making the services of the Commission available to the appropriate organs of the United Nations with respect to Members of the United Nations which are not members of ILO. The Council also requested the Secretary-General and the Director-General to report progress to its tenth session.

This progress report on the establishment of the Commission (E/1566) was presented to the Council at its tenth session, held from 7 February to 6 March 1950. The report contained the text of a memorandum by the Director-General of ILO of 17 November 1949, dealing with questions relating to Freedom of Association, which was to be presented to the 110th session of the Governing Body of ILO in January 1950. The report also contained the comments of the Secretary-General on the memorandum.

The report was considered by the Social Committee at its 120th-123rd meetings on 14-15 February and by the Council at its 355th plenary meeting on 17 February, together with comments on the report received from the Governments of Canada, Greece, Lebanon, Netherlands, Pakistan, Philippines, the USSR and the United States of America (E/1605 & Add.1-5), and a note from the International Labour Office (E/1595). The ILO note stated that the Governing Body, after examining proposals and comments at its 110th session, decided on 6 January 1950 to establish the Fact-Finding and Conciliation Commission on Freedom of Association. It stated further that the Governing Body had approved certain arrange-

ments for the working of the Commission and made suggestions, for the consideration of the Council, concerning the manner in which the services of the Commission might be made available to the appropriate organs of the United Nations. The Governing Body, the note reported, had confirmed the terms of reference of the Commission as follows:

It would be open to the Governing Body (of the International Labour Office) to refer to the Commission for impartial examination, any allegations of infringements of trade union rights which the Governing Body, or the Conference acting on the report of the Credentials Committee, considers it appropriate to refer to the Commission for investigation. It would also be open to any Government against which an allegation of the infringement of trade union rights is made to refer such an allegation to the Commission for investigation. The Commission would be essentially a fact-finding body, but would be authorized to discuss situations referred to it for investigation with the Government concerned with a view to securing the adjustment of difficulties by agreement.

The Social Committee, at its 120th meeting on 14 February 1950, heard statements concerning the protection of trade union rights from representatives of the American Federation of Labor (AF of L) and the World Federation of Trade Unions (WFTU), and, at its 121st meeting on the same day, from the representative of the International Federation of Christian Trade Unions.

A draft resolution submitted by the representative of Denmark (E/AC.7/L.10), which expressed approval of the decisions taken by the Governing Body of ILO and sought to define the relationships between the United Nations and ILO in making use of the services of the Commission, came before the Social Committee at its 120th meeting. The draft resolution provided that the Council:

- (1) accept on behalf of the United Nations the services of the Commission as established;
- (2) refer to the Commission, through the Governing Body of ILO, all allegations against ILO member States;
- (3) before acting upon complaints regarding any Member of the United Nations which was not a member of the ILO, seek the consent of the Government concerned, but where such consent was not forthcoming, the Council would consider further action to safeguard the rights relating to freedom of association involved in the case;
- (4) upon receiving such consent it would then transmit to the Commission, through ILO, any complaints regarding Members of the United Nations which were not members of ILO, received from Governments or trade union or employers' organizations which it might consider suitable.

The draft resolution would also recommend that the General Assembly refer complaints regarding trade union rights to the Council for action.

Two amendments were presented to this draft resolution—by Australia (E/AC.7/L.13) and the United States (E/AC.7/L.14). The amendment by Australia sought decisions by the Council that:

(1) the Commission would have jurisdiction to, consider allegations against a country of infringements of trade union rights embodied in international conventions or other agreements to which that country was a party;

(2) the Commission might entertain an allegation against a country only if the country had accepted an obligation in respect of the right said to have been infringed and then only to the extent of the obligation accepted;

(3) countries might notify the Secretary-General or the Director-General of ILO that they would accept the jurisdiction of the Commission in respect of the whole or parts of a convention or agreement to which they were not a party. The United States amendment was concerned chiefly with certain drafting changes.

General support for the amendment submitted by Denmark was expressed by a number of representatives, including the representatives of Belgium, Brazil, Canada, Chile, France, India, Pakistan, Peru, United Kingdom and the United States, though certain reservations were made during the discussions at the 120th-123rd meetings of the Social Committee on 14-15 July 1950. The representative of Australia expressed doubt as to whether the Commission had the authority to enforce trade union rights which had not already been clearly defined and guaranteed by international agreement. Some representatives argued that Member States had accepted obligations to respect trade union rights under the general terms of the Charter, the Universal Declaration of Human Rights and several resolutions of the Assembly and the Council. The representatives of Canada and Chile pointed out that articles 24-34 and, in particular, article 26 of the Constitution of ILO provided that the International Labour Office could hear allegations of failure by States to fulfil their undertakings under international labour conventions. It was also contended that the terms of reference of the Fact-Finding and Conciliation Commission as well as the name of the Commission showed that it was not an instrument of enforcement. Further objection was raised by some representatives that the procedure suggested by the draft resolution would give too much authority to the International Labour Office and would make the function of the Council in these matters that of a forwarding agency. The representatives of India and Belgium were among those who questioned the distinction, drawn by the draft resolution, between States which were members of ILO and those which were not. Most representatives, however, were in favour of accepting the procedure for dealing with cases concerning mem-

bers and non-members of the ILO, suggested in the draft resolution. The Social Committee, after setting up a drafting Committee to present a joint draft resolution incorporating suggestions and amendments proposed during the discussion, adopted as a whole, at its 123rd meeting on 15 January 1950, by 12 votes to 2, with 1 abstention, a draft resolution (E/1615) which was adopted by the Council at its 355th plenary meeting on 17 February 1950 (see below). At that meeting, the representative of India stated that if a fact-finding and conciliation commission operated in the name of the United Nations, the United Nations should be able to follow the same procedure in considering allegations, whether the States against which the allegations were made were members of the ILO or not. India also felt that the Council could not give the Commission instructions directly, except on the question whether or not it should investigate any particular complaint. He submitted two amendments (E/L.17) which sought decisions on these lines.

The Indian amendments were rejected by 9 votes to 1, with 5 abstentions, and by 10 votes to 1, with 3 abstentions, respectively. An alternative amendment by India (E/L.17), which would have the Council invite the ILO to include in its annual report to the Council adequate details regarding the allegations against ILO members and their disposition was rejected by 8 votes to 4, with 3 abstentions. The Council then adopted, by 12 votes to 1, with 2 abstentions, the draft resolution proposed by the Social Committee.

In this resolution (277(X)), the Council noted with approval the decision taken by the Governing Body of the International Labour Office to establish a Fact-Finding and Conciliation Commission on Freedom of Association; it considered that this action corresponded to the intent of Council resolution 239 (IX) and was likely to prove the most effective way of safeguarding trade union rights; it decided to accept, on behalf of the United Nations, the services of the International Labour Office and the Fact-Finding and Conciliation Commission; it decided also to forward to the Governing Body, for its consideration as regards referral to the Commission, all allegations regarding infringement made by trade union organizations against States members of the International Labour Organisation, with special provisions devised for Members of the United Nations which were not members of ILO; it invited ILO to include in its annual report to the United Nations an account of the work of the Commission; it finally recommended that the General

Assembly refer allegations regarding trade union rights to the Council for action in accordance with procedures laid down in the resolution.

The Governing Body of ILO, at its 111th session in February-March 1950, noted (E/1659) the decision of the Council and indicated its adoption of measures to implement the Council's decision.

At the eleventh session of the Council, the Agenda Committee had before it communications received, in February, March and May 1950, by the Secretary-General from the World Federation of Trade Unions, from the Central Council of the Trade Unions Confederation of Yugoslavia, from the confederation generale du Travail of France, from the Great Lakes Licensed Officers' Organization-Foreman's Association of America, and from the Secretary of the third Mazdoor Sabha, alleging that trade union rights were being infringed in certain countries (E/C.2/250, E/1648 & Add.1 & 2).

The Council, at its 376th plenary meeting on 3 July 1950, unanimously decided, as proposed by its Agenda Committee (E/1739) that, as the allegations all referred to States which were members of ILO, the item be referred to ILO without discussion.

## 7. Forced Labour

Concern over charges of forced labour in certain Member States was first expressed at the eighth session<sup>14</sup> of the Economic and Social Council and, at the request of the Council (resolution 195(VIII)), the Secretary-General approached Governments to ascertain in what manner they would co-operate in an impartial inquiry. The replies, which were reported to the ninth session of the Council in July and August 1949, did not, the Council felt, appear to provide the conditions under which a commission of inquiry could operate effectively, and the Secretary-General was urged (resolution 237(IX)) to ask Governments which had not yet stated that they would be prepared to co-operate in such an inquiry whether they could so state before the tenth session of the Council.

Accordingly, the Secretary-General reported (E/1587, E/1588 & E/1636) to the Council's tenth session that, in accordance with resolution 237(IX), he had sent further communications to Governments on 14 and 16 September 1949. Twenty-six Member and four non-member States had, up to 27 February 1950, stated that they

were prepared to assist the inquiry in some manner.

The Council considered the question at its 365th and 366th plenary meetings on 27-28 February. It heard statements from representatives of the American Federation of Labor (AF of L) and the World Federation of Trade Unions (WFTU). Charges and counter-charges of forced labour in certain countries were made and the view was again expressed that some form of impartial inquiry was desirable.

Members of the Council felt that in general the new answers received showed that the situation had not essentially changed since the Council's ninth session, but they did not wish to delete the item from the agenda. The representative of the United States orally proposed that consideration of the question should be postponed to the Council's twelfth session. The proposal to defer consideration was supported by the representatives of the United Kingdom and Canada. The representative of Mexico suggested that meanwhile the Secretariat might continue its work on the basis of information supplied by Member States so that the Council, when it came to make a recommendation, would be better equipped. The representatives of Belgium, Brazil and Chile spoke in favour of retaining the item on the agenda.

The United States proposal was adopted unanimously by the Council, after a Danish amendment to have the question considered at the Council's eleventh session had been rejected, by 8 votes to 3, with 4 abstentions.

The Commission on Human Rights, at its sixth session from 27 March to 19 May 1950,<sup>15</sup> adopted article 5 of the draft International Covenant on Human Rights (E/1681, annex I), which dealt with slavery, servitude and forced labour. Section 3 of the article contained the provision that "no one shall be required to perform forced or compulsory labour". The provision was considered not to preclude the imposition of "hard labour" after a sentence to punishment of this kind by a competent court in countries where such sentences are imposed as punishment for a crime. Moreover, certain cases were cited in the article to which the term "forced or compulsory labour" should not be applied.

At its eleventh session, held from 3 July to 16 August 1950, the Council had before it a communication (E/1671) from the Director-General of the International Labour Office on the discussion

<sup>14</sup> See Y.U.N., 1948-49, pp. 545-47.

<sup>15</sup> See pp. 519-21.

of forced labour which had taken place at the 111th session of the Governing Body of ILO, in February-March 1950. The Governing Body had considered the report of its International Organizations Committee, which had recommended that the Governing Body, without waiting for further discussion by the Council, should itself establish an ILO commission to carry out an impartial inquiry into the nature and extent of forced labour. The Committee had considered that the establishment of such a commission should not prejudice the possibility of setting up joint machinery with the United Nations, should the Council subsequently decide in favour of the establishment of a joint commission of inquiry. The Governing Body decided at its 111th session that the record of its discussion should be transmitted to the Council.

A note by the Secretary-General (E/1636/Rev.1), dated 20 June, came before the Council at its eleventh session. It reported that a total of 31 Member States (Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Canada, China, Colombia, Cuba, Denmark, Egypt, Ethiopia, France, Greece, Iceland, India, Iran, Guatemala, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Philippines, Sweden, Syria, Thailand, Turkey, United Kingdom and the United States) and, in addition, six non-member States (Austria, Federal Republic of Germany, Italy, Japan, Nepal and Switzerland) had reported that they were prepared to collaborate in an impartial inquiry or to render assistance in some manner. Five countries (Chile, Saudi Arabia and the Union of South Africa, as well as the non-member States of Ceylon and Finland) had made no comment on the question of an inquiry. The Government of the USSR had reiterated its views as embodied in its proposals submitted to the eighth session of the Council<sup>116</sup> and the Byelorussian SSR had supported these. The USSR proposals were for a comprehensive international mission, composed of 110 to 125 representatives of national and international trade union federations, to conduct an inquiry. The Government of Yugoslavia, the Secretary-General reported to the Council, had submitted its own proposals. The Governments of Bulgaria, Czechoslovakia and Iraq had stated that they were unable to co-operate.

The Council discussed the question at its 413th plenary meeting on 15 August 1950. It had before it a joint draft resolution (E/L.104) by the representatives of the United Kingdom and the United States of America, which proposed that the Council invite ILO to participate in the establishment

of an ad hoc committee on forced labour to be composed of not more than five independent members, to be appointed jointly by the Secretary-General of the United Nations and the Director-General of ILO. The task of the committee would be:

- (1) to survey the field of forced labour, especially systems of "corrective labour" employed as a means of political coercion or punishment for holding or expressing political views; or which are on such a scale as to constitute an important element in the economy of a given country;
- (2) to assess the nature and extent of this problem at the present time;
- (3) to report to the Council and the Governing Body of ILO.

In the discussion on this joint draft resolution, charges of the existence of forced labour in certain countries which had been made at previous sessions were repeated and new evidence was brought forward to substantiate the accusations.

The representative of Canada said that the main problem confronting the Council was how it could bring nearer the prevention of such examples of forced labour cited during the discussion. He said that the establishment of a committee as proposed in the joint draft resolution should be very carefully considered by Governments, as the Council should not set up machinery of this kind unless it were convinced that such machinery would be effective. In the hope that Member Governments would give the draft resolution careful consideration, he proposed that the Council adjourn its debate on the matter until its twelfth session. The proposal was adopted by 8 votes to none, with 7 abstentions.

At its 113th session in November 1950, the Governing Body of ILO rejected a proposal that it should postpone its decision on the action to be taken on forced labour pending further consideration of the subject by the Economic and Social Council (E/1884). It noted the United Kingdom-United States proposal made at the eleventh session of the Council, expressed its willingness to co-operate in the manner suggested by the proposal, and authorized the Director-General of ILO to co-operate in this manner in the event of its approval by the Council.

## 8. The Problem of Slavery

Acting upon the request made by the General Assembly in its resolution 278(III) of 13 May 1949, the Economic and Social Council, at its

<sup>116</sup> See Y.U.N., 1948-49, pp. 545-47.

ninth session, decided (resolution 238(IX)) on 20 July 1949 to study the problem of slavery.<sup>117</sup> It instructed the Secretary-General, after consultation with the bodies having special competence in this field, to appoint a small ad hoc committee of not more than five experts to survey the field of slavery and other institutions resembling slavery, to assess the nature and extent of these problems and suggest methods for attacking them, as well as an appropriate division of responsibility in connexion with this subject among the various bodies within the framework of the United Nations. It was to report to the Council within twelve months of its appointment. Accordingly, the Secretary-General appointed a committee of four members, which held its first session from 13 February to 23 March 1950.

The Ad Hoc Committee had before it several documents, including several memoranda by the Secretary-General, of which the most important were: one, dealing with the work of the League of Nations for the suppression of slavery (E/AC.33/2), another with the suppression of slavery and the slave trade by means of international agreement (E/AC33/3).

The Committee agreed that first priority should be given to the preparation of the survey which the Council had requested, and decided to submit to Member and non-Member Governments a questionnaire on slavery "and institutions and customs analagous thereto". It drew up and adopted, in closed session, a questionnaire (E/1617) which referred not only to slavery and the slave trade as defined in article 1 of the International Slavery Convention of 1926, but also to several practices which are restrictive of the liberty of the person and which tend to subject that person to a state of servitude, as for instance:

- (1) Serfdom (compulsory and hereditary attachment to land accompanied by obligations to render service to the landlord);
- (2) Traditional forms of involuntary unpaid service exacted by landowners and other employers of labour;
- (3) Debt bondage;
- (4) Pledging and pawning of third persons as security for debt;
- (5) Exploitation of children under the form of adoption;
- (6) Purchase of wives and inheritance of widows by the heir of the deceased husband, involving involuntary subjection of a woman to a man not of her choice;
- (7) Forms of prostitution of women and children involving exercise of ownership over them.

The Committee recommended to the Council (E/1617) that Governments should be asked to reply to the questionnaire by 15 August 1950, and that the Committee should hold a second ses-

sion in August-September 1950 and a third session in January-February 1951 to consider the information received and to prepare its final report.

To enable the Economic and Social Council to consider the matter at its tenth session, the Ad Hoc Committee submitted an interim report (E/1617) before it had completed its first session. The Council reviewed the interim report at its 372nd-374th plenary meetings from 3-6 March 1950, and although a number of representatives, including those of Belgium, China, France, United Kingdom and the United States, congratulated the Committee on its work in what was generally recognized to be a complicated task, some criticism of the definition of the questionnaire was voiced. It was also pointed out by some representatives, including those of Belgium, France, the United Kingdom and the United States, that questions concerning forced labour and trade union rights were being dealt with as separate items on the agenda of the Council and that they should be considered as distinct from slavery. Opinion on when a subsequent session or sessions of the Ad Hoc Committee should be held was divided: the representatives of Belgium and France felt that the Committee could meet early if it required to do so, the United States representative considered that the Committee should delay meeting in order to have further information at its disposal and the representative of China urged that a decision on this matter be postponed. A United States suggestion, that sessions of the Ad Hoc Committee should be closed sessions, found some support, but certain representatives, including those of France and the United Kingdom, considered that no special instructions on this point need be given to the Committee. On the ground that the views expressed by Council members in favour of closed meetings would be taken into account by the Committee, the United States representative withdrew his proposal.

The Council adopted, with certain drafting amendments, a resolution proposed by the United States (E/L.43). It rejected, by 7 votes to 1, with 6 abstentions, a Peruvian amendment (E/L.44), which would have the Committee resubmit the revised questionnaire to the Council before transmitting it to Governments. In the resolution (276-(X)), adopted as a whole at the 374th meeting on 6 March by 13 votes to none, with 2 abstentions, the Council noted that it had examined otherwise, or had referred to other bodies for

<sup>117</sup>See Y.U.N., 1948-49, pp. 547-48

action or report, such issues as forced labour and trade union rights. It returned to the Ad Hoc Committee the questionnaire on slavery and institutions or customs analagous thereto, with the request that it revise it in the light of the discussions at the tenth session and in keeping with resolution 276(X). It authorized the Committee to transmit the questionnaire, when revised, to the Governments of Members and non-members of the United Nations, subject to resolution 39(I) of the General Assembly.<sup>118</sup> It considered that the next session of the Committee should be held not earlier than November 1950, with a view to the submission of a final report to the Council in 1951.

The Ad Hoc Committee duly revised the questionnaire, and asked the Secretary-General to transmit it to Governments with the request that they reply before 1 October 1950.

The Committee also decided that other methods of securing information for the survey should also be used and, for this purpose, approached non-governmental organizations, research institutions, religious organizations and other bodies, as well as individual experts with special knowledge or competence in the field of slavery and other forms of servitude. It also submitted a special request for information to the International Labour Organisation. It assigned to each of its members responsibility for undertaking the survey of conditions of slavery or institutions and customs resembling slavery, in a particular area of the world.

The Committee held preliminary discussions on the other questions it was asked to consider, but did not formulate any final decisions or recommendations pending the collection of adequate information on which to base its survey. It asked

the Secretary-General to arrange for a second session to be held in November 1950, principally for the purpose of examining and evaluating the replies received to the questionnaire and the information obtained from the other sources, and of preparing any supplementary requests for information which might be considered necessary. It requested, also, that a third session be scheduled for April-May 1951, for the preparation of the final report to the Council. These requests were contained in the report of the Committee's first session (E/1600), which came before the Council at its eleventh session at the 407th plenary meeting on 11 August 1950.

Members of the Council, generally speaking, recognized the difficulty and the magnitude of the task before the Committee. Several representatives, including those of Belgium, Peru and the United States, expressed the opinion that, in view of the great amount of material which the Committee was attempting to collect, the holding of a session in November might be premature. It was also stated that Governments should be given more time to reply to the questionnaire.

The representative of Peru, accordingly, submitted to the Council an amendment (E/L.96) to the Committee's proposals, seeking to defer until 1951 the meeting of the Committee. By resolution 307 (XI), adopted by 12 votes to none, with 3 abstentions, the Council took note of the Committee's report on its first session and decided that the session of the Committee planned for November 1950 should take place in the first half of 1951. It further requested the Committee to submit its final report to the Council at its thirteenth session.

## J. FREEDOM OF INFORMATION

### 1. Draft Convention on Freedom of Information

#### a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL

The Economic and Social Council, at its tenth session, held from 7 February to 6 March 1950, had before it General Assembly resolution 313- (IV) of 20 October 1949, recommending that the Council should request the Commission on Human Rights to include adequate provisions on freedom of information in the draft International Covenant on Human Rights, taking into account the work done on the draft Convention on Free-

dom of Information at the United Nations Conference on Freedom of Information and at the third and fourth sessions of the General Assembly.<sup>119</sup>

At the same time, the Assembly decided to postpone further action on the draft Convention to its fifth regular session, pending receipt of the draft International Covenant on Human Rights, or a progress report on it.

The resolution of the General Assembly came before the Council at its 348th plenary meeting

<sup>118</sup> This resolution referred to relations between United Nations Members and Spain; see Y.U.N., 1946-47, p. 67.

<sup>119</sup> See Y.U.N., 1948-49, pp. 553-77.

on 13 February 1950. The Council had before it a draft resolution prepared by the Secretary-General (E/1560) on the basis of the Assembly recommendation, which would have the Council transmit the Assembly's resolution to the Commission on Human Rights "for the action contemplated therein". It also had before it a draft resolution by Chile (E/L.4), which would state that the Council, having considered the General Assembly resolution, "requests the Commission on Human Rights to include adequate provisions in the draft International Covenant on Human Rights, taking into account the work done on the draft Convention on Freedom of Information at the United Nations Conference on Freedom of Information and at the third and fourth regular sessions of the General Assembly". A further draft resolution, submitted jointly by France and India (E/L.6), would have the Council instruct the Commission to consider the inclusion in the Covenant on Human Rights of basic principles of freedom of information only, bearing in mind that the action on the draft Convention on Freedom of Information had not yet been completed by the General Assembly. It would also recommend that the Assembly complete its consideration of the draft Covenant as early as possible.

The sponsors of the joint draft resolution emphasized that the Council should specify to the Commission on Human Rights what action it should take in this respect. It was desirable that a clause restricted to basic principles should be included in the draft Covenant and this action would not prejudice any decision by the General Assembly in respect of the Convention. Among those who spoke in favour of the joint draft resolution were the representatives of Belgium and Iran. The representative of Chile said that he would not press for a vote on his draft resolution.

The representative of the United States, on the other hand, opposed the joint draft resolution, stating that he felt that the Council should not go beyond its authority in transmitting the resolution by the General Assembly to the Commission on Human Rights and stated that he would sponsor the draft resolution prepared by the Secretary-General (see above). Support for this draft resolution was expressed by the representatives of Australia, Brazil, Canada, Mexico, Pakistan, Peru and the United Kingdom.

The French-Indian joint draft resolution, after a paragraph-by-paragraph vote, was rejected as a whole by 7 votes to 1, with 6 abstentions. The United States draft resolution was then adopted by the Council by 12 votes to 1, with 2 abstentions,

at the 348th plenary meeting on 13 February 1950. By this resolution (278(X)), the Council transmitted resolution 313(V) of the General Assembly to the Commission "for the action contemplated therein".

At its sixth session, held from 27 March to 19 May 1950, the Commission on Human Rights considered the resolutions of the General Assembly and the Council, while discussing the article on freedom of information in the draft Covenant on Human Rights. In its report (E/1681), it recommended to the Council that the latter should recommend to the General Assembly to proceed, at its fifth session, with the elaboration of a special convention on freedom of information as a means of ensuring adequately this freedom throughout the world.

When this recommendation was discussed at the Council's eleventh session, at the 139th meeting of the Social Committee on 17 July 1950, it was opposed on the ground that it was for the General Assembly to decide the action it wished to take concerning the draft Convention on Freedom of Information in the light of its consideration of the relevant article in the draft Covenant on Human Rights. This view was expressed by the representatives of the United Kingdom and the United States. The representatives of Brazil, France, India and Mexico, on the other hand, urged the adoption of the recommendation of the Commission, which was composed of experts and competent jurists who had reached the conclusion that the article in the Covenant could not replace the whole Convention on Freedom of Information. The Social Committee decided, by 8 votes to 5, with 1 abstention, to adopt the recommendation of the Commission.

The decision of the Committee, however, was not adopted by the Council at its 404th plenary meeting on 9 August 1950. The representative of the United States expressed the opinion at this meeting that it would be wrong for the Council to impose a particular course of action on the Third Committee of the General Assembly. Similar views were expressed by the delegations of Canada, Chile and the United Kingdom, while the representatives of Brazil, France, India and Mexico urged the adoption of the draft resolution submitted by the Social Committee (E/1808). An oral amendment by the representative of Iran, which sought to avoid the adoption by the Council of a resolution which might prejudice the action of the General Assembly, was debated at some length but was rejected by the Council by 8 votes to 5, with 2 abstentions. The Council also rejected

the draft resolution proposed by the Committee by 7 votes to 6, with 2 abstentions. Thus the Council at its eleventh session adopted no resolution with respect to the Draft Convention on Freedom of Information.

b. CONSIDERATION BY THE  
GENERAL ASSEMBLY

At the fifth session of the Assembly, the draft Convention was considered at the 320th-324th meetings by the Third Committee from 20 to 22 November 1950. The Committee had before it a draft resolution submitted jointly by Chile, Cuba, Egypt, France and the Netherlands (A/C.3/L.110/Rev.1), which would provide for the appointment by the General Assembly of an ad hoc committee consisting of the representatives of fifteen countries to prepare, at a meeting to be held not later than 1 March 1951, a draft convention on freedom of information. It further proposed that the Economic and Social Council be recommended to convene a conference of plenipotentiaries to meet not later than 1 August 1951 with a view to the framing and signature of a Convention on Freedom of Information, based on the draft prepared by the ad hoc committee and on observations solicited from Governments.

During the general debate, the representatives of Afghanistan, Brazil and Mexico expressed the opinion that the drafting of the Convention on Freedom of Information should be proceeded with at the current session of the General Assembly. No formal proposal to that effect was, however, introduced.

The following amendments to the joint draft resolution were submitted:

(1) By the United States (A/C.3/L.113): This amendment proposed that the operative part of the joint draft resolution be deleted, and that the General Assembly decide to postpone further consideration of the draft Convention on Freedom of Information until it had taken definite action on the draft Covenant on Human Rights.

(2) By Lebanon (A/C.3/L.116): This amendment included, among others, the following proposals: (a) to insert a provision requesting the ad hoc committee to report to the Economic and Social Council on the result of its work and to submit recommendations, particularly with regard to the advisability of convening a conference of plenipotentiaries as proposed in the joint draft resolution; (b) to change the wording of a paragraph of the joint draft resolution; and (c) to replace the recommendation for the convening of a conference of plenipotentiaries by a provision recommending the Economic and Social Council to consider the report of the ad hoc committee and "if it thinks fit in the light of the ad hoc committee's recommendations and the observations of Governments" to convene a conference not later than 1 August 1951.

The Committee also had before it sub-amendments to the Lebanese amendment by Mexico (A/C.3/L.117). They proposed the deletion of the request to the ad hoc committee to submit recommendations to the Economic and Social Council with regard to the advisability of convening a conference. It was proposed to delete the words "if it thinks fit in the light of the ad hoc committee's recommendations and the observations of Governments" and to change the wording of the amendment to the effect that the draft resolution should take into account the possibility of several drafts being prepared by the ad hoc committee.

Two sub-amendments by Chile were accepted by the representative of Lebanon. The first sub-amendment would have the Economic and Social Council take into consideration, also, the General Assembly's wish that one or more conventions to ensure freedom of information in the world should be adopted as soon as possible (A/C.3/L.116/Rev.1). The second Chilean sub-amendment proposed orally was to change the timing of the proposed conference from "not later than 1 August 1951" to "as soon as possible and not later than 1 February 1952".

The sponsors of the joint draft resolution urged its adoption to avoid further postponement of action on this question, which had been delayed by various obstacles, including the failure to agree on an appropriate method for guaranteeing freedom of information.

The representative of France considered that the absence of a convention in the field of freedom of information, one of the essential democratic freedoms, might have serious consequences. It would be desirable for the draft Covenant on Human Rights to cover all aspects of freedom of information, but the question was undoubtedly a complex one and could not be dealt with in a single article. The Commission on Human Rights had itself decided that a provision on freedom of information in the draft Covenant would not suffice to settle the problem and that a convention was essential. In the opinion of the representative of Cuba the effect of the adoption of the United States amendment would be to postpone the question indefinitely. The representative of Lebanon also urged that the study of the draft convention should not be postponed again.

The representative of the United States, on the other hand, stating that the draft Convention on Freedom of Information was closely related to the draft Covenant on Human Rights, expressed the view that since the Commission had not yet

completed the draft Covenant, no final decision on the draft Convention could yet be taken. The United States delegation considered that a decision should be taken as to the form of the article on freedom of information in the draft Covenant before consideration was given to the drafting of a convention.

The debate which followed in the Third Committee showed a division of opinion among Members as to whether it was desirable to proceed with consideration of the draft Convention on Freedom of Information before the completion of the draft Covenant on Human Rights, which would contain an article on freedom of information. Support for the joint draft resolution or the amendments to the joint draft resolution submitted by Lebanon and Chilean and Mexican sub-amendments to the Lebanese amendment was voiced by the representatives of El Salvador, Ethiopia, India, Poland, Saudi Arabia, Turkey, Union of South Africa and Yugoslavia, though in many cases reservations were made in respect of certain aspects. Among representatives who spoke in favour of the United States amendment, on the other hand, were those of Australia, Canada, Greece, New Zealand and the United Kingdom.

At the 322nd meeting of the Committee on 21 November 1950 the United States amendment was rejected, by roll-call vote of 25 to 14, with 10 abstentions, and the Committee then voted, paragraph by paragraph, on the joint draft resolution and the amendments.

The Committee decided not to adopt either of the Mexican amendments to the Lebanese amendment. In a roll-call vote on the first amendment proposed by Mexico, there were 17 votes in favour and 17 against, with 15 abstentions. The Committee rejected, by 23 votes to 18, with 6 abstentions, the second Mexican proposal. It decided, however, to adopt each of the three parts of the Lebanese amendment to the joint draft resolution—by a roll-call vote of 25 to 13, with 11 abstentions; by 46 votes to none, with 3 abstentions; and by 31 votes to 8, with 8 abstentions, respectively. It adopted the unamended parts of the joint draft resolution, paragraph by paragraph, by votes ranging from 41 votes to 2, with 6 abstentions, to 30 votes to 1, with 17 abstentions.

After voting on the joint draft resolution and the amendments, it was pointed out by the Chairman that the committee would have to decide on the membership of the proposed ad hoc committee before it could vote on the draft resolution as a whole.

At its 323rd meeting on 22 November 1950, the Committee took two secret ballots to determine the composition of the Committee referred to in the draft resolution. As a result of the first ballot, the following Member States obtained the required majority: Cuba, Egypt, France, India, Lebanon, Mexico, the Netherlands, the Philippines, the USSR, the United Kingdom and the United States. At the second ballot, the following Member States obtained the required majority: Ecuador, Pakistan, Saudi Arabia and Yugoslavia. When the names of these fifteen States had been inserted in the draft resolution, it was adopted as a whole by a roll-call vote of 35 votes to none, with 15 abstentions.

The resolution adopted by the Committee was adopted by the General Assembly (resolution 426(V)) at its 325th plenary meeting on 9 August 1950, without discussion, by 44 votes to none, with 12 abstentions. It read:

The General Assembly,

Recalling its resolution 313(IV) of 20 October 1949, the recommendation of the sixth session of the Commission on Human Rights regarding freedom of information and the discussion concerning that recommendation at the eleventh session of the Economic and Social Council,

Considering that freedom of information and the Purposes of the United Nations are indivisible,

1. Appoints a Committee consisting of the representatives of the following fifteen countries: Cuba, Ecuador, Egypt, France, India, Lebanon, Mexico, the Netherlands, Pakistan, the Philippines, Saudi Arabia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, which shall meet at the Headquarters of the United Nations as soon as possible, but not later than 1 March 1951, to prepare a draft Convention on Freedom of Information, taking into consideration the draft approved by the United Nations Conference on Freedom of Information held at Geneva from 23 March to 21 April 1948; the text voted during the second part of the third session of the General Assembly; article 14 of the provisional text of the draft First International Covenant on Human Rights; and the observations contained in the summary records of the meetings of the Third Committee dealing with the question;

2. Requests the Committee to report to the Economic and Social Council at its thirteenth session on the results of its work and to submit recommendations, in particular, with regard to the advisability of convening a conference of plenipotentiaries with a view to the framing and signature of a Convention on Freedom of Information;

3. Requests the Secretary-General to submit the Committee's report, together with the draft or drafts of the Convention prepared by the Committee, to the various governments concerned for their consideration;

4. Invites the governments so consulted to transmit their suggestions and observations to the Secretary-General by 15 June 1951;

5. Recommends the Economic and Social Council to consider the Committee's report at its thirteenth session and if it thinks fit, in the light of the Committee's recommendations and the observations of governments, and also taking into consideration the General Assembly's wish that one or more conventions to ensure freedom of information in the world should be adopted as soon as possible, to convene a conference of plenipotentiaries to meet as soon as possible and not later than 1 February 1952, with a view to the framing and signature of a Convention on Freedom of Information, based on the draft or drafts prepared by the above-mentioned Committee and on the observations of governments.

## 2. The Adequacy of News and Obstacles to the Free Flow of Information

At its fourth session, held in Montevideo from 15-26 May 1950, the Sub-Commission on Freedom of Information and of the Press discussed and made recommendations to the Council relating to the adequacy of news available to the peoples of the world and the obstacles to the free flow of information to them. These recommendations concerned, in particular:

- (1) interference with radio signals;
- (2) freedom of information in a state of emergency;
- (3) dissemination of information through newsreels;
- (4) agreements between Governments and the United Nations and the specialized agencies concerning free access of news personnel and their families to countries where meetings of the United Nations and the agencies are held;
- (5) the supply of newsprint;
- (6) discrimination against foreign news personnel.

These recommendations were discussed by the Council at its eleventh session, at the 135th to 139th meetings of the Social Committee, 12-17 July, and at the 405th plenary meeting on 9 August 1950.

The first two of these questions were also considered by the General Assembly at its fifth session, at the 317th to 319th meetings of the Third Committee on 17-18 November and at the 325th plenary meeting on 14 December 1950.

### a. INTERFERENCE WITH RADIO SIGNALS

#### (1) Recommendation of the Sub-Commission

In a resolution on this subject, the Sub-Commission stated that it considered that duly authorized radio-operating agencies in the USSR were deliberately interfering with the reception, by the people of the USSR, of certain radio signals originating beyond the territory of that country. It declared these types of interference to be a violation of the accepted principles of freedom of information; condemned all measures of this

nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers; and requested the Council to transmit the resolution to the General Assembly, recommending that it should call upon the Governments of all Member States to refrain from such interference with the right of their peoples of freedom of information.

#### (2) Discussion in the Council at Its Eleventh Session

The Council's Social Committee in discussing this recommendation had before it an amendment to the Sub-Commission's draft proposed by India (E/AC.7/L.33) which, in the preamble, would, among other things, refer to interference by "duly authorized radio operating agencies in certain countries" with radio signals from abroad and, in the operative part would declare such interference a violation of the accepted principles of freedom of information and condemn all measures of this kind as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers. A sub-amendment by the United States (E/AC.7/L.42) sought to add a paragraph to the Indian amendment to provide for the transmission to the General Assembly the records of the Council's discussions on the subject. An Australian amendment (E/AC.7/L.40), suggested the deletion of the paragraph of the Sub-Commission's resolution condemning the practice of interference as a violation of the accepted fundamental human right of all persons to be fully informed.

In the Committee's discussion, various representatives, including those of France, India and Pakistan, urged that it was inappropriate to make specific mention in such a resolution of a particular Member State; the opposing view was expressed by the United States representative. The majority view was that this reference in the Sub-Commission's resolution should be deleted, and the Indian amendment was put to the vote, paragraph by paragraph. The United States sub-amendment to the Indian amendment was unanimously adopted and the Indian proposal, as amended, was adopted, as a whole, by 11 votes to none, with 2 abstentions. The Committee, accordingly, did not vote on the resolution proposed by the Sub-Commission or the Australian amendment to it.

When the Council considered the draft resolution of the Committee (E/1785, draft resolution B) at its 405th plenary meeting on 9 August 1950, the representative of the United Kingdom said that, in the opinion of his delegation, the question of interpretation of the International

Telecommunication Convention, referred to in the draft resolution (see below), was a matter which fell within the competence of the International Telecommunication Union (ITU) and should not be included in a Council resolution. He requested, therefore, that a separate vote should be taken on that particular paragraph. This view was opposed by the representative of the United States, who stated that to delete the paragraph would greatly weaken the draft resolution. He emphasized that ITU had an agreement with the United Nations and that the Atlantic City Convention was an important instrument and basic to the orderly development of international communications.

The paragraph referred to was put to the vote separately and adopted by the Council by 12 votes to 2, with 1 abstention. Part B of the resolution, as a whole, was adopted unanimously by the Council (resolution 306 B (XI)), as follows:

Whereas the General Assembly in its resolution 59(I) authorizing the holding of the United Nations Conference on Freedom of Information declared that freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated,

Whereas freedom to listen to radio broadcasts regardless of source is embodied in article 19 of the Universal Declaration of Human Rights, which reads: "Everyone has the right to freedom of opinion and expression" and whereas this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers,

Whereas article 44 of the International Telecommunication Convention, Atlantic City, 1947, provides that "All stations whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio service or communications of other members or associate members . . . [and that] Each member or associate Member undertakes to require the private operating agencies which it recognizes, and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph," and

Considering that the duly authorized radio operating agencies in some countries are deliberately interfering with the reception by the people of those countries of certain radio signals originating beyond their territories,

The Economic and Social Council

Declares this type of interference to be a violation of the accepted principles of freedom of information; condemns all measures of this nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers;

Transmits to the General Assembly the records of the discussion on this subject in the Council; and

Recommends to the General Assembly that it call upon all Member Governments to refrain from such interference with the right of their peoples to freedom of information.

When it considered the report of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Economic and Social Council, at its 405th plenary meeting on 9 August 1950, adopted resolution 331 B (XI), by which it requested the Secretary-General to prepare for the Council, in collaboration with the Director-General of UNESCO, a report delimiting the respective activities of the United Nations and of UNESCO, with a view to their co-ordination, in particular comparing the terms of reference and programme of the Sub-Commission on Freedom of Information and of the Press with the constitution and programme of UNESCO.<sup>120</sup>

### (3) Discussion in the General Assembly at Its Fifth Session

The Council's resolution 306 B (XI) was considered by the Assembly at the 317th-319th meetings of the Third Committee on 17-18 November and at the 325th plenary meeting on 14 December.

The representative of Chile submitted a draft resolution (A/C.3/L112), whereby the General Assembly would adopt as its own the declaration in the Council's resolution and invite the Governments of all Member States to refrain from interference of the kind mentioned.

During the debate in the Committee, charges and counter-charges concerning interference with radio signals were made by a number of representatives, including those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR on one hand, and Cuba, Lebanon, the United Kingdom, the United States and Yugoslavia on the other. The representative of Chile, urging the adoption of his draft resolution, recalled that in 1947 the General Assembly had adopted resolution 110 (II)<sup>121</sup> condemning all propaganda likely to jeopardize friendly relations among nations. The First Committee had reiterated (A/1532) that condemnation by its adoption, by 43 votes to none, with 8 abstentions, of a draft resolution condemning all propaganda against peace, and recommending the free exchange of information and ideas.<sup>122</sup> Moreover to comply with resolution 290(IV),<sup>123</sup> and to meet the request of the Sub-Commission on Freedom of Information and of the Press which had been endorsed by the Economic and Social Council, the

<sup>120</sup> See pp. 919-20.

<sup>121</sup> For text, see Y.U.N., 1947-48, p. 93.

<sup>122</sup> For action by the General Assembly on the draft resolution of the Committee, see below.

<sup>123</sup> For text, see Y.U.N., 1948-49, p. 344.

Third Committee was, he considered, bound to condemn the policy of interference and to submit a draft resolution to that effect to the General Assembly. Such action was also dictated by the need to protect the work of the United Nations for peace. All propaganda against peace and all information capable of disturbing friendly relations among people should, he considered, be condemned. Similar views were expressed by the representatives of Afghanistan and Egypt, who supported the principle of a resolution which would be couched in general terms and could be regarded as being in the true interests of freedom of information.

Oral amendments to the Chilean draft resolution (A/C.3/L.112) were submitted jointly by the representatives of India, Indonesia, Iran, Iraq, Mexico, the Philippines and Saudi Arabia. In submitting these amendments to the Committee the representative of Saudi Arabia said that the reason for submitting these amendments, as he had been able to ascertain from personal experience, was that the major Powers employed radio broadcasting for propaganda purposes. The smaller nations, he said, did not want to become involved in any ideological struggle, whatever its nature. If the Third Committee and the General Assembly decided to request the major Powers to endeavour to disseminate their culture, art and literature and refrain from insisting upon their political interests, a great service would be rendered to the cause of peace. The joint oral amendments proposed to add a paragraph to the preamble which would have the General Assembly declare that it considered peace amongst nations rested on the goodwill of all peoples and Governments and that tolerance and understanding were prerequisites for establishing goodwill in the international field. It would also add to the operative part of the Chilean draft a paragraph which would have the Assembly invite all Governments "to refrain from such radio broadcasts as would offend the sensibilities of the peoples everywhere and in so doing conform strictly to an ethical conduct in the interests of world peace by reporting facts truly and objectively".

Some members of the Committee pointed out that as a result of the joint oral amendments two separate aspects of the question were now under consideration—interference with radio signals and the actual nature of radio broadcasts—though others considered the two matters interrelated. Some representatives were in favour of a single resolution embracing both aspects, others felt that they should be dealt with separately.

The representative of Chile, however, accepted the joint oral amendments in respect of the preamble. He criticized the phrasing of the amendment to the operative part of the draft resolution as being too vague and not strong enough to condemn any broadcasts but was willing to incorporate in it the phrase "that would mean unfair attacks or offensive slanders against other peoples anywhere" in place of the words "as would offend the sensibilities of peoples everywhere". He also proposed the addition to his draft resolution of a paragraph which would have the General Assembly also invite Member States to give every possible facility so that the people might know objectively the activities of the United Nations in promoting peace and, in particular, to facilitate the reception and transmission of the United Nations official broadcasts.

Following the acceptance by the representative of Chile of the suggested amendments, the Committee considered various suggestions for drafting changes. It rejected, by 16 votes to 13, with 15 abstentions, a Saudi Arabian proposal to reinsert in the designation of the types of broadcasts from which the General Assembly would invite all Governments to refrain, those broadcasts which would offend the susceptibilities of peoples anywhere. It also rejected by 12 votes to 8, with 22 abstentions, a Lebanese oral amendment to add a paragraph, having the General Assembly invite the Governments of all Member States to take the necessary steps within their competence to prevent the diffusion of false or distorted reports likely to injure friendly relations between States.

The Committee then voted on the amended Chilean draft resolution, paragraph by paragraph. The first two operative paragraphs of the draft resolution were adopted in roll-call vote by 38 votes to 5, with 1 abstention, and by 36 votes to 5, with 3 abstentions, respectively. The draft resolution as a whole was adopted by the Committee at its 319th meeting on 18 November 1950, by 39 votes to 5.

The resolution was subsequently adopted (resolution 424(V)) by the General Assembly at its 325th plenary meeting on 14 December, without discussion, by 49 votes to 5. It read as follows:

The General Assembly,

Whereas freedom to listen to radio broadcasts regardless of source is embodied in article 19 of the Universal Declaration of Human Rights, which reads: "Everyone has the right to freedom of opinion and expression" and whereas this right "includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers",

Whereas article 44 of the International Telecommunication Convention, Atlantic City, 1947, provides that "All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio service or communications of other members or associate members . . . [and that] Each member or associate member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph",

Considering that the duly authorized radio operating agencies in some countries are deliberately interfering with the reception by the people of those countries of certain radio signals originating beyond their territories, and bearing in mind the discussion which took place in the Economic and Social Council and in the Sub-Commission on Freedom of Information and of the Press on this subject,

Considering that peace among nations rests on the goodwill of all peoples and governments and that tolerance and understanding are prerequisites for establishing goodwill in the international field,

1. Adopts the declaration of the Economic and Social Council contained in its resolution 306 B (XI) of 9 August 1950 to the effect that this type of interference constitutes a violation of the accepted principles of freedom of information;

2. Condemns measures of this nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers;

3. Invites the governments of all Member States to refrain from such interference with the right of their peoples to freedom of information;

4. Invites all governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively;

5. Invites also Member States to give every possible facility so that their peoples may know objectively the activities of the United Nations in promoting peace and, in particular, to facilitate the reception and transmission of the United Nations official broadcasts.

#### b. FREEDOM OF INFORMATION IN A STATE OF EMERGENCY

The Sub-Commission on Freedom of Information and of the Press at its fourth session recommended (E/1672) that the Council request the General Assembly to adopt a resolution concerning freedom of information in a state of emergency. Though some criticism of the draft resolution proposed by the Sub-Commission was voiced at the eleventh session of the Council in the Social Committee by the representatives of Australia, Belgium, Chile and France and the resolution was described both as vague and of little force, it was adopted by the Committee without change by 6 votes to 5, with 4 abstentions, at its 137th meeting on 14 July and without discussion by the Council at its 405th plenary

meeting on 9 August 1950 by 11 votes to 2, with 2 abstentions, as resolution 306 C (XI).

In this resolution the Council would have the General Assembly declare, in the preamble, that it considered that freedom of information and of the Press was a fundamental human right and should be advanced and safeguarded "in all circumstances" and that limitations had been placed on this right in emergencies or on the pretext of emergencies.

In the operative part of the resolution, the Assembly would recommend to all Members that when they were compelled to declare a state of emergency they should limit freedom of information and of the Press only in the most exceptional circumstances and then only to the extent required by the situation.

The question was considered at the Assembly's fifth session at the 318th meeting of the Third Committee on 17 November 1950. The Committee decided to take as its basic text the Economic and Social Council's draft resolution (306 C (XI)). It agreed, however, at the suggestion of the representative of Egypt to redraft the preamble.

Further drafting changes were adopted on the suggestion of Saudi Arabia and the Philippines. The Committee also adopted by 17 votes to 16, with 11 abstentions, a Saudi Arabian amendment, to delete the words "in all circumstances" from the first part of the preamble. The draft resolution as amended, was adopted by the Committee by 38 votes to 5, with 5 abstentions, and by the General Assembly at its 325th meeting on 14 December 1950, without discussion, by 41 votes to 5, with 2 abstentions, as resolution 425 (V). It read as follows:

The General Assembly,

Considering that freedom of information and of the Press is one of the fundamental freedoms and should be advanced and safeguarded,

Considering that limitations might be placed on this freedom in emergencies or on the pretext of emergencies,

Recommends to all Member States that, when they are compelled to declare a state of emergency, measures to limit freedom of information and of the Press shall be taken only in the most exceptional circumstances and then only to the extent strictly required by the situation.

#### c. NEWSREELS

In a resolution concerning the free circulation of newsreels, the Sub-Commission on Freedom of Information and of the Press at its fourth session (E/1674) proposed that the Council should appeal to all Governments:

(1) to permit movement within their territories of personnel engaged in the gathering, transmission and dissemination of information through the medium of newsreels;

(2) not to seize, impound or otherwise place restrictions or hindrances without justifiable legal cause on newsreel equipment used by them;

(3) not to confiscate or censor newsreels or portions of newsreels unless this was absolutely essential on grounds relating directly to public morals or national defence.

This matter was discussed at the eleventh session of the Council by the Social Committee at its 137th meeting on 14 July and by the Council at its 405th plenary meeting on 9 August 1950.

The Social Committee had before it two amendments to the recommendations by the Sub-Commission: one by Australia (E/AC.7/L.40), another by India (E/AC.7/L.39). The Australian amendment would (1) add the phrase "to the extent compatible with international security" in the appeal to Governments to allow the free movement of personnel; and (2) widen the application of provision dealing with the grounds for confiscation by having the Council appeal to all Governments not to confiscate or censor newsreels except on grounds relating to national security, public order, public morals and decency, the avoidance of blasphemy and the maintenance of friendly international relations. The Indian amendment similarly, would add to the conditions for confiscation grounds relating to the maintenance of cordial international relations.

The representative of Australia stated that the principles contained in his amendment had already been incorporated in the Draft Convention on the International Transmission of News and the Right of Correction,<sup>124</sup> which had been approved by the General Assembly (resolution 277 C (III)). The representative of India said that if the Australian amendments were accepted, he would withdraw his amendment.

The United Kingdom representative considered it inappropriate for the Council to adopt a resolution singling out one method of collecting and disseminating news when the draft Convention on the International Transmission of News and the Right of Correction already covered all existing methods. He therefore suggested that no action be taken on the Sub-Commission's draft resolution. Support for this view was expressed by the representatives of France and Mexico; the United States representative, on the other hand, supported the Sub-Commission's recommendations. The representative of Mexico drew the attention of the Committee to resolution 17 adopted by the Conference on Freedom of Infor-

mation, which, he stated, unlike the resolution of the Sub-Commission contained all the basic principles covering the free circulation of newsreels. It recommended Member States to adopt a whole series of practical and economic measures, whereas the Sub-Commission's experts had focussed their attention exclusively on the political aspect of the problem.

The Committee adopted by 9 votes to 2, with 3 abstentions, a United Kingdom proposal that the Committee's report recommend to the Council that, having considered the draft resolution, no action be taken thereon.

This action was endorsed by the Council at its 405th plenary meeting on 9 August 1950.

#### d. AGREEMENTS WITH THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The Sub-Commission, in another resolution adopted at its fourth session, referred to the existence of agreements between Governments and the United Nations and between Governments and specialized agencies which made special reference to freedom of access for representatives of Press, radio, film and other information agencies accredited to the United Nations and the specialized agencies. It drew the attention of the Council to the absence of any provisions for facilitating the entry into such countries of the wives and families of accredited news personnel. It pointed out that this situation, especially in the event of long-term assignments, hinders the work of news personnel through hardship and the disruption of families, and it recommended that the Council should take such action as it considered necessary in the circumstances.

The Social Committee noted that the resolution of the Sub-Commission was not drawn up in the form of a draft resolution for adoption by the Council, which was asked to take such action as it considered necessary. As no resolution was formally moved, the Committee agreed, at its 137th meeting on 14 July to take no action, and this decision was endorsed by the Council at its 405th plenary meeting on 9 August 1950.

The Sub-Commission recommended also that a model agreement be drawn up to serve as a basis for future agreements between the United Nations and countries where meetings of the United Nations are held, and between the specialized agencies and such countries. This model agreement would deal with access for news personnel

<sup>124</sup> For text, see Y.U.N., 1948-49, PP. 564-67.

to meetings of the United Nations and its specialized agencies, and would contain provisions for the adequate protection of the rights and privileges of news personnel. It recommended that the Council should request the Secretary-General to prepare the draft of such an agreement to be considered at the fifth session of the Sub-Commission with a view to eventual approval by the General Assembly.

The Social Committee noted at its 137th meeting on 14 July that a similar recommendation had been made previously and had been before the General Assembly at its fourth session. The action which the General Assembly had decided to take was incorporated in its resolution 314(IV), under which Member States were urged to grant accredited news personnel free access to countries where meetings of the United Nations or specialized agencies or any conferences convened by them were taking place, for the purposes of covering such meetings. The Council therefore at its 405th plenary meeting on 9 August 1950, on the recommendation of the Social Committee, decided to take no action on the recommendation of the Sub-Commission.

#### e. THE SUPPLY OF NEWSPRINT

A further recommendation by the Sub-Commission on the adequacy of news concerned the sale and purchase of newsprint. It considered that, for economic reasons, serious problems have arisen in various countries with regard to the supplies of newsprint, and that this situation had caused certain Governments to intervene officially in the sale and purchase of newsprint, either by restricting the amount of foreign currency allocated for its importation or by rationing it among the various organs of the Press, or by confiscating it. It considered also that governmental interference in these matters might lead to arbitrary and discriminatory action, which it was desirable to avoid and, further, that one of the functions of the Sub-Commission was to make recommendations to the Council with regard to the economic, political and other obstacles to freedom of the Press. The Sub-Commission accordingly recommended the cessation of these practices in so far as was compatible with the economic situation. It requested the Council to invite Member States to put an end to confiscatory measures and discriminatory actions as being contrary to freedom of the Press.

When this recommendation was considered by the Council at its eleventh session, two amend-

ments were presented to the Social Committee at its 137th meeting on 14 July.

One, submitted by Australia (E/AC.7/L.40), sought to substitute for the reference to the possibility of governmental interference leading to discriminatory action the statement that the Council considered it desirable that governmental action should diminish as the economic situation improved. The Australian amendment also proposed the deletion of the last paragraph, which would have the Council invite all Member States to put an end to confiscatory measures and discriminatory actions as being contrary to the freedom of the Press.

The Australian representative explained that the aim of his amendment was to dispel the impression which might be created by the draft resolution that any restrictions taken on the grounds of economic necessity were automatically wrong and that all Governments were guilty of confiscatory measures and discriminatory actions. He later withdrew his amendment in favour of drafting changes suggested by the United Kingdom representative.

An amendment proposed by France (E/AC.7/L.41) sought to incorporate in the preamble the statement that the Council considered intervention by Governments included regulation of the use by press enterprises of the newsprint placed at their disposal; the representative of France considered the list of restrictive measures incomplete without this addition, pointing out that this method of regulation had been used.

The representative of Mexico said that although his delegation had always held that Governments should not interfere in the distribution of newsprint, it would nevertheless vote against the draft resolution as it did not possess any information or details regarding Governments guilty of the type of interference mentioned.

The changes proposed by the United Kingdom and the French amendment were incorporated in the draft resolution, which was submitted to a paragraph-by-paragraph vote. The Committee agreed by 6 votes to 3, with 5 abstentions, to delete a paragraph of the draft resolution which, the United States representative had said, could be interpreted as justifying discriminatory practices on the ground of economic necessity. The draft resolution, as amended, was adopted as a whole by 12 votes to none, with 3 abstentions, by the Committee at its 137th meeting on 14 July, and by the Council at its 405th plenary meeting

on 9 August without discussion, by 13 votes to none, with 2 abstentions. By this resolution (306 D (XI)), the Council, after considering that for economic reasons serious problems had arisen in various countries of the world with regard to the supply of newsprint; that this situation had caused certain Governments to intervene officially in the sale and purchase of newsprint either by restricting the amount of foreign currency allocated for its importation, or by rationing it among the various organs of the Press, or by regulating the use by Press enterprises of the newsprint placed at their disposal; and that governmental interference in these matters had led in certain cases to confiscation or other forms of arbitrary and discriminatory action which it was desirable to avoid, invited the Member States concerned to put an end to such confiscatory measures and discriminatory actions as being contrary to the freedom of the Press.

f. DISCRIMINATION AGAINST FOREIGN INFORMATION PERSONNEL

The last recommendation of the Sub-Commission on the adequacy of news was contained in a resolution which required no action by the Council. The Sub-Commission declared the practice of discriminating against or mistreating foreign information personnel, which exists in certain countries, to be a serious interference with the right of the peoples to freedom of information and condemned it as a violation of the accepted fundamental human rights of all persons to be fully informed.

g. PROPAGANDA AGAINST PEACE AND THE FREE EXCHANGE OF INFORMATION

At its 308th plenary meeting on 17 November, during its discussion of the report of the First Committee (A/1490), the General Assembly adopted without discussion by 49 votes to none, with 7 abstentions, resolution 381 (V). By this resolution, the Assembly reaffirmed its resolutions 110(II) and 290(IV), which condemned all propaganda against peace and recommended the free exchange of information and ideas as one of the foundations of good-neighbourly relations between peoples. The resolution further declared that such propaganda included incitement to conflicts or acts of aggression; measures tending to isolate the peoples from any contact with the outside world, by preventing the Press, radio and other media of communication from reporting international events, and thus hindering

mutual comprehension and understanding between peoples; and measures tending to silence or distort the activities of the United Nations in favour of peace or to prevent their peoples from knowing the views of other States Members.<sup>125</sup>

3. Draft International Code of Ethics

The Sub-Commission drew up and adopted a draft international code of ethics, containing a preamble and four articles. It recommended to the Council that it request the Secretary-General (a) to transmit to all Governments this draft code of ethics, together with available texts of existing codes of ethics and other relevant information; (b) to request Governments to refer such working material to information enterprises and professional associations in their respective territories for comment and suggestions, to be returned to the Secretary-General; and (c) to analyse the comments received and to submit them to the fifth session of the Sub-Commission in order that the latter might examine the draft in the light of these comments and adopt a text to be presented to an international professional conference which could be convoked at a later date pursuant to resolution 36 of the United Nations Conference on Freedom of Information.

This recommendation was discussed during the Council's eleventh session at the 138th meeting of the Social Committee on 17 July and at the 405th plenary meeting on 9 August 1950.

The representative of Mexico submitted an amendment (E/AC.7/L.43) in the Social Committee to delete the provisions for transmitting the codes of ethics through Governments. He pointed out that resolution 36 of the United Nations Conference on Freedom of Information stated that it was preferable that journalists should be consulted directly on an international code of ethics and that a conference of international journalists should be convened to see whether an international code of ethics could be adopted.

The Committee also had before it amendments by Australia (E/AC.7/L.40) to provide that the draft international code of ethics should be submitted in the first instance to Governments and, after preliminary consideration by them, should be referred to the national bodies concerned which should be asked, in addition, to comment on the usefulness of such a code. The representative of

<sup>125</sup> See p. 204.

Australia accepted a modification suggested by the United States representative, by which the Sub-Commission, after its examination of the comments received, would recommend what action it considered desirable.

The representatives of France, the United States, Brazil and India expressed agreement with the view of the representative of Mexico that the question of establishing a code of ethics was, at the present stage of its study, essentially the concern of journalists. The representative of France considered that an international conference might be convened to draw up an international code of ethics if it saw fit, but some Members thought that the drafting of such a code did not alone constitute sufficient reason for calling such a conference, and that the Council should not commit itself at that stage to convening one.

The Committee agreed, by 9 votes to 2, with 4 abstentions, to incorporate in the Mexican amendment that part of the Australian amendment requesting from professional associations to comment on the usefulness of such a code, and adopted the first part of the Mexican amendment, as amended, by 13 votes to none, with 1 abstention. The first part of the Australian amendment, which would have the code submitted first to Governments was rejected by 9 votes to 2, with 4 abstentions. The paragraph referring to recommendations by the Sub-Commission was adopted, with amendments suggested by the United States, by 12 votes to none, with 2 abstentions.

The resolution as a whole, as amended, was adopted by 12 votes to none, with 2 abstentions. At its 405th plenary meeting on 9 August, the Council adopted the resolution with certain drafting changes, by 13 votes to none, with 2 abstentions, as resolution 306 E (XI). In this resolution the Council decided to request the Secretary-General to communicate to information enterprises and national and international professional associations, for comment and suggestions (including comments on the usefulness of such a code) the draft international code of ethics formulated by the Sub-Commission on Freedom of Information and of the Press, together with the relevant section of its report. It requested him also to analyse the comments received, and submit them to the Sub-Commission, at its fifth session, in order that it might re-examine the draft in the light of these comments and recommend any further action it might deem necessary, including the possibility of convening an international professional conference.

#### 4. Other Recommendations of the Sub-Commission

##### a. WAR PROPAGANDA AND FALSE REPORTS

On the question of war propaganda and false and distorted reports, the Sub-Commission at its fourth session adopted a resolution asking the Secretary-General to submit to its fifth session a full report on the measures or actions taken by Governments pursuant to resolutions 2 and 3 of the United Nations Conference on Freedom of Information (condemning war propaganda and the spreading of false and distorted reports) on the basis of the information received from Governments on this matter, as well as on the publicity already given these resolutions by the United Nations. This recommendation required no action by the Council.

##### b. DATA RELATING TO FREEDOM OF INFORMATION

The Sub-Commission recommended to the Council (E/1674) that a special section should be included in the Yearbook on Human Rights<sup>126</sup> containing excerpts from, or summaries of, new national legislation concerning the freedom of information, to be furnished by correspondents appointed by Governments. The Sub-Commission further requested that the Council should ask the Secretary-General to (a) continue to approach Governments with a view to obtaining regularly from them the new legislative and administrative measures which they may deem it necessary to take with regard to freedom of information and of the Press; (b) in accordance with paragraphs 2 and 3 of Council resolution 240 B (IX), obtain from the enterprises or associations mentioned therein any reports or surveys that they may compile concerning the current status of freedom of information in any part of the world; and (c) compile all pertinent data, analyse all information received, conduct appropriate research and prepare studies thereon for submission to the Sub-Commission on Freedom of Information and of the Press at each session.

This matter was discussed at the Council's eleventh session by the Social Committee at its 138th meeting on 17 July and by the Council at its 405th plenary meeting on 9 August 1950.

The Committee had before it an Australian amendment (E/AC.7/L.40) which would (1) delete the preamble to the resolution; and (2) provide that the suggested addition to the Yearbook

<sup>126</sup> See Y.U.N., 1948-49, pp. 542-43.

on Human Rights should be made in conjunction with the recommendations of the Commission on Human Rights on the Yearbook. The Committee agreed to consider the inclusion of a special section on Freedom of Information in the Yearbook when it considered the Yearbook as a whole.<sup>127</sup>

The United States representative supported the Australian proposal to delete the preamble of the Sub-Commission's draft resolution, but supported the retention of the three sub-paragraphs of the draft resolution as they stood, since, he stated, his delegation considered it most important that the Sub-Commission should keep in touch with the actual situation and deal with practical problems. Support for this view was expressed by the representative of Chile.

The representative of Mexico, on the other hand, said that the information asked for in part of the resolution was fundamentally of a political character. He considered that a harmful precedent might be established by requesting a report from an enterprise or association on the current status of information. He proposed an oral amendment to cover this part.

The representative of Peru suggested that the information from news enterprises or associations should be obtained through Governments, as had been done in the trade union rights.

The Committee adopted by 14 votes to none, with 1 abstention, the Australian proposal to delete the preamble. After separate votes on individual paragraphs, the draft resolution, as amended, and subject to the subsequent decision on the first operative paragraph (referring to information to be included in the Yearbook on Human Rights), was adopted by 9 votes to 4, with 2 abstentions.

When the matter was discussed by the Council at its 405th plenary meeting on 9 August 1950, the United Kingdom representative said that the question of the first paragraph of the resolution was dependent on action by the Council on the Yearbook on Human Rights. The Council had invited Governments to supply information to the Secretary-General on all matters concerning human rights for inclusion in the Yearbook on Human Rights. It was therefore, he stated, unnecessary to adopt an additional provision dealing specifically with measures concerning freedom of information. He asked that a separate vote be taken on the first paragraph. The first paragraph was adopted by the Council by 7 votes to 6, with 2 abstentions, and the resolution as a whole was adopted by 7 votes to 2, with 6 abstentions. By this resolution (306 F (XI)), the Council decided to request

the Secretary-General to continue to approach Governments with a view to obtaining regularly from them the new legislative and administrative measures which they may deem it necessary to take with regard to freedom of information and of the Press: to obtain from the enterprises or associations mentioned therein, in accordance with paragraphs 2 and 3 of Council resolution 240 B (IX) any reports or surveys that they may compile concerning the current status of freedom of information in any part of the world; and to compile all pertinent data, analyse all information received, conduct appropriate research and prepare studies thereon for submission to the Sub-Commission on Freedom of Information and of the Press at each session.

It also decided (resolution 306 A (XI)) at its 405th meeting on 9 August in adopting a formal resolution taking note of the report of the Sub-Commission (E/1672), to request the Secretary-General to transmit to the Sub-Commission the records of the relevant discussions at the eleventh session of the Council.

At its eleventh session the Council devoted its 135th and 136th meetings on 12 July to a general discussion on the report of the fourth session of the Sub-Commission on Freedom of Information and of the Press (E/1672) which had been held at Montevideo from 15 to 26 May 1950.

Several representatives, including those of Australia, Brazil, Chile, Denmark, France, United Kingdom and the United States, expressed the view that the Sub-Commission, which was an expert body, should devote more attention to practical technical problems rather than to somewhat academic recommendations.

A number of representatives, in voicing general criticism of the work of the Sub-Commission, referred to particular aspects of the recommendations (see above). The representative of Australia, who described the Sub-Commission's work as disappointing, said that his criticism should not be taken to indicate opposition to all aspects of the report. The representative of China said that he was sure that the Sub-Commission would take note of the remarks which had been made in the Committee.

Regret that the United Nations Educational, Scientific and Cultural Organization (UNESCO) had not been able to contribute very effectively to the work of the Sub-Commission was expressed by the representative of the United States. The United Kingdom representative said in this respect that

<sup>127</sup> See pp. 532-34.

there appeared to be some danger of overlapping between the Sub-Commission and the Mass Communications Department of UNESCO. He asked whether it might not be desirable for the Council to request the Secretary-General to prepare for it, in collaboration with the Director-General of UNESCO, a report delimiting the respective activities of the two organizations with a view to their co-ordination, including a comparison of the terms of reference and programme of the Sub-Commission on Freedom of Information and of the Press with the constitution and programme of UNESCO. After the Social Committee had heard at its 136th meeting, a statement from the representative of UNESCO dealing with UNESCO's activities in the field of freedom of information, the Chairman expressed the view that the point raised by the United Kingdom might be discussed by the Co-ordination Committee. This suggestion was supported by the representative of UNESCO and the representative of Denmark.

In this connexion, two resolutions were adopted by the Social Committee and later by the Council. By resolution 306 A (XI), adopted at the 405th plenary meeting on 9 August 1950, the Council took note of the report of the Sub-Commission and requested the Secretary-General to transmit to it the records of the Council's discussions. By resolution 331 B (XI), adopted unanimously and without discussion at the same meeting during the consideration by the Council of the report of the Co-ordination Committee (E/1800) on the report of UNESCO (E/1688), the Council requested the Secretary-General to prepare for it,

in collaboration with the Director-General of UNESCO, a report delimiting the general activities of the two organizations with a view to their co-ordination. The report was to include a comparison of the terms of reference and programme of the Sub-Commission on Freedom of Information and of the Press with the constitution and programme of UNESCO.

e. ENCOURAGEMENT OF INDEPENDENT DOMESTIC AGENCIES

On 15 August 1949<sup>128</sup> the Economic and Social Council adopted resolution 240 D (IX), by which it noted the resolution of the Sub-Commission on Freedom of Information and of the Press relating to the adequacy of the news available to the peoples of the world and the obstacles to the free flow of information to them and also to the encouragement of independent domestic agencies (E/1369) and referred this resolution to the proposed Technical Assistance Committee of the Council (TAC) for consideration. The Committee, which held its first meeting on 2 August 1950, had before it notes (E/TAC/R.2) prepared by the Secretary-General on resolution 240. D (IX), and reported (E/1833) on 15 August 1950 to the Council. The report stated that the Committee had decided that if a request for technical assistance in connexion with the development of domestic information agencies in an under-developed country was received from a Government, the Technical Assistance Board would give it consideration in the normal manner and report to the Technical Assistance Committee.

## K. STATUS OF WOMEN

The Commission on the Status of Women held its fourth session at Lake Success from 8 to 19 May 1950.

The report of the session was considered by the Economic and Social Council during its eleventh session at the 132nd-134th meetings of its Social Committee, 10-11 July 1950, and at its 388th and 389th plenary meetings, 14 and 17 July 1950.

The Council, by a unanimous vote, in resolution 304 A (XI), took note of the report of the Commission.

The following is a summary of the matters considered by the Commission and the action taken by the Council.

### 1. Political Rights

The Commission considered the question of the political rights of women under four headings, following recommendations made at its third session:

- (i) a report of the Secretary-General on discrimination based on sex, in the field of political rights;
- (ii) the status of women in Trust and Non-Self-Governing Territories;
- (iii) the possibility of proposing a convention on the political rights of women;
- (iv) effective programmes of political education of women who have recently acquired the right to vote.

<sup>128</sup> See Y.U.N., 1948-49, pp. 570-71.

The Commission took note of the Secretary-General's report on discrimination based on sex in the field of political rights (E/CN.6/131 & Corr.1). The report, using as a basis constitutional or other legal provisions regulating women's right to vote and be elected to public office, aimed at showing the extent to which women enjoy these rights equally with men. The Commission noted the recent wider extension of the political rights of women in Costa Rica, Greece and Syria. It also took into consideration the memorandum of the Secretary-General on constitutions, electoral laws and other legal instruments relating to the franchise of women and their eligibility to public office and functions (A/1163) and invited the Secretary-General to continue his valuable annual reports on this subject. It suggested that in future reports he should include also pertinent information on the political rights of women in Trust Territories drawn from annual reports of the Administering Authorities, and also information which might be communicated to him by the Administering Authorities of Non-Self-Governing Territories.

The Commission had before it two reports by the Secretary-General (E/CN.6/137, E/CN.6/138 & Corr.1) on the status of women in Trust and Non-Self-Governing Territories respectively, which were based on information contained in the annual reports of the administering countries and on replies to the Questionnaire on the Legal Status and Treatment of Women. The Commission noted with interest the information contained in the reports and requested the Secretary-General to continue to present information of this nature to it at future sessions, including it, if possible, in the annual reports on the political rights of women circulated to Member States under Council resolution 120 A (VI).<sup>129</sup>

The Commission also had before it a report by the Secretary-General (E/CN.6/143) examining the possibility of proposing a convention on political rights for women. The report pointed out that, if adopted, a convention could serve a dual purpose: (a) enfranchise women who had not yet acquired the right to vote; and (b) prevent the disenfranchisement of women who already enjoyed the right to vote.

The Secretary-General also indicated that no technical difficulty would be involved in drawing up such a convention.

Members of the Commission were somewhat divided as to the desirability and importance of formulating a convention on political rights of women at this time. The Commission, however,

adopted a resolution in which it noted that the Charter of the United Nations was signed in 1945, but that twenty countries were still listed as denying equal political rights to women. It referred to the fact that women in Chile and Costa Rica had been granted equal political rights after the signing of the Convention on the political rights of women at Bogotá in 1948, by the Governments of these countries.

It further considered that its four years' investigation of the status of women in various fields clearly revealed discrimination against women in the political field. The Commission therefore requested the Secretary-General to prepare for submission to its fifth session a draft convention on the granting to women of equal political rights with men.

The proposal for this draft convention was considered on the basis of the Commission's report (E/1712) at the 132nd and 133rd meetings of the Social Committee on 10 and 11 July, and at the 388th plenary meeting of the Council on 14 July. The majority expressed their support for the principle of equal political rights for men and women, but the representatives of Australia, Brazil, Chile, Denmark, Pakistan, the United Kingdom and the United States doubted whether a convention was an appropriate method of dealing with the problem. The point was made by the representative of Chile that only Governments which had already granted political rights to women would accede to such a convention, and that those countries which still deny women these rights would not adhere to it. It was suggested by the representative of Australia that the Commission should wait to observe the effects of the Bogota convention of 1948, noting the number of ratifications and the progress made. The representatives of Australia, Chile, Denmark, Pakistan, the United Kingdom and the United States endorsed the view that propaganda and education were likely to prove more effective than a convention. It was noted by the representative of the United States that the Commission itself had emphasized the importance of educational measures, and had suggested the preparation and publication of annual reports as one method of attempting to secure equality in the enjoyment of political rights.

The Social Committee, at its 133rd meeting, by 11 votes to 2, with 1 abstention (E/1674), and the Council at its 388th plenary meeting unanimously adopted a resolution (304 B (XI)) which

<sup>129</sup> For text, see Y.U.N., 1947-48, p. 601.

drew the attention of the Commission, in connexion with its consideration of a draft convention on the political rights of women, to the opinions expressed in the relevant summary records of the Council.

The Commission, in considering effective programmes of political education of women who have recently acquired the right to vote, had before it a report from the Secretary-General (E/CN.6/141) on activities undertaken to date in this field.

Members of the Commission expressed the view that information collected by the Secretariat should be disseminated for the education of new women voters by showing the practical results which they could achieve by exercising their political rights. The Commission adopted a resolution expressing its appreciation of the work done by non-governmental organizations in the field of political education, and noted that such education cannot be undertaken as extensively as desired, in certain regions, by non-governmental organizations without further assistance. It requested the Council to instruct the Secretary-General to make available the information already collected, in the form of a study-guide or pamphlet to be used by organizations working for the political education of women in countries where women have recently acquired the right to vote or are beginning to participate in public affairs.

When the Council considered the Commission's resolution at its eleventh session, the representatives of Chile and France expressed the view, at the 133rd meeting of the Social Committee on 11 July, that such a study-guide would meet no existing need, and the representative of France further pointed out that separate political education for women might imply discrimination against them. The Chairman of the Committee, however, pointed out that the proposed pamphlet would simply indicate the way women could best make use of their civil rights, and the Committee, by 11 votes to 2, with 1 abstention, adopted a resolution approving the proposals of the Commission. This was unanimously adopted by the Council at its 388th plenary meeting on 14 July, as resolution 304 C (XI).

## 2. Nationality of Married Women

When considering the item on nationality of married women, the Commission, at its fourth session, decided that in view of the many difficulties involved in drafting a convention on this

subject, it would restrict itself to setting forth general principles to be used as the basis for a convention. Three principles were suggested: (1) that there should be no distinction, based on sex, as regards nationality in the legislation or in the practices of the parties to a convention; (2) that neither marriage, nor its dissolution, should affect the nationality of either husband or wife; (3) that, in the transmission of nationality to a child under the doctrine of *jus sanguinis*,<sup>130</sup> there should be no distinction as between the father and the mother of the child.

The Commission requested the Council to take appropriate measures, as soon as possible, to ensure the drafting of a convention on the nationality of married women, embodying the first two principles.

Most members of the Commission thought it would be inadvisable to include the third principle in such a convention, and that the nationality of children was a matter to be dealt with by other bodies within the framework of the United Nations. The Commission noted the work already undertaken in this field by other organs of the United Nations, particularly by the Social Commission. It decided not to recommend the third principle for inclusion in the convention, but to request the Council to instruct the appropriate bodies of the United Nations to give consideration to the problem of the transmission of nationality to the children from either the father or the mother on the basis of equality.

The Commission further considered various alternative procedures which might be followed in drafting the proposed convention, but it decided to leave the decision on this matter to the Council itself, and made no specific recommendation.

The recommendations of the Commission (E/1712) were considered at the 133rd and 134th meetings of the Social Committee on 11 July and at the 389th plenary meeting of the Council on 17 July. It was pointed out that the draft resolution which had been proposed by the Commission raised very complicated legal questions. The representative of Denmark expressed the view that the nationality of the children of parents of different nationalities was a question quite separate from the nationality of married women, and was not within the terms of reference of the Commission on the Status of Women.

Discussion on the question of drafting a convention on the nationality of married women

<sup>130</sup> For definition, see p. 574.

centred on two main proposals as regards the procedure to be followed:

(a) That the Council should request the Secretary-General: to undertake a study of the terms of a draft convention, applying the principles advanced by the Commission; to submit the findings of the study to Member Governments; and to report to the Council on the outcome of its procedure.

(b) That the Council should propose to the International Law Commission that it should undertake as soon as possible the drafting of a convention to embody the principles recommended by the Commission, and should request the Law Commission to determine at its current session whether it deemed it appropriate to proceed with this proposal, and to inform the Council as to the approximate time when it might initiate action.

The representatives of Australia and France, who supported the first proposal, thought that an immediate decision to start drafting a convention would be premature, and that the placing of two nationalities on a basis of equality in the case of a mixed marriage would involve the revision of most national legislations, and would cause serious difficulties. The representatives of Belgium, Chile, Peru and the United States were in favour of referring the matter to the International Law Commission. It was explained to the Council by the representatives of Belgium and the United States that the International Law Commission would be competent to proceed with a study on a request from the Council, although in accordance with article 17 of its Statute it would not be bound so to proceed as it would in the case of a request from the General Assembly. It could, however, submit an interim report directly to the Council.

The representatives of Mexico and Pakistan thought it preferable to request the General Assembly to transmit the recommendation of the Commission on the Status of Women to the International Law Commission, so that it would undertake as soon as possible the drafting of a general convention. The representatives of Brazil, Canada, Denmark and the United Kingdom thought that before the drafting of a convention was undertaken, Member States should be consulted as to whether they desired one. The representative of the United Kingdom pointed out that only thirteen Governments had replied to the Secretary-General's questionnaire concerning the conflict of national laws and the desirability for a convention.

The representative of the United States argued, however, that if the International Law Commission were requested to draft a convention it would, under article 17 of its Statute, circulate a request for comments to Member States, and that

it was urgently necessary that action regarding the nationality of married women be pressed forward.

The Social Committee, at its 134th meeting on 11 July, by 8 votes to none, with 6 abstentions, adopted a draft resolution (E/1764) which was adopted in slightly amended form by the Council at its 389th meeting on 17 July, by 7 votes to none, with 8 abstentions. In this resolution (304 D (XI)) the Council, after noting the recommendations of the Commission on the Status of Women, and the fact that the International Law Commission, at its first session, had included among the topics selected for study and codification the subject of nationality, including statelessness, proposed that the International Law Commission should undertake as soon as possible the drafting of a convention to embody the principles recommended by the Commission on the Status of Women. The Council further requested the International Law Commission to determine at its present session (second session, June-July 1950) whether it deemed it appropriate to proceed with this proposal, and if so, to inform the Council as to the time when the International Law Commission might proceed to initiate action. Finally, the Council invited the Secretary-General to transmit its resolution to the International Law Commission, together with the recommendation of the Commission on the Status of Women.

The Secretary-General transmitted the resolution (304 D (XI)) and the recommendation of the Commission on the Status of Women (E/1712) to the International Law Commission on 18 July 1950, and these were considered by that Commission on 19 July 1950. The Commission decided to entertain the proposal of the Council in connexion with its contemplated work on the subject of "nationality, including statelessness", and proposed to initiate that work as soon as possible (E/1786).

### 3. Property Rights of Married Women

The Secretary-General submitted to the fourth session of the Commission on the Status of Women parts II and III of the questionnaire on the legal status and treatment of women, which concerned property rights of women and family law (E/CN.6/W.1/Add.2, Rev.1; E/CN.6/W.2/Add.3, respectively). After examining these parts of the questionnaire and suggesting certain minor changes, the Commission requested the Secretary-General to circulate them to Governments asking

them to reply, not later than 31 December 1951 in the case of part II, and 30 June 1952 in the case of part III. It also requested the Secretary-General to forward copies, together with simplified questions based on parts II and III, to specialized agencies and non-governmental organizations and to ask for their comments by 31 December 1950. Further, the Secretary-General was asked to prepare, for the fifth session of the Commission, a survey of various legal systems based on documentation available on the subjects included in these two parts of the questionnaire, together with an analysis of the replies received from Governments and of the comments by specialized agencies and non-governmental organizations. He was also asked to prepare, for the fifth session of the Commission, a compilation and analysis of the information contained in replies already supplied by Governments to section C of the questionnaire, on public services and functions; section E on civil liberties; and section F on fiscal laws, supplementing this information from other sources as necessary to ensure a complete and accurate picture.

The Council at its eleventh session noted that no action on the part of the Economic and Social Council appeared to be necessary with regard to this recommendation.

#### 4. Participation of Women in the Work of the United Nations

In considering this question, the Commission had before it a report (E/CN.6/132) by the Secretary-General which described the nature and proportion of the posts occupied by women in the Secretariat of the United Nations and gave some information on their conditions of employment. It also contained information on the extent to which Member States had included women in their delegations to meetings of organs of the United Nations and of the specialized agencies.

It was emphasized in the Commission's debates that, whereas the Secretary-General had taken a liberal attitude on working conditions for women staff members, there appeared to be a disproportionately high percentage of women in subordinate positions and a very low percentage of women occupying policy-making posts and serving as consultants. It was pointed out, also, that only a small percentage of women had been included in delegations to meetings of United Nations organs and of the specialized agencies. It was, however, made clear that the Commission did not

suggest that posts be given to other than qualified women or that the requirements of geographical distribution within the Secretariat should be disregarded.

The Commission adopted a resolution which, after referring to the Secretary-General's report and to Article 8 of the Charter, and noting the present situation, suggested that the Council should draw the attention of Member States to the desirability of greater participation of women in delegations. Further, the resolution asked the Secretary-General to examine and report upon the reasons why women had not yet been able to take up more of the important posts in the Secretariat. It invited him to take the necessary steps to give promotion to qualified women staff members and to appoint more women to higher posts which they are competent to fill, in order to secure equality between the sexes in the Secretariat and participation of women in all capacities in United Nations organs.

These recommendations (E/1712) were considered at the 134th meeting of the Social Committee on 11 July 1950. The representatives of Denmark and France expressed the view that as far as the participation of women in the delegations of Member States was concerned, that question was a matter which should be left up to the discretion of the various Governments which were responsible for making up their delegations in accordance with the system laid down in the Charter. It was also pointed out by the representatives of Belgium and the United Kingdom that staff questions were the province not of the Commission on the Status of Women but of the Secretary-General, and that, further, on the question of principle, Article 8 of the Charter could hardly be improved upon.

The Council decided not to put the draft resolution to a vote, but rather to transmit the summary record of the discussion to the Governments of Member States and to the Advisory Committee on Administrative and Budgetary Questions.

#### 5. Application of Penal Law to Women

The Commission on the Status of Women had before it at its fourth session a report (E/CN.6/139) from the Secretary-General concerning the application of penal law to women which contained an analysis of the information supplied by inter-governmental and non-governmental organizations specializing in the field of penal law. It also considered a report (E/CN.6/134) pre-

pared by the International Labour Office which concerned the protection of women workers by labour legislation carrying penal sanction. The Commission took note of the action taken by the Social Commission in this field and of the work done by the United Nations on the prevention of crime and treatment of offenders. It adopted a resolution in which it (i) noted the report of the Secretary-General" on the application of penal law to women, and that the Social Commission had undertaken a comprehensive study of problems concerning the prevention of crime and treatment of offenders; (ii) considered that certain aspects of these problems are of direct interest to the work of the Commission on the Status of Women, in particular the importance of adequate and appropriate measures for the care and the social and vocational rehabilitation of women offenders; and (iii) requested the Council to ask the Social Commission:

(a) to bear in mind in its study the concern of the Commission on the Status of Women that there should be no discrimination against women in penal law and in its application; and that provision should be made for the particular needs of women in all parole, probation, welfare, educational training and rehabilitation services;

(b) to refer to the Commission on the Status of Women for its consideration and comments any question arising in the special field referred to in (a) above.

The resolution proposed by the Commission (E/1712) was adopted without discussion by 13 votes to none, with 1 abstention, by the Social Committee at its 134th meeting on 11 July 1950, and unanimously by the Council at its 388th meeting on 14 July 1950, as resolution 304 E (XI).

## 6. Principle of Equal Pay for Equal Work

The Commission in considering this item had before it a memorandum of the Secretary-General (E/CN.6/135) which set forth the work carried on by the International Labour Office in this field.

It noted that ILO, in its study, had taken account of the suggestions made at the third session of the Commission, especially as regards the inclusion in its definition of equal pay for equal work of the concept of "wage rates based on content".

In view of the study being undertaken by ILO, the Commission decided that no specific resolution was necessary at this time. It expressed its appreciation of the work of ILO, and decided to include the subject in the agenda of its fifth session.

## 7. Technical Assistance Programme in Relation to the Status of Women

During its consideration of the technical assistance programme, the Commission had before it a memorandum by the Secretary-General (E/CN.6/145) outlining the development of the technical assistance programme of the United Nations and of the specialized agencies and the projects already undertaken or contemplated. In the Commission's discussion it was emphasized that the contribution of women to the general programme was essential.

The Commission expressed belief that the status of women would be improved through the operation of technical assistance programmes directed towards economic development, including the improvement of standards of living and family welfare. It recommended to the Council that attention should be given to the part that women might play in these programmes (for example, as doctors, nurses, teachers and technical advisers) both as regards the eligibility of women in the countries concerned, for employment in technical, professional and administrative posts, and to their consideration as trainees.

Finally, the Commission recommended that, in areas in the process of economic development, attention should be given by Governments, in co-operation with ILO and other specialized agencies interested in the matter, to the need of safeguarding women workers against exploitation, and of promoting equal pay for equal work.

When the Council considered the Commission's recommendations (E/1712) at its eleventh session, the United States, at the 134th meeting of the Social Committee on 11 July 1950, proposed a draft resolution (E/AC.7/L.36) to provide that the Secretary-General should transmit copies of the Commission's resolution to the appropriate bodies of the United Nations and to the specialized agencies, for consideration in connexion with the development of technical assistance. This draft resolution was unanimously adopted without discussion by the Committee, and by the Council at its 388th plenary meeting on 14 July 1950, as resolution 304 F (XI).

## 8. Educational Opportunities for Women

In discussing educational opportunities for women, the Commission had before it a memorandum prepared by UNESCO (E/CN.6/146) containing statistical data on illiteracy, school regis-

tration and attendance, by age and sex, in various countries, together with an account of limitations imposed on the education of women.

The Commission expressed its appreciation to UNESCO for its assistance in the study of educational opportunities for women throughout the world, and requested the Secretary-General of the United Nations and the Director-General of UNESCO to pursue jointly their work in this field and, in particular:

- (a) to complete the survey with such additional and later information as is available;
- (b) to promote, throughout the world, opinion in favour of equal opportunities of access to education for both sexes;
- (c) to direct attention to the development of fundamental education and adult education in agricultural and less-developed countries, with special emphasis on such techniques as would encourage the social advancement of women.

Finally, the Commission requested the Secretary-General to invite ILO to collaborate in the study and promotion of measures for the development of vocational guidance and technical education among women.

The Commission's draft resolution (E/1712), with minor drafting changes, was unanimously approved by the Council at its eleventh session, at the 134th meeting of the Social Committee on 11 July 1950, and at the 388th plenary meeting on 14 July 1950, as resolution 304 G (XI).

## 9. Problem of Greek Mothers Whose Children Have Not Yet Been Repatriated

The Commission, at its 78th meeting, heard a detailed statement by the representative of Greece describing the tragic situation of Greek mothers whose children had been abducted but had not yet been repatriated, and of the hardships to which they had been subjected.

Members of the Commission expressed their concern and sympathy for the Greek mothers in this situation, and adopted the following resolution, which the Council was asked to transmit to the General Assembly:

The Commission on the Status of Women,

Having heard the statement presented by the representative of Greece concerning the plight of the Greek mothers who were deprived of their children more than two years ago,

Considering that the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in December 1948, specifically refers to the family as "the natural and fundamental group unit of

society and is entitled to protection by society and the State",

Taking into account General Assembly resolutions 193 C (III) of 27 November 1948, and 288 B (IV) of 18 November 1949, and more particularly the announcement of the League of Red Cross Societies on 13 May 1950, that despite continuous efforts "no Greek child has so far been returned to Greece", and that "even elementary indications indispensable for solution of the problem have not been furnished by the Governments concerned",

Appreciates the endeavours of the Secretary-General of the United Nations and of the international Red Cross organizations for the repatriation of these children;

Expresses the hope that the result of the continuing activities of the Secretary-General on this matter, in co-operation with the international Red Cross organizations, will be the prompt repatriation of the children, so as to put an end to the agony of the Greek mothers;

Expresses its confidence that the Secretary-General will submit to the General Assembly the urgent necessity of finding new ways for the solution of this very important question, in case the countries detaining the children have not returned them.

The Council at the 134th meeting of the Social Committee and the 388th plenary meeting, after certain members expressed their sympathy for the Greek people in this matter, unanimously adopted a resolution (304 H (XI)) transmitting the Commission's resolution to the General Assembly.<sup>131</sup>

## 10. Communications Concerning the Status of Women

The Commission requested the Economic and Social Council to amend paragraphs (a), (b) and (e) of the Council resolution 76(V)<sup>132</sup> governing the treatment of communications concerning the status of women, to bring it into conformity with the amendments made in resolution 275 (X) relating to communications concerning human rights.<sup>133</sup>

The Commission's recommendations (E/1712), with minor drafting changes, were unanimously adopted at the 134th meeting of the Social Committee and the 388th plenary meeting of the Council, in resolution 304 I (XI), as follows:

The Economic and Social Council

Decides to amend paragraphs (a), (b) and (e), of resolution 76(V) of the Economic and Social Council to read as follows:

"The Economic and Social Council,

<sup>131</sup> For action taken by the Assembly on the repatriation of Greek children, see pp. 378-81.

<sup>132</sup> See Y.U.N., 1947-48, p. 599.

<sup>133</sup> See p. 534.

"Requests the Secretary-General:

"(a) To compile and distribute to members of the Commission on the Status of Women, before each session, a non-confidential list containing a brief indication of the substance of each communication, however addressed, which deals with the principles relating to the promotion of women's rights in the political, economic, civil, social and educational fields, and to divulge the identity of the authors of such communications, unless they indicate that they wish their names to remain confidential;

"(b) To compile, before each session of the Commission, a confidential list containing a brief indication of the substance of other communications concerning the status of women, however addressed, and to furnish this list to members of the Commission in private meeting without divulging the identity of the authors of communications, except in cases where the authors state that they have already divulged or intend to divulge their names or that they have no objection to their names being divulged;

"(c) In the future, to furnish each Member State concerned with a copy of any communication concerning the status of women which refers explicitly to that State, or to territories under its jurisdiction, without divulging the identity of the author, except as provided for in paragraph (b) above."

## 11. Plight of Survivors of Concentration Camps

At its fourth session, 8-19 May 1950, the attention of the Commission on the Status of Women was drawn to the plight of women survivors of concentration camps who were subjected, during the Nazi regime, to so-called medical experiments. It was pointed out that many of these victims were now stateless persons who could not count on the legal protection of any Government, and were therefore unable to obtain compensation for the sufferings to which they had been subjected. The attention of the Commission was also called to the tragic situation of a number of university women still in displaced persons' camps (E/1712).

The Commission requested the Council (E/L.47) to call the attention of the Social Commission, the World Health Organization (WHO), or other appropriate agencies, to the plight of these war victims who were compelled by force to reside in Germany during the war, or at least to the plight of those who might be unable to obtain compensation from any country, and to keep the Commission informed of any action taken in this respect.

The Commission's request was discussed by the Social Committee of the Economic and Social Council at its 134th meeting on 11 July 1950,

when representatives expressed their sympathy for the plight of survivors of concentration camps. The Committee had before it an amendment (E/AC.7/L.32) by the representative of France, which sought to replace the draft resolution submitted by the Commission: it asked the Council to take note of the report of the Commission on this matter and to request the Secretary-General to study ways and means of alleviating the plight of these victims as quickly as possible, and to keep the Commission informed on steps taken.

A Danish oral amendment, to ask that the Council and not the Commission on the Status of Women should be kept informed of these steps, was accepted by the representative of France, who told the Committee that there were still, in hospitals in Paris, a few isolated survivors of concentration camps who had been subjected to so-called medical experiments and who had never properly recovered. Every effort, he said, had been made to alleviate their plight, but without success. Their tormentors had been condemned by various bodies (for example, the Nurnberg Tribunal) but the sentences had not stipulated compensation for the victims. He asked that the Secretary-General should be requested to study the question in co-operation with all organizations in a position to help: reference of the matter to the Social Commission and WHO, as requested by the Commission, might cause embarrassment.

Support for the views of the representatives of France and Denmark was given by the representative of the United Kingdom who asked the Committee, however, to defer action in the matter, in order not to prejudice current negotiations for compensation between the Allied High Commission for Germany and the German Federal Government. The representative of France amended his draft resolution accordingly, and the Committee, on the understanding that any delegation desiring to do so could raise the question again, adopted these proposals by 6 votes to 4, with 5 abstentions.

The Council considered the matter further at its 388th plenary meeting on 14 July 1950. Views expressed in the Social Committee by the representatives of Denmark, France and the United Kingdom were repeated in the Council. A new amendment (E/L.60), asking the Council to request the Secretary-General to consider, "with the competent authorities and institutions", means for alleviating the plight of these victims was presented by the representative of France with the aim of taking into account views expressed in the Committee and with a desire not to disturb the

negotiations in progress. This amendment found general support in the Council, but the representative of the United Kingdom asked that the provisions of the draft resolution should apply to "both male and female" victims, on the ground that men had also been victims of the so-called medical experiments. The Council unanimously adopted the resolution, as amended (305 (XI)), as follows:

The Economic and Social Council,

Taking note of the report of the fourth session of the Commission on the Status of Women referring to the tragic fate of survivors of concentration camps who, under the Nazi regime, were the victims of so-called scientific experiments,

Requests the Secretary-General to consider as soon as possible, with the competent authorities and institutions, means for alleviating the plight of such victims, both male and female, and to inform the Economic and Social Council of the action taken.

## L. PRISONERS OF WAR

The Assembly considered the "Complaint of failure of the Union of Soviet Socialist Republics to repatriate or otherwise account for prisoners of war detained in Soviet territory" at the 271st, 316th, 338th-340th and 342nd-345th meetings of its Third Committee, 27 September, 16 November, 6-9 and 11 December, respectively; at the 282nd meeting of its Fifth Committee on 13 December; and at its 284th, 285th and 325th plenary meetings on 26 September and 14 December 1950.

### 1. Consideration by the Third Committee

During the discussions in the Third Committee, by a vote of 26 to 5, with 8 abstentions, it was decided to circulate communications from the Governments of Germany, Japan and Italy concerning the question of prisoners of war (A/C.3/552, 553 & 554). Two cables from the International Committee of the Red Cross and from the League of Red Cross Societies (A/C.3/555) concerning this question were also circulated.

The Assembly had before it an explanatory note (A/1339) from the three delegations which submitted the item, in which they stated that, at the end of hostilities in Europe and the Far East in 1945, large numbers of military personnel of various nationalities were in the hands of the Allied Powers and that prompt repatriation of these prisoners was demanded by accepted international practice as well as by the elementary principles of humanity. The Allied Powers had recognized this responsibility and had entered into agreements to repatriate prisoners of war, but as yet the USSR had not complied fully with these agreements.<sup>134</sup> Efforts to obtain information from the USSR had failed, and evidence existed to show

that the announcements by Tass (Telegraphic Agency of the USSR) on 22 April and 5 May 1950 that the USSR had completed repatriation of all Japanese and German prisoners of war were untrue.

The Assembly also had before it a copy of a note (A/1339/Add.1) from the Soviet Government to the United Kingdom Embassy in Moscow, dated 30 September 1950, in which it was stated that the repatriation of German prisoners of war had been completed at the beginning of 1950, with the exception of 9,717 convicted of serious war crimes, 3,815 being investigated for war crimes, and fourteen temporarily detained owing to illness. In view of these facts the USSR had stated that it regarded the British Government's renewed communications on this question as a desire to exploit the question of German prisoners of war for propaganda purposes.

During the discussion in the Third Committee, the United Kingdom representative charged that the USSR had not only violated specific agreements but had also infringed the general principle to which it had subscribed by signing the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949. While it was true that the USSR had not ratified that Convention and was therefore not legally bound by it, its signature must be regarded as indicating approval of the principles which it contained. He recalled Mr. Molotov's statement at the Moscow Conference in 1947 that 890,532 German prisoners of war remained to be repatriated. Subsequently Tass had announced that 58,103 additional German prisoners of war had been discovered between

<sup>134</sup> The Agreements listed were: Potsdam Proclamation of 26 July 1945 (par. 9); Foreign Ministers Agreement in Moscow of 23 Apr. 1947; Agreement between the USSR and the Supreme Commander for Allied Powers in Japan of 19 Dec. 1946.

1947 and 1949 among prisoners of war of other nationalities found in the Soviet Union thus bringing the total of German prisoners of war remaining to be repatriated to 1,952,609. A voluntary registration carried out by the Government of the Federal Republic of Germany between 1 and 11 March 1950 had led to the listing of 53,820 war prisoners from whom messages had been received from Soviet prison camps. In addition 8,972 had been listed in a registration by inhabitants of the Soviet Zone of occupation. The Federal Government had a total of 1,154,029 names who as of 1 March 1950 were still missing. The last news of some 923,000 of that figure had come from the USSR or areas occupied by Soviet troops. The Austrian Government had produced evidence of 1,635 prisoners of war still in Soviet territory. He considered the Soviet note of 30 September 1950 had created an impasse and that a further exchange of notes was useless. The facts must be ascertained and suitable action must follow.

With regard to the repatriation of Japanese military forces, the representative of Australia claimed that the best estimates at the time of the Potsdam Declaration had been that approximately 2,700,000 Japanese were in Soviet controlled territory. Tass had stated on 20 May 1949 that 95,000 Japanese nationals remained to be repatriated. At the end of 1949, according to the Japanese Government and the Supreme Command, at least 376,939 prisoners were unaccounted for. No reply had been received to notes sent by the Australian Government asking for an impartial investigation by an international humanitarian organization.

The United States Government had received a brief note on 16 July 1950 to the effect that the facts had been fully presented by Tass on 22 April and 9 June 1950. The gist of this information had been that no more than 594,000 Japanese had at any time been captured, 510,409 had been repatriated to Japan, 70,880 released immediately in the zone of combat operations, 1,487 detained in connexion with war crimes, nine temporarily detained for medical treatment and 971 placed at the disposal of the Chinese People's Government of the People's Republic of China in connexion with war crimes. The representative of Australia pointed out that even on the basis of these figures, some 10,000 of the 594,000 had not been accounted for.

According to the original figures, 369,382 Japanese were still unaccounted for. This number included many women and children as well as

others who in the strict sense of the word were not and never had been prisoners of war.

The representative of the United States stated that the Soviet Government had announced in 1943 that it had 115,000 Italian prisoners. After the war it had stated that 20,096 had been repatriated. Despite this discrepancy, the USSR now claimed that there were no Italian prisoners in the Soviet Union. Moreover, a large number of Hungarian and Romanian prisoners were also missing.

The representatives of Australia, the United Kingdom and the United States emphasized the humanitarian aspects of the question, as did the majority of members of the Committee. These representatives also felt that the United Nations could not let the matter rest simply with the assertion by the USSR that all war prisoners had been repatriated. It must seek to determine if the assertion were true. Mental anguish existing on such a huge scale could not be ignored. They therefore had proposed (A/C.3/L.145) that an impartial commission should be established to find out what had happened to prisoners and to assist in repatriating those still alive. They further stressed that the purpose of this action was not to censure the Soviet Government for its conduct but merely to resolve the conflicting assertions. The representative of Australia also considered that his delegation would expect the commission not to make an artificial distinction between prisoners of war and civilians, but to find out about all who had been unaccounted for.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR considered that the question of prisoners of war was, by virtue of Article 107<sup>135</sup> of the Charter, outside the competence of the United Nations.

The representative of the USSR repeated the assertion, as stated by Tass, that repatriation of prisoners of war had long since been completed. Allegations that Japanese and German prisoners of war still remained in Soviet territory were, he said, being made to divert the attention of the world from the policy pursued by the United States and its followers of the political and economic subjugation of Germany and Japan and of their militarization in anticipation of a new war. The representative of Poland stated that the proposed resolution was obviously for the purpose

<sup>135</sup> Which states: "Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war, by the Governments having responsibility for such action."

of political propaganda and, as such, should be rejected.

The USSR representative stated that the figures quoted by the representative of Australia were estimates and in his opinion fabricated statistics. Moreover, they had originated not with the Japanese Government but with General MacArthur. The total figures, he continued, according to General MacArthur's official reports in 1946 had grown by some 700,000 from one month to the next. A year later General MacArthur had officially recognized that it was impossible to estimate with any accuracy the number of Japanese troops caught in Manchuria at the time of surrender. He claimed that under the influence of General MacArthur the Japanese had actually set quotas of unrepatiated prisoners for various districts of Japan, and the local authorities had been told to prepare lists of certain numbers of prisoners who had not returned to their homes, adding up to a total previously decided upon. Naturally in those circumstances persons who had been killed in action, who were missing, or who had even been repatriated to some other districts, had been reported as Soviet prisoners. He cited several instances where soldiers known to be dead had been included in the lists.

In support of these charges the USSR representative referred to the case of an article in a Japanese newspaper. He stated that, following an announcement by General MacArthur on 31 August 1947 to the effect that repatriation had been completed, this newspaper declared that half a million people had vanished without a trace in the United States and United Kingdom zones of operation. Both the United Kingdom and the United States had "repatriated" a considerable number of prisoners to their own territories for hard labour; A number had also been used to combat the Malayan independence movement; others had been used by Chiang Kai-shek in China and by the Netherlands in Indonesia.

The USSR, he maintained, not the United Kingdom and the United States, had initiated the consideration of repatriation at the Moscow Conference, and the United Kingdom and the United States had concurred in the proposal that repatriation should be carried out in accordance with a plan to be worked out by the Control Council. That plan had never been worked out because the United Kingdom, the United States and France had decided to retain large numbers of prisoners on the grounds that they were gainfully employed.

The representative of the United States pointed out that if there was any intent to deceive, as

charged by the USSR, it should be exposed. By questioning the statistics available, the USSR had only made the establishment of an impartial body more necessary. In fact, the USSR ought to be among the sponsors of the draft resolution. She stated that while the United States contested the merit of the accusations it was willing to allow an impartial body to conduct an inquiry into the matter.

The United Kingdom representative considered that Article 107 in no way implied that any act committed by the signatory Powers was justified. Its sole purpose was to prevent enemy States from bringing complaints against them. The present complaint was being made not by enemy States but by signatory States.

The representative of the Union of South Africa held that Article 107 could not be invoked in this instance, since the draft resolution was concerned not with an act taken or authorized as a result of the war by the Governments having responsibility for such action, but was concerned with a breach of international commitments.

The representative of France preferred direct negotiations but would consider other proposals, in particular the proposal to establish a commission, although he would have preferred to have the Secretary-General deal with the matter.

The representatives of Egypt, India, Lebanon, Saudi Arabia, Syria and Venezuela, among others, considered that if the USSR would not allow the commission into its territory, and that seemed evident, it would be futile to establish it.

The representative of Saudi Arabia considered, therefore, that a conciliation body might be set up either within or outside the United Nations to contact all countries which had prisoners of war in their territories and deal with them on a humanitarian basis. The representatives of India and Iraq (A/C3/L.149) thought that the International Red Cross should establish a commission. The Secretariat at the request of the Committee had brought these amendments and the text of the joint resolution to the attention of the International Red Cross. Following a reply by the International Red Cross that it could only act if all Governments concerned agreed to the Assembly resolution, the representatives of India and Iraq withdrew the amendment.

The joint proposal by Australia, the United Kingdom and the United States (A/C3/L145) would have the General Assembly express its concern at the evidence presented that prisoners of war had been neither repatriated nor otherwise accounted for; call upon Governments still having

control over such persons to give them an unrestricted opportunity of repatriation; and establish a United Nations Commission on Prisoners of War, to be composed of three qualified and impartial individuals to be appointed by the Secretary-General, which would collect information regarding prisoners and assist in their repatriation.

The representatives of Australia, the United Kingdom and the United States revised the joint draft resolution (A/C.3/L145/Rev.1) to incorporate the following amendments:

(1) Amendments submitted by Afghanistan (A/C.3/L.148) to (a) entitle the resolution "Measures for the peaceful solution of the problem of prisoners of war"; (b) delete specific reference in the draft resolution to "evidence"; (c) include a statement that any persons whose good offices the Commission would be authorized to use should be "qualified and impartial"; and (d) delete the statement authorizing the Secretary-General to incur the necessary expenditure, since such a recommendation was not within the Third Committee's competence

(2) Amendments jointly suggested by Lebanon and Syria (A/C.3/L.146) and a Philippine sub-amendment (A/C.3/L.147) to the effect that (a) the Governments should supply the names of persons still held and places where detained; (b) particulars of crimes, if any; (c) names of those who have died in prisoner of war camps, as well as date and cause of death; and (d) manner and place of burial.

In the light of the discussion, the representatives of Australia, the United Kingdom and the United States drew up a second revision of their draft resolution (A/C.3/L145/Rev.2) which retained the amendments incorporated in the first revision and included an Ethiopian amendment (A/C.3/L.150) to the effect that the Commission should be an ad hoc body. The revised proposal thus provided for two successive steps: (a) a request for information from the Governments concerned, and (b) the establishment of an ad hoc Commission on Prisoners of War to examine and evaluate this information and to take certain specified action if the Commission considered the information inadequate.

The sponsors of the draft resolution then accepted an amendment by France (A/C.3/L152) which requested that the Secretary-General establish a Commission composed of qualified and impartial persons appointed by the International Red Cross, or, failing that; by the Secretary-General himself. An oral suggestion, by the representative of the United Kingdom, that the proposed Commission should be an ad hoc body and that it should be composed of three members, was accepted by the representative of France.

The Third Committee at its 345th meeting adopted by 45 votes to 5, with 4 abstentions, a French amendment (A/C.3/L.152) to insert a paragraph urgently requesting all Governments to make the greatest possible effort to search for prisoners of war whose absence had been reported and who might be in their territories.

The following amendments were rejected:

(1) Suggestion by India and Iraq (A/C.3/L.149), to delete the reference in the preamble to specific agreements between the Allied Powers concerning prisoners, rejected by 24 votes to 11, with 15 abstentions

(2) Oral amendment by Iraq, to express concern at information which tended to show that a large number of prisoners had "(a) not been repatriated, (b) not been accounted for" rather than state had "neither been repatriated nor otherwise accounted for", rejected by 19 votes to 13, with 19 abstentions

(3) Oral amendment by Iraq, to raise the number of members on the proposed commission to five, rejected by 18 votes to 14, with 21 abstentions

(4) Oral amendment by Iraq, to delete the provision permitting the Secretary-General to appoint the Commission failing action by the International Red Cross, rejected by 31 votes to 12, with 7 abstentions.

The joint draft resolution (A/C.3/L.145/Rev.2) as a whole, as amended, was adopted by the Committee by 43 votes to 5, with 8 abstentions (A/1690), at its 345th meeting on 11 December (see below for text).

## 2. Consideration by the Fifth Committee

The Fifth Committee at its 282nd meeting on 13 December considered the financial implications of the draft resolution proposed by the Third Committee (A/1690). The Committee had before it estimates submitted by the Secretary-General (A/C.5/444), together with the observations of the Advisory Committee on Administrative and Budgetary Questions (A/1686).

The Secretary-General pointed out that no basis existed for an accurate estimation of costs. He believed, however, that expenditure would amount to approximately \$45,000," which sum included provision for the payment of fees in addition to travelling and subsistence expenses of the members of the proposed ad hoc Commission. The Advisory Committee had expressed the view that the principles concerning travelling and subsistence expenses, originally laid down in General Assembly resolution 231 (III)<sup>136</sup> and reaffirmed

<sup>136</sup> See Y.I7.N., 1948-49, pp. 891-92.

in resolution 459(V)<sup>137</sup> precluded the payment of fees to members of such a commission. The Advisory Committee had further considered that such payment would create an undesirable precedent and that, in any case, no difficulty need be anticipated in securing the services of qualified and impartial persons willing to serve as a matter of honour and obligation on the terms approved by the General Assembly for expert bodies of the United Nations. On this basis, it had recommended that no provision should be made for payment of fees and that, instead, the rate of daily subsistence allowance should be raised from \$12.50 to \$25 at Headquarters and \$20 in the field. Accordingly, the Advisory Committee recommended that provision should be made for \$35,000 in the 1951 budget estimates.

In the course of the discussion of the Advisory Committee's recommendations, the United States representative stated that he felt obliged to support, in principle, the payment of fees in the case of the proposed ad hoc Commission, because of new decisions taken by the General Assembly and by the Fifth Committee with respect to certain other expert bodies. However, the representatives of Australia, Denmark and the United Kingdom, among others, agreed with the Advisory Committee and suggested that persons appointed to the ad hoc Commission should not be regarded as experts within the meaning of General Assembly resolution 231(III). Still others, including the representatives of Brazil, Canada and France, felt that the policy regarding remuneration of experts required re-examination. The representative of France requested that, in future, the Secretary-General should furnish an annex to the budget document giving full details of payments made to members of various expert bodies.

The representative of the USSR explained that his delegation had clearly stated its position in the Third Committee and maintained that the item had been raised for purposes of propaganda. He was therefore opposed to any appropriation of funds for carrying out the draft resolution. An oral proposal by the representative of the USSR to that effect was defeated by 25 votes to 4, with 4 abstentions.

The Fifth Committee approved (A/1718) the recommendation of the Advisory Committee by 24 votes to 4, with 5 abstentions, and informed the Assembly that adoption of the draft resolution would require a budgetary provision in 1951 in the amount of \$35,000.

### 3. Resolution Adopted by the General Assembly

The General Assembly at its 325th plenary meeting on 14 December 1950 considered the reports of the Third Committee (A/1690) and the Fifth Committee (A/1718) and adopted, without further discussion, by 43 votes to 5, with 6 abstentions, the draft resolution proposed by the Third Committee as resolution 427(V). It read as follows:

The General Assembly,

Mindful that one of the principal Purposes of the United Nations is to achieve international co-operation in solving international problems of a humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

Considering that the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations,

Believing that all prisoners having originally come within the control of the Allied Powers as a consequence of the Second World War should either have been repatriated long since or have been otherwise accounted for,

that this is required both by recognized standards of international conduct and the Geneva Convention of 1949 for the protection of war victims, and by specific agreements between the Allied Powers,

1. Expresses its concern at the information presented to it tending to show that large numbers of prisoners taken in the course of the Second World War have neither been repatriated nor otherwise accounted for;

2. Calls upon all governments still having control of such persons to act in conformity with the recognized standards of international conduct and with the above-mentioned international agreements and conventions which require that, upon the cessation of active hostilities, all prisoners should, with the least possible delay, be given an unrestricted opportunity of repatriation and, to that end, to publish and transmit to the Secretary-General before 30 April 1951:

(a) The names of such prisoners still held by them, the reasons for which they are still detained and the places in which they are detained;

(b) The names of prisoners who have died while under their control as well as the date and cause of death, and the manner and place of burial in each case;

3. Requests the Secretary-General to establish an Ad Hoc Commission composed of three qualified and impartial persons chosen by the International Red Cross or, failing that, by the Secretary-General himself, with a view to settling the question of the prisoners of war in a purely humanitarian spirit and on terms acceptable to all the governments concerned. The Commission shall convene at a suitable date after 30 April 1951 to examine and evaluate, in the light of the information made available to the fifth session of the General Assembly, the information furnished by governments in accordance

<sup>137</sup> See p. 160.

with the terms of the preceding paragraph. In the event that the Commission considers that this information is inadequate or affords reasonable ground for believing that prisoners coming within the custody or control of any foreign government as a consequence of military operations of the Second World War have not been repatriated or otherwise accounted for, the General Assembly:

(a) Requests the Commission to seek from the governments or authorities concerned full information regarding such prisoners;

(b) Requests the Commission to assist all governments and authorities who so desire in arranging for and facilitating the repatriation of such prisoners;

(c) Authorizes the Commission to use the good offices of any qualified and impartial person or organization whom it considers might contribute to the

repatriation or accounting for of such prisoners;

(d) Urges all governments and authorities concerned to co-operate fully with the Commission, to supply all necessary information and to grant right of access to their respective countries and to areas in which such prisoners are detained;

(e) Requests the Secretary-General to furnish the Commission with the staff and facilities necessary for the effective accomplishment of its task;

4. Urgently requests all the governments to make the greatest possible efforts, based in particular on the documentation to be provided, to search for prisoners of war whose absence has been reported and who might be in their territories;

5. Directs the Commission to report as soon as practicable the results of its work to the Secretary-General for transmission to the Members of the United Nations.

## M. REFUGEES AND STATELESS PERSONS

### 1. Statelessness and Related Problems

#### a. CONSIDERATION IN THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

At its eleventh session the Economic and Social Council dealt with the question of refugees and stateless persons<sup>138</sup> in two parts. It examined the report of the Ad Hoc Committee on Statelessness and Related Problems (E/1618 & Corr.1) and took action, as requested in General Assembly resolution 319 (IV), concerning the provisions for the functioning of a High Commissioner's Office for Refugees.

##### (1) Report of the Ad Hoc Committee on Statelessness and Related Problems<sup>139</sup>

The Ad Hoc Committee on Statelessness and Related Problems, established by the Council in accordance with resolution 248 (IX) of the Economic and Social Council, met from 16 January to 16 February 1950. Its task, as outlined in the resolution, was to:

(a) consider the desirability of preparing a revised and consolidated convention relating to the international status of refugees and stateless persons and, if they consider such a course desirable, draft the text of such a convention;

(b) consider means of eliminating the problem of statelessness, including the desirability of requesting the International Law Commission to prepare a study and make recommendations on this subject;

(c) make any other suggestions they deem suitable for the solution of these problems, taking into consideration the recommendations of the Secretary-General.

The Committee recommended (E/1618) an international convention as the most effective approach to the solution of the problems referred

to the Council. It decided, in view of the urgency of the refugee problem and the responsibility of the United Nations in this field, to address itself first to the problem of refugees, whether stateless or not.

The Committee prepared a draft Convention relating to the status of refugees, which consisted of a preamble and forty articles covering general provisions, legal status, gainful occupation, welfare, administrative measures, implementation and transitory provisions and final clauses. It provided in article 1 a definition of the term "refugee". The Committee also prepared and submitted to the Council its observations and comments on the draft Convention. Although the Committee did not feel that it could draw up a separate draft convention relating to the status of stateless persons, it considered the possibility of applying certain of the articles to stateless persons who were not refugees and, in this connexion, prepared a draft Protocol relating to the status of stateless persons, by which the provisions of certain articles of the Convention would be applied *mutatis mutandis* to stateless persons not covered under the Convention.

The Committee requested the Secretary-General, in accordance with resolution 248 B (IX), to submit its report to Governments and to invite them to forward their comments on it by 1 May 1950, in order that the report, along with the comments received, might be submitted to the Council at its eleventh session. The Com-

<sup>138</sup> See also Y.U.N., 1948-49, pp. 584-99.

<sup>139</sup> The Ad hoc Committee met later for a second session as the "Ad hoc Committee on Refugees and Stateless Persons"; see pp. 575-76.

mittee also recommended that the Council consider the report and the comments and submit them, together with its recommendations, to a diplomatic conference, to be convened for the purpose of reviewing further the draft Convention and the Protocol to it, and at which these would be opened for signature.

The Committee decided that it was not practicable to examine the complex problem of the elimination of statelessness in great detail or draft a convention on the subject. It reviewed the basic causes of statelessness, including failure to acquire nationality at birth, loss of nationality through marriage or dissolution of marriage, voluntary renunciation of nationality, and deprivation of nationality. It discussed the responsibilities of various organs of the United Nations in this field, including the International Law Commission and the Commission on the Status of Women.

The Committee decided to recommend to the Council the adoption of a resolution inviting Member States to re-examine their nationality laws with a view to reducing as far as possible cases of statelessness which arise from the operation of such laws, and recommending to the Member States involved in changes of territorial sovereignty that they include in the arrangements for such changes the necessary provisions for the avoidance of statelessness. The resolution, further, invited Member States to contribute to the reduction of the number of stateless persons by extending to persons in their territory an opportunity to be naturalized. It requested the Secretary-General to seek information from Member States with regard to the carrying out of the resolution, and to report to the Council. The Committee further recommended that considering that progress in the elimination of statelessness required joint international action and that the conclusion of an agreement or agreements for this purpose was necessary, the Council should request the International Law Commission to prepare the necessary draft documents at the earliest possible date.

No specific reference to the statelessness of women resulting from marriage or dissolution of marriage was included in the resolution proposed to the Council, as the nationality of married women was being considered on a broader basis by the Commission on the Status of Women.<sup>140</sup>

(2) Discussion of the Report in the Council

The report of the Ad Hoc Committee was considered at the 156th-161st and 165th-170th meetings of the Social Committee, 31 July-3 August and 5-10 August respectively, and at the Coun-

cil's 399th and 406th-407th plenary meetings, 2 and 11 August 1950. In addition to the report, the Council had before it comments from the Governments of Australia, Austria, Canada, Chile, Egypt, France, India, Israel, Italy, Lebanon, Poland, the United Kingdom and the United States (E/1703 & Add.1-7). Comments of a general nature and related to individual articles in the draft Convention had also been received from the International Refugee Organization (E/1704 & Corr.1 & 2).

The first point under discussion in the Social Committee at its 156th and 157th meetings was primarily a procedural matter: whether to transmit the Ad Hoc Committee's report to the General Assembly's fifth session, meanwhile reconvening the Ad Hoc Committee at Geneva for a further review of the draft Convention and Protocol, or whether to call a diplomatic conference to revise the draft international agreements. The majority supported the proposal to reconvene the Committee and to submit the report to the Assembly. They were of the opinion that the question of refugees was urgent and should be dealt with as quickly as possible. Moreover, the Convention would be the principal instrument through which the High Commissioner for Refugees would exercise his functions for protecting refugees. It was therefore highly desirable, they held, that the Convention should be available when he assumed his duties in January 1951.

Other representatives favoured the proposal, included in the Ad Hoc Committee's report, to call a diplomatic conference. One of the main advantages, they stressed, would be that in a diplomatic conference those non-member States to which the problem was of great importance could also be represented. While agreed that the refugee problem was urgent, these representatives saw no reason why the High Commissioner could not begin his work before a Convention was concluded.

On the basis of a United States proposal (E/L.79 & Add.1) the Social Committee on 31 July, and, on the Committee's recommendation, the Council on 2 August, decided (1) to transmit the report to the Assembly's fifth session and (2) to reconvene the Ad Hoc Committee in Geneva to revise the draft Convention and Protocol. It decided that the name of the Committee should be changed to "Ad Hoc Committee on Refugees and Stateless Persons". Following this interim decision, the United States draft resolution, as amended to take account of other decisions by

<sup>140</sup> See pp. 558-59.

the Council and to provide for the hearing by the Ad Hoc Committee of the views of non-member States, was adopted by the Social Committee at its 169th meeting by 12 votes to none, with 3 abstentions, and by the Council at its 406th plenary meeting by 9 votes to none, with 6 abstentions.

In this resolution (319 B,I (XI)) the Council took note of the report of the Ad Hoc Committee on Refugees and Stateless Persons including, in particular, the draft agreements contained therein, and of the comments of Governments thereon, which - it transmitted to the General Assembly. The Council requested the Secretary-General to reconvene the Ad Hoc Committee in order that it might prepare revised drafts of the agreements in the light of comments of Governments and specialized agencies and the discussions and decisions of the Council at its eleventh session, which should include the definition of "refugee" and preamble approved by the Council, making such other revisions as appeared necessary. It also requested him to submit the revised drafts to the General Assembly at its fifth session.

The Council drew the attention of the Committee to the fact that, under rules 75 and 77 of the rules of procedure of the Council, it was authorized to hear statements from Member States not members of the Committee and from such specialized agencies as might wish to participate, without vote, in the deliberations of the Committee. It decided, in addition, that the Committee was authorized to hear statements from such non-member States as might, because of their special interest in the problem, wish to participate as observers, without vote, in the deliberations of the Committee.

Finally, the Council recommended to the General Assembly that it approve international agreements on the basis of the draft agreements prepared and revised by the Committee, taking into account the comments of Governments and the views expressed at the eleventh session of the Council.

(a) DEFINITION OF THE TERM "REFUGEE" IN  
ARTICLE 1 OF THE DRAFT CONVENTION  
ON REFUGEES

Meanwhile, the Social Committee at its 158th-161st and 165th-166th meetings had discussed the definition of the term "refugee" in article 1 of the draft Convention prepared by the Ad Hoc Committee.<sup>141</sup> This definition had been based on categories. This principle, though not necessarily the definition itself, was supported by the representatives of Australia, Brazil, China, France and

the United States. Among other things, they maintained that in any instrument involving definite legal obligations categories should be precisely defined. Such a definition would also be more generally acceptable and more easily implemented than a global definition, to which they considered a number of countries would be reluctant to subscribe. The broader the definition, they thought, the narrower the protection that nations would be willing to give. The representative of the United States also pointed out that under too broad a definition the High Commissioner, when implementing the Convention, would be overwhelmed with applications from people who did not merit or require international protection. The Assembly had stated that the Commissioner's work should relate as a rule to groups and categories of refugees. Both States and the High Commissioner should know exactly to whom the Convention applied.

On the other hand, the representatives of Belgium, Canada, Pakistan and the United Kingdom felt that the definition should concern itself with all refugees and not merely with certain prescribed and limited categories of refugees. The Convention should not be an instrument of restricted application. Moreover, a limited classification, they stated, would not be adequate or useful for a lasting international convention on refugees.

In addition, the representatives of Belgium, Chile, France and the United Kingdom, among others, held that the definition used in the Convention and in the Statute for the High Commissioner's Office need not be the same, although, as pointed out by the representative of the United States, there was a definite link between them, i.e. if the Convention were approved, the definition of the term "refugee" would form part of the High Commissioner's terms of reference, since implementation of the Convention was to be one of his principal functions.

The representatives of Belgium and the United Kingdom had submitted substitute texts (E/AC.7/L.59; E/AC.7/L.63) for Article 1. Both of these were designed to give a broad, global definition to the term "refugee". However, at the 159th meeting on 1 August, it was decided by 8 votes to 2, with 4 abstentions, to proceed with a definition of "refugee" based on categories. Therefore, the Belgian and United Kingdom amendments were withdrawn. Several representatives, among them those of Canada, Mexico,

<sup>141</sup> For discussions in the Council concerning the definition of "refugee" to be included in the Statute of the High Commissioners Office, see pp. 580-82.

Pakistan and the United Kingdom, reserved the position of their Governments on this aspect of the question in respect to future stages of discussion.

Taking as a basis for discussion a French amendment (E/L.82) to the Ad Hoc Committee's proposed text for article 1, the Social Committee discussed in detail the proposed definition of the term "refugee", and referred certain sections for re-drafting to a sub-committee composed of the representatives of China, Chile, France, the United Kingdom and the United States.

Among its decisions were:

(1) To omit a section stipulating the rights of Contracting States to extend the definition of refugees to persons in other categories as recommended by the Assembly and their right to conclude independently private agreements to extend the benefits of the Convention to categories of refugees not covered by it. The Committee felt that this statement was unnecessary and misleading, since it implied that States might have to await Assembly approval before extending the definition of refugees. Its deletion was proposed by France, and adopted by 13 votes to none, with 2 abstentions.

(2) To broaden the definition of refugees to include those who "for reasons other than personal convenience" were unwilling to return to their home countries. The United States representative, in proposing the amendment, drew attention to the position of refugees who were not afraid of actual persecution in their home countries, but were unwilling for psychological reasons to return. The amendment was adopted by 11 votes to none, with 4 abstentions.

(3) To substitute for a statement that no Contracting State would apply the benefits of the Convention to any person who in its opinion was guilty of "any . . . acts contrary to the Purposes and Principles of the United Nations" a clause stating that no Contracting State would be obliged to grant refugee status to any person it had "serious reasons to consider as falling under the provisions of article 14 (2) of the Universal Declaration of Human Rights."<sup>142</sup> Various members of the Committee considered that the original statement was vague and might lead to discrimination, and that it was doubtful if individuals could be guilty of acts contrary to the Charter, since its responsibilities devolved only on States. The amended phrase was proposed by France and adopted by 7 votes to none, with 8 abstentions.

(4) To add a section making it clear that the Convention would not apply to a refugee who had no nationality but had voluntarily returned to the country he had left or outside which he had remained owing to fear of persecution. This was proposed by the United States and adopted by 13 votes to none, with 2 abstentions.

The amended definition of the term "refugee" was adopted as a whole by the Social Committee on 7 August by 7 votes to 1, with 7 abstentions, and by the Council at its 406th plenary meeting on 11 August 1950, by 10 votes to 2, with 3 abstentions, in resolution 319 B,II (XI). It read as follows:

(Chapter I, Article 1)

A. For the purposes of this Convention, the term "refugee" shall apply to any person

(1) Who in the period between 1 August 1914 and 15 December 1946 was considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, and the Protocol of 14 September 1939;

(2) Who has been accepted by the International Refugee Organization as falling under its mandate;

(3) Who has had, or has, well-founded fear of being the victim of persecution for reasons of race, religion, nationality or political opinion, as a result of events in Europe before 1 January 1951, or circumstances directly resulting from such events, and, owing to such fear, has had to leave, shall leave, or remains outside the country of his nationality, before or after 1 January 1951, and is unable, or, owing to such fear or for reasons other than personal convenience, unwilling, to avail himself of the protection of the government of the country of his nationality, or, if he has no nationality, has left, shall leave, or remains outside the country of his former habitual residence.

The decision as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugees being recognized in the case of persons who otherwise fulfil the conditions of this Article.

B. This Convention shall not apply to any refugee enjoying the protection of a Government because

(1) He has voluntarily re-availed himself of the protection of the government of the country of his nationality;

(2) Having lost his nationality, he has voluntarily re-acquired it;

(3) He has acquired a new nationality and enjoys the protection of the government of the country of his nationality;

(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution;

(5) As a former member of a German minority, he has established himself in Germany or is living there.

C. No contracting State shall apply the benefits of this Convention to any person who, in its opinion, has committed a crime specified in Article VI of the London Charter of the International Military Tribunal. No contracting State shall be obliged, under the provisions of this Convention, to grant refugee status to any person whom it has serious reasons to consider as falling under the provisions of article 14 (2) of the Universal Declaration of Human Rights.

(b) PREAMBLE TO THE DRAFT CONVENTION

The Preamble to the Convention was considered at the 160th, 167th and 170th meetings of the Social Committee on 2, 7 and 10 August and at the 406th plenary meeting of the Council on 11 August.

The Ad Hoc Committee had prepared a Preamble which would have the Contracting States

<sup>142</sup> Which states that the right of asylum "may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations".

(1) refer to the concern of the United Nations for the protection of human rights without discrimination as expressed in the Declaration of Human Rights, and the profound concern for the rights of refugees as evinced in various resolutions, especially in General Assembly resolution 319 A (IV),<sup>143</sup> and (2) refer to the desirability of revising and consolidating previous international agreements relating to the protection of refugees, of extending the scope of such agreements to additional groups of refugees and of increasing the protection accorded by these instruments.

The representative of France stated that the principle of the Preamble was not in dispute but that, while ideally refugees should be placed on an equal footing with citizens of the countries receiving them, this was not possible. He proposed an amendment (E/L.81) which would, among other things, have the Preamble:

(1) state that refugees should be assured of the "widest possible exercise of the fundamental rights and liberties"; (2) recognize that the right of asylum placed an undue burden on certain countries because of their geographical situation and that the problem because of its international scope could not be solved without international co-operation "to help distribute refugees throughout the world";

(3) refer to the High Commissioner for Refugees, who would be called upon to supervise the application of the Convention and to endeavour, with international co-operation, to improve it; and finally,

(4) express the hope that countries would be guided by the Convention in granting the rights and advantages contained in it to refugees not covered by its provisions.

There was considerable discussion as to whether or not the idea expressed in point (2) above should be included in the Preamble. The representative of Belgium thought the point should be made in the Convention itself, while the representatives of Canada, India and the United States thought it might be better to include it in an Assembly resolution introducing the Convention. This paragraph was deleted at the Committee's 167th meeting on 7 August by 5 votes to 5, with 5 abstentions, but the Council reinstated the paragraph in slightly different form (E/L.94) at its 406th plenary meeting (see below).

The representatives of Belgium, Canada, the United States and Pakistan objected to the last paragraph, which they thought implied that the Convention was not wide enough in scope. It was also inconsistent with the Committee's previous decision that the Convention should apply to certain defined categories of refugees rather than to all refugees in a territory. Following the adoption of the paragraph in slightly amended form by 5 votes to 4, with 6 abstentions, the representatives

of Belgium and the United States reserved the right to raise the question again.

The Committee, after accepting certain technical amendments of a legal nature (A/C.7/L.71), adopted, in separate paragraph votes, the remainder of the French amendment (E/L.81) with an additional French sub-amendment designed to express more precisely the status and powers of the High Commissioner in relation to the Convention. It also decided, by 14 votes to 1, to include the reference proposed by the Ad Hoc Committee (see above) to the desirability of revising, consolidating and extending the scope of previous international agreements. The amended draft Preamble was adopted as a whole by the Committee by 10 votes to none, with 3 abstentions.

The Council, at its 406th plenary meeting on 11 August, after accepting by 9 votes to none, with 6 abstentions, a French proposal (E/L.94) to reinstate a paragraph (see paragraph 5 below) referring to the international scope of the problem, adopted the Preamble by 12 votes to none, with 3 abstentions, in resolution 319 B,II (XI). It read as follows:

#### PREAMBLE

1. Considering that the Charter of the United Nations and the Universal Declaration of Human Rights establish the principle that human beings shall enjoy fundamental rights and freedoms without discrimination;

2. Considering that the United Nations has, on various occasions, and most recently in General Assembly resolution 319 A (IV), manifested its profound concern for refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms;

3. Considering that, in the light of experience, the adoption of an international convention would appear to be one of the most effective ways of guaranteeing refugees the exercise of such rights;

4. Considering further that it is desirable to revise and consolidate previous international agreements relating to the protection of refugees, to extend the scope of such agreements to additional groups of refugees, and to increase the protection accorded by these instruments;

5. Considering, however, that the exercise of the right of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation;

6. Considering that the High Commissioner for Refugees will be called upon to supervise the application of this Convention, and that the effective implementation of this Convention depends on the full co-operation of States with the High Commissioner and on a wide measure of international co-operation;

7. Expressing the hope, finally, that this Convention will be regarded as having a value as an example

<sup>143</sup> See Y.U.N., 1948-49, pp. 598-99.

exceeding its contractual scope, and that without prejudice to any recommendations the General Assembly may be led to make in order to invite the High Contracting Parties to extend to other categories of persons the benefits of this Convention, all nations will be guided by it in granting to persons who might come to be present in their territory in the capacity of refugees and who would not be covered by the following provisions, treatment affording the same rights and advantages.

(c) **ELIMINATION OF STATELESSNESS**

The resolution recommended by the Ad Hoc Committee on the elimination of statelessness<sup>144</sup> was discussed at the 167th and 168th meetings of the Social Committee on 7 and 8 August and at the 406th and 407th plenary meetings of the Council on 11 August 1950.

The following were among the views expressed: The representatives of Australia, Belgium, France and the United Kingdom considered that the suggestion that Member States should extend to stateless persons in their territory the opportunity to be naturalized was too general and tended to place a stateless person in a more privileged position than other aliens with regard to naturalization. The United States representative explained that the paragraph in question was merely meant to ensure that a stateless person was included in the general group of persons eligible for naturalization.

The representative of Mexico considered that statelessness could only be handled as an integral part of the problem of nationality and presented an amendment (E/L.95) suggesting that the Assembly request the International Law Commission to prepare a draft general convention on nationality, including measures to eradicate the problem of statelessness. The representatives of the United States and the United Kingdom criticized this on the ground that it would bind the International Law Commission to one course of action. The Commission might see fit to deal with statelessness in any one of several different ways, and should be free to do so. The amendment was rejected in the Committee by 6 votes to 6, with 3 abstentions, and in the Council by 6 votes to 5, with 4 abstentions.

The representative of the United States suggested that any invitation or request for action should be directed to States and not specifically to Member States. The representative of Chile expressed the view that a small group of legal experts could draw up the draft convention provided that Governments first accepted at least some of the following principles: (1) that no one may lose his nationality of origin without ac-

quiring a new nationality; (2) that women retain their nationality of origin on contracting marriage or on its dissolution; (3) that nationality, once acquired, is definitive and may not be withdrawn even as a penalty; and (4) that it is essential that agreement be reached between *jus soli* and *jus sanguinis* countries with regard to the nationality of children.<sup>145</sup>

Since a number of representatives had declared their intention of abstaining from voting on the Ad Hoc Committee's draft resolution, the representative of France suggested an alternative draft which, with some additions and technical modifications, was adopted as a whole by the Social Committee (E/1814) at its 168th meeting on 8 August by 7 votes to 3, with 5 abstentions.

After having adopted amendments to replace the word "drawbacks" by "problems" and the word "sources" by "causes" in the fourth paragraph of the preamble, and to add a sentence to the fourth operative paragraph noting with satisfaction that the International Law Commission intended to initiate work on the subject of nationality, including statelessness, the Council adopted the revised resolution by 8 votes to 1, with 6 abstentions, at its 407th plenary meeting. It read as follows (319 B,III (XI)):

The Economic and Social Council,

Recalling its concern with the problem of statelessness as expressed in its resolution 248 B (IX) of 8 August 1949, in which it established an ad hoc committee to study this problem,

Having considered the report of the Ad Hoc Committee and its recommendations concerning the elimination of statelessness,

Taking note of article 15 of the Universal Declaration of Human Rights concerning the right of every individual to a nationality,

Considering that statelessness entails serious problems both for individuals and for States, and that it is necessary both to reduce the number of stateless persons and to eliminate the causes of statelessness,

Considering that these different aims cannot be achieved except through the co-operation of each State and by the adoption of international conventions,

Recommends to States involved in changes of territorial sovereignty that they include in the arrangements for such changes provisions, if necessary, for the avoidance of statelessness;

Invites States to examine sympathetically applications for naturalization submitted by stateless persons habitually resident in their territory and, if necessary, to re-examine their nationality laws with a view to reducing as far as possible the number of cases of statelessness created by the operation of such laws;

<sup>144</sup> See pp. 569-70.

<sup>145</sup> Under *jus soli* a child takes its nationality from the country in which it is born; under *jus sanguinis* it takes the nationality of its parents.

Requests the Secretary-General to seek information from States with regard to the above-mentioned matters and to report thereon to the Council;

Notes with satisfaction that the International Law Commission intends to initiate as soon as possible work on the subject of nationality, including statelessness, and urges that the International Law Commission prepare at the earliest possible date the necessary draft international convention or conventions for the elimination of statelessness;

Invites the Secretary-General to transmit this resolution to the International Law Commission.

#### b. REPORT OF THE AD HOC COMMITTEE ON REFUGEES AND STATELESS PERSONS

The Ad Hoc Committee on Refugees and Stateless Persons reconvened from 14 to 25 August 1950 in Geneva, as requested by the Economic and Social Council (319 B,I (XI)).

The Committee in its report to the General Assembly (E/1850) stated that it considered its function to be primarily that of revising the draft Convention and draft Protocol for the consideration of the General Assembly. The drafts which it had prepared represented a consensus. They did not, however, commit the Governments which were represented.

The Committee stated that it had given careful consideration to the discussions in the Economic and Social Council, to the views expressed by observers at the meetings of the Committee and to the comments submitted by Governments and specialized agencies. Some of the observations, it was pointed out, had dealt with problems peculiar to the country in question. The Committee had, however, concentrated on establishing a standard generally acceptable and leaving it to individual nations who might not feel able to subscribe to that standard to note particular reservations.

To meet the criticism that, in some respects, the draft Convention originally prepared was not self-sufficient but relied too heavily on interpretation in the comments, the Committee had dispensed with a formal set of comments and had instead introduced some of the ideas previously contained in them into the text of the Convention. It had clarified instances in which there appeared to be conflicts between the comment and the plain language of the text.

Among the points commented upon by the Committee in its report were the following:

(1) The Committee had retained the pattern whereby refugees would enjoy at least the same treatment as aliens generally in regard to most provisions, but preferred treatment—either that of nationals of a most favoured nation or that of nationals of the Contracting State—in regard to certain other rights. It had also

added a provision establishing the general principle that, where no other provision was contained in the Convention, refugees were to enjoy the same treatment as aliens generally. It had also endeavoured to make it clear that the adoption of the Convention should not impair any greater rights which refugees might enjoy prior to or apart from this Convention.

(2) The Committee had revised the text concerning the requirement of reciprocity because it considered that this was open to different interpretations in different countries. The revised text preserved rights based on reciprocity for those refugees who were entitled to enjoy them on the date on which the Convention came into force in a particular State. The Committee, however, expressed the hope that States would give sympathetic consideration to extending rights, as far as possible, to all refugees without regard to reciprocity, particularly where the rights had no relation to the requirements of residence, as, for example, compensation for war damages and persecution. But it felt that a legal obligation in this sense would be acceptable only in regard to refugees who had resided in the country "for a certain period", using this phrase on the understanding that the General Assembly would be better able to prescribe a definite period, if desirable. It was the understanding of the Committee that article 4, paragraph 2 (which provided for the preservation under the Convention of rights previously based on reciprocity), did not apply to rights conferred by treaty on nationals of a particular country only.

(3) The Committee considered that article 18, which provided that Contracting States should accord refugees the same treatment as their nationals with respect to public relief and assistance, conformed fully to the provisions of the resolution on migration adopted by the Economic and Social Council on 13 July 1950.<sup>146</sup> The Committee expressed its understanding that, despite the provisions of article 3 (B) requiring refugees to satisfy the conditions required of a national in order to enjoy the same treatment, refugees should not be required to meet any conditions of local residence or affiliation which may be required of nationals.

(4) The Committee decided not to incorporate any change in the text of Article 26, providing for the exemption from penalties of a refugee who illegally enters a country but who presents himself to the authorities and shows cause for his illegal entry. It noted that in some countries freedom from penalties on account of illegal entry was also extended to those who gave assistance for humanitarian reasons to such entrants.

(5) The Committee decided, after long discussion, to maintain the provision in article 27 that Contracting States were not to expel a refugee lawfully in their territory "save on grounds of national security or public order". While several members expressed dissatisfaction with the vagueness of the term "public order", and with the different interpretations given to the term in different countries, it was felt necessary to take into account the jurisprudence which this term had acquired in certain systems of law. The Committee felt that this provision would permit the deportation of aliens who had been convicted of certain serious crimes where in that country such crimes were considered violations of "public order". The phrase "public order" would not, however, permit the deportation of aliens on "social grounds" such as indigence or illness. The Committee

<sup>146</sup> See p. 626.

clarified the procedural safeguards accorded to refugees: expulsion should be only following a decision "reached in accordance with due process of law"; and the refugee would have the right to submit evidence and to appeal to and be represented before competent authority.

(6) While some question was raised as to the possibility of exceptions to article 28, which prohibited expulsion in any manner to the frontiers of territories where the life or freedom of a refugee was threatened on account of race, religion, nationality or political opinion, the Committee felt strongly that the principle there expressed was fundamental and that it should not be impaired.

(7) With regard to reservations, the Committee noted that under article 36 of the draft Convention reservations were permitted to most of its provisions, but stated that several of these were fundamental and not subject to reservations. It expressed the hope that there would be few reservations and considered that Governments might not find it necessary to reserve an article as a whole when it would be sufficient to reserve exceptional cases of special circumstances in connexion with the application of that article.

#### c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly had before it, *inter alia*: Economic and Social Council resolutions 319 A & B (XI); the report of the Ad Hoc Committee on Refugees and Stateless Persons (second session) (E/1850), which contained the revised draft Convention and the draft Protocol relating to the status of stateless persons; and a memorandum by the Secretary-General (A/1385), containing both the provision for the functioning of the High Commissioner's Office<sup>147</sup> adopted by the Economic and Social Council, and the Council's definition of "refugee" for article 1 of the Convention.

##### (1) Draft Convention Relating to the Status of Refugees

The General Assembly discussed the procedure to be followed with respect to the draft Convention and the draft Protocol at the 324th, 328th, 330th, 332nd, 337th and 338th meetings of the Third Committee, 22-27 and 30 November and 1 and 6 December, and at its 325th plenary meeting on 14 December 1950.

The views expressed as to whether the General Assembly should complete the Convention or whether it should be referred to a conference of plenipotentiaries were primarily those expressed in the Economic and Social Council.<sup>148</sup> Although a number of representatives indicated that they would have preferred to have the Convention completed during the Assembly's session, they agreed, generally, that there was insufficient time for this.

Accordingly, the Committee at its 337th meeting adopted, by 26 votes to 7, with 12 abstentions, a draft resolution proposed by the United Kingdom revised to incorporate oral amendments suggested by Lebanon, Venezuela, France and Canada (A/C.3/L.68/Rev.1). These amendments provided for reference in the draft resolution to the draft Convention prepared by the Ad Hoc Committee and the Economic and Social Council, the Protocol relating to stateless persons, and the definition of the term "refugee" as adopted by the Council. The Committee also adopted by 37 votes to 5, with 4 abstentions, a New Zealand amendment (A/C.3/L.140) to add a paragraph calling on the High Commissioner to participate in the work of the Conference.

The representative of Australia, who considered that the final drafting of the Convention should be done in the Assembly, even if it meant waiting until the sixth session, had presented an alternative draft resolution (A/C.3/L.136) which would refer the draft Convention and Protocol back to the Economic and Social Council with a request that it should be resubmitted with recommendations to the sixth session of the General Assembly. Following the adoption of the United Kingdom draft resolution, as amended by New Zealand, no vote was taken on the Australian proposal.

After a brief discussion with regard to its financial implication a Belgian-French proposal (A/C.3/L.143) to hold the Conference in Geneva was adopted by the Committee at its 338th meeting by 18 votes to 9, with 18 abstentions.

The draft resolution adopted by the Third Committee (A/1682) was discussed at the General Assembly's 325th plenary meeting on 14 December. After having adopted, by 29 votes to 7, with 14 abstentions, a Venezuelan amendment (A/1725) to specify in the resolution that the meeting would be held in Geneva, the Assembly adopted resolution 429 (V), as a whole, by 41 votes to 5, with 10 abstentions, as follows<sup>149</sup>:

The General Assembly,

Considering that, by its resolution 362 (IV) of 22 October 1949, it approved the recommendation of the Special Committee on Methods and Procedures that the General Assembly might decide to convene a conference of plenipotentiaries to study, negotiate, draft, and possibly sign conventions that had been drawn up by conferences in which all Members of the United Nations had not been invited to take part,

<sup>147</sup> See pp. 583 ff.

<sup>148</sup> See pp. 570-71.

<sup>149</sup> The annex to the resolution, containing article 1 of the draft Convention, was included in this vote. For text of the article, as adopted, see pp. 579-80.

Considering the desirability of enabling the governments of States not Members of the United Nations to participate in the final stages of the drafting of the Convention relating to the Status of Refugees, as prepared by the Ad Hoc Committee on Refugees and Stateless Persons and the Economic and Social Council,

1. Decides to convene in Geneva a conference of plenipotentiaries to complete the drafting of and to sign both the Convention relating to the Status of Refugees and the Protocol relating to the Status of Stateless Persons;

2. Recommends to governments participating in the conference to take into consideration the draft Convention submitted by the Economic and Social Council and, in particular, the text of the definition of the term "refugee" as set forth in the annex hereto;

3. Requests the Secretary-General to take the steps necessary for the convening of such a conference at the earliest possible opportunity;

4. Instructs the Secretary-General to invite the governments of all States, both Members and non-members of the United Nations, to attend the said conference of plenipotentiaries;

5. Calls upon the United Nations High Commissioner for Refugees, in accordance with the provisions of the Statute of his Office, to participate in the work of the Conference.

(2) Definition of the Term "Refugee" in the Draft Convention

The definitions of the term "refugee" to be included in the Convention and in the Statute of the High Commissioner's Office<sup>150</sup> were discussed together by the General Assembly at the 324th-332nd, 334th and 335th meetings of the Third Committee, 22-30 November and 1, 4 and 5 December, and at the 325th plenary meeting on 14 December 1950.

In general, two different views were again expressed. The representatives of France, Venezuela, Israel and the United States, among others, stressed the importance of a precise definition of the term "refugee" so that those to be afforded protection could be clearly identified. The Council, they argued, had enumerated clearly those in need of international protection. Other categories of refugees, such as those created by the transfer of populations, enjoyed the same rights and privileges as nationals in their countries and were not in need of international protection. The main purpose of the United Nations should be to prevent refugees from becoming a liability to the international community.

Among others, the representatives of Belgium, Canada, the Netherlands, Turkey, the United Kingdom and Yugoslavia favoured a broad definition. The representative of Australia stated that, although in the Council his delegation had supported the definition by categories, he now felt that the general definition might be preferable in

the Statute. The representatives of Chile and the Union of South Africa supported the insertion of a general definition in the Convention and a limited one in the Statute for the High Commissioner's Office.

The representatives of the United Kingdom and Belgium, in sponsoring broader definitions in both cases, stressed particularly that the definition should not be limited to apply only to European refugees. The representative of Belgium further pointed out that under the Council definition a large number of persons had been refused refugee status and victims of the nazi or fascist regimes had been granted such status. This seemed unjustified, as apparently nothing prevented these refugees from obtaining legal protection from the authorities currently administering Western Germany and Austria.

The representatives of Poland and Czechoslovakia expressed the opinion that the proposed definition was designed to enable certain countries to continue to use refugees as agents to provoke political disorder in their countries of origin. If the United Nations adopted the proposal to apply the term "refugee" to all who renounced their nationality of their own free will, it would protect persons co-operating with the intelligence services of the countries waging war against the Governments of the "peoples' democracies".

At the 329th meeting of the Committee on 29 November an informal working group was formed, composed of the representatives of Belgium, Canada, France, Israel, Turkey, the United Kingdom, the United States and Venezuela. The Group took into consideration the amendments and resolutions presented by the following States: Yugoslavia (A/C.3/L.122); France (A/C.3/L.123 & 129); Israel (A/C.3/L.124); Venezuela (A/C.3/L.125 & 126); Egypt, Lebanon and Saudi Arabia (A/C.3/L.128); Belgium, Canada, Turkey and United Kingdom (A/C.3/L.130).

At the 332nd meeting on 1 December, the Informal Working Group presented revised joint "compromise" amendments (A/C.3/L.131/Rev.1).<sup>151</sup> The amendment concerning the definition of "refugee" to be included in the draft Convention was as follows:

I. Substitute the following text for Chapter I, Article 1 of the draft Convention on the Status of Refugees, (document E/1850):

<sup>150</sup> For consideration by the Assembly of the definition of "refugee" to be included in the Statute, see pp. 583 ff.

<sup>151</sup> The amendments as originally proposed, except for those involving only drafting or procedural changes, are indicated in footnotes. Italics in the proposed text indicate revised phraseology.

"A. For the purposes of this Convention, the term 'refugee' shall apply to any person who:

"(1) Since 1 August 1914, has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;<sup>152</sup>

"Decisions as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this article;

"(2) As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable, or owing to such fear or for reasons other than personal convenience is unwilling, to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable, or owing to such fear or for reasons other than personal convenience, is unwilling to return to it;<sup>153</sup>

"In the case of a person who has more than one nationality, the above term 'the country of his nationality' shall mean any of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national;<sup>154</sup>

"B. This Convention shall cease to apply to any person falling under the terms of Section A if:

"(1) He has voluntarily re-availed himself of the protection of the country of his nationality; or

"(2) Having lost his nationality, he has voluntarily re-acquired it; or

"(3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality;<sup>155</sup> or

"(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

"(5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, claim grounds other than those of personal convenience for continuing to refuse to avail himself of the protection of the country of his nationality. Reasons of a purely economic character may not be invoked;<sup>156</sup> or

"(6) If, being a person who has no nationality, he can no longer, because of circumstances in connexion with which he has been recognized as a refugee have ceased to exist, and he is able to return to the country of his former habitual residence, claim grounds other than those of personal convenience for continuing to refuse to return to that country;<sup>157</sup>

"C. (1) The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that (a) he has committed a crime specified in Article VI of the London Charter of the International Military Tribunal; or (b) he falls under the provisions of Article 14, paragraph 2, of the Universal Declaration of Human Rights;

"(2) This Convention shall not apply to a person who has entered a country with whose nationals he has close ties of ethnic and cultural kinship and, because of

such kinship, enjoys the rights and privileges usually attached to the possession of the nationality of such country;

"(3) This Convention shall not apply to persons who fall under the auspices of other organs or agencies of the United Nations, other than the International Refugee Organization<sup>158</sup>

"D. The Contracting States may agree to add to the definition of the term 'refugee' contained in this article persons in other categories, including such as may be recommended by the General Assembly."<sup>159</sup>

As regards part I of the Working Group's proposals—concerning the definition of "refugee" to be inserted in article 1 of the draft Convention—the Committee at its 332nd meeting on 1 December took the following decisions.

(1) It rejected, by 34 votes to 1, with 11 abstentions, a motion of the Chairman that the text be binding on the proposed conference of plenipotentiaries. In discussing the procedure to be followed, it had been generally conceded that sovereign States, whether or not United Nations Members, should have the right to make the final decision and that the Assembly should only recommend a definition.

<sup>152</sup> Venezuela had suggested (A/C.3/L.125) giving a broader time reference (the original text of the article had referred to the period between 1 August 1941 and 15 December 1946) and placing the reference to IRO in this paragraph, thereby deleting the paragraph immediately following in the original text.

<sup>153</sup> This paragraph was reworded, taking into account the Council wording and that suggested by Venezuela (A/C.3/L.125) and jointly by Belgium, Canada, Turkey and the United Kingdom (A/C.3/L.130). Venezuela had recommended deletion of the reference to persons being refugees as a result of circumstances directly resulting from events in Europe before 1 January 1951. The joint proposal would have deleted all reference to time or place. The Working Group accepted the Venezuelan suggestion and deleted the reference to Europe which had been proposed in the joint amendment.

<sup>154</sup> The general wording of this paragraph was recommended by Venezuela (A/C.3/L.125).

<sup>155</sup> The Working Group did not accept the Venezuelan suggestion (A/C.3/L.125) to delete this phrase.

<sup>156</sup> This paragraph and section C(2) below were added by the Working Group. It also deleted the paragraph inserted by the Council which would exclude members of a former German minority from coming within the terms of the definition if they had established themselves in Germany or were living there. It was the opinion of the Committee that the inclusion of such a provision would have a discriminatory connotation. The General Assembly, however, in plenary session adopted an amendment which would cover such persons but not specify their ethnic origin (see p. 579).

<sup>157</sup> The general wording of this paragraph was recommended by France (A/C.3/L.123).

<sup>158</sup> This paragraph was added by the Working Group, based on an amendment proposed jointly by Lebanon, Egypt and Saudi Arabia (A/C.3/L.128). As the revised definition, if adopted, would no longer refer to Europeans only, this paragraph was suggested to exclude from the application of the Convention Palestine refugees as long as they were receiving aid and protection from other United Nations sources.

<sup>159</sup> The original Venezuelan proposal (A/C.3/L.125) on which the amendment was based had suggested that the definition might be extended by States to such persons in other categories as the General Assembly might subsequently recommend.

(2) It adopted, by 14 votes to 6, with 18 abstentions, a Saudi Arabian proposal to delete section C(2), which had provided that the Convention should not apply to a person entering a country "with whose nationals he has close ties of ethnic and cultural kinship" and on account of this enjoyed privileges usually attached to the possession of nationality. It was felt that the words "close ties of ethnic and cultural kinship" were too vague and incapable of precise definition. It was also not clear why these persons, presumably not nationals of the country referred to, should enjoy the same rights and privileges as the country's nationals. Moreover, the inclusion of the paragraph was considered dangerous. Persons fleeing from a neighbouring state, for example, should not be excluded from the application of the Convention because they happened to speak the same language as those of the country in which they sought refuge.

(3) It adopted, by 22 votes to 5, with 12 abstentions, an Australian amendment (A/C.3/L.133) to section C(3) to have it read: "This Convention shall not apply to persons who are at present receiving from other organs of the United Nations protection or assistance." The amendment aimed at avoiding the vagueness of a reference to persons "who fall under the auspices of other organs or agencies of the United Nations . . .".

(4) It rejected, by 14 votes to 6, with 2 abstentions, an Australian amendment (A/C.3/L.133) to reword section C(1). This paragraph provided that the Convention should not be applicable to any persons there were serious reasons for considering guilty of a crime under Article VI of the Charter of the International Military Tribunal or as falling under the provision of article 14, paragraph 2, of the Universal Declaration of Human Rights. The representative of Australia, supported by the representative of Chile, stressed the vagueness of the provisions and their inappropriateness in a convention which would be legally binding. For example, Article 14 of the Universal Declaration of Human Rights stated that the right to asylum "may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations". While this type of language belonged in a declaration which proclaimed moral principles, it could easily be used to deprive many persons of the benefits which they might otherwise enjoy under the draft Convention.

The Third Committee adopted the definition in part I, as a whole, as amended, by 12 votes to 6, with 21 abstentions, at the 332nd meeting on 1 December (see below for text).

The General Assembly considered the report of the Third Committee (A/1682) at its 325th plenary meeting on 14 December. It adopted by 41 votes to 5, with 10 abstentions, resolution 429(V) relating to the status of refugees and the proposed definition to be included in the Convention, which it annexed to the resolution.

Before voting on the text, it adopted by 38 votes to 6, with 10 abstentions, an amendment presented by France, the United Kingdom and the United States (A/1685) to reinstate in a revised form a paragraph, proposed by the Economic and Social Council but rejected by the Third Committee's Informal Working Group,<sup>160</sup> to exclude

from the definition former members of a German minority if they had established themselves in Germany. The new text did not, however, specify the ethnic origin of such persons, as it was thought that this would show discrimination (see paragraph D, below).

The text of the recommended definition of the term "refugee" in article 1 of the draft Convention as annexed to resolution 429(V) read as follows:

#### ANNEX

#### DRAFT CONVENTION RELATING TO THE STATUS OF REFUGEES

#### CHAPTER I

#### Article 1

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

(1) Since 1 August 1914 has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of the present article;

(2) As a result of events occurring before 1 January 1951, and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it;

In the case of a person who has more than one nationality, the above term "the country of his nationality" shall mean any of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B. The present Convention shall cease to apply to any person falling under the terms of section A if:

(1) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(2) Having lost his nationality, he has voluntarily re-acquired it; or

(3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, claim grounds other than those of personal convenience for continuing to refuse

<sup>160</sup> See p. 578.

to avail himself of the protection of the country of his nationality. Reasons of a purely economic character may not be invoked; of

(6) Being a person who has no nationality, he can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist and he is able to return to the country of his former habitual residence, claim grounds other than those of personal convenience for continuing to refuse to return to that country.

C. The present Convention shall not apply to persons who are at present receiving from other organs or agencies of the United Nations protection or assistance.

D. The present Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

E. The provisions of the present Convention shall not apply to any person with respect to whom there are serious reasons for considering that (a) he has committed a crime specified in article VI of the London Charter of the International Military Tribunal; or (b) he falls under the provisions of article 14, paragraph 2, of the Universal Declaration of Human Rights.

F. The Contracting States may agree to add to the definition of the term "refugee" contained in the present article persons in other categories, including such as may be recommended by the General Assembly.

## 2. Provisions for the Functioning of the High Commissioner's Office

### a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The Economic and Social Council discussed the provisions for the functioning of the High Commissioner's Office for Refugees at the 169th-173rd meetings of its Social Committee on 31 July, 8, 10 and 12 August, and at the 414th plenary meeting on 16 August 1950.

In its resolution 319 A (IV) of 3 December 1949, the General Assembly had established as of 1 January 1951 a High Commissioner's Office for Refugees,<sup>161</sup> and had asked the Secretary-General to submit to the Council, and the Council to submit to the Assembly's fifth session, draft provisions for the functioning of the Office, in accordance with the provisions set forth in the annex to the Assembly's resolution. The Council had also been requested to transmit to the Assembly such recommendations as it might deem appropriate regarding the definition of the term "refugee" to be applied by the High Commissioner.

The Secretary-General submitted for the Council's consideration a draft resolution (E/1669) containing detailed provisions for implementing

the Assembly's resolution. The Assembly had proposed, in the annex to its resolution, that, in the first place, the persons coming under the competence of the High Commissioner's Office should be refugees and displaced persons as defined in annex I to the Constitution of the International Refugee Organization (IRO).<sup>162</sup>

The Secretary-General pointed out that this definition differed from that contained in article 1 of the draft Convention relating to the Status of Refugees prepared by the Ad Hoc Committee on Statelessness and Related Problems (E/1618),<sup>163</sup> and suggested that the definition of those coming under the competence of the High Commissioner's Office should be the same as that contained in the draft Convention.

The Council also had before it a resolution of the IRO General Council which stated that certain sections of parts I and II of annex I to its Constitution<sup>164</sup> had been adopted in 1946 and were no longer applicable with respect to the furnishing of protection. The General Council suggested to the Economic and Social Council that it consider recommending that the Assembly instruct the High Commissioner for Refugees not to apply these provisions in the performance of his function of affording protection to refugees, and not to apply any decisions previously made by the General Council or the administration of IRO restricting the services of the Organization to refugees and displaced persons, such as the "freeze-order"<sup>165</sup> and date-lines, which had been adopted by IRO for purely financial or administrative reasons (E/1668).

Comments on the draft resolution prepared by the Secretary-General were submitted to the Council at its eleventh session by the Governments of Belgium (E/1767), Italy (E/1767/Add.1; E/1703/Add.6) and the Philippines (E/1801).

<sup>161</sup> See Y.U.N., 1948-49, p. 598.

<sup>162</sup> See Y.U.N., 1946-47, pp. 815-17, for definition of refugees and stateless persons coming within the scope of IRO. Broadly speaking, these were to be (1) persons outside their country of nationality or of former habitual residence (whether they have retained this nationality or are de jure stateless) who belong to any of several specified categories commonly recognized as having a refugee status; and (2) persons outside their country of nationality or former habitual residence who as a result of events subsequent to the outbreak of the Second World War are unable or unwilling to avail themselves of the protection of the Government of their country of nationality or (in the case of stateless persons) of former nationality.

<sup>163</sup> See pp. 569, 571.

<sup>164</sup> E.g. Part I, Sec. D, sub-pars, (c), (d) and (e), and Part II, par. 6 (Y.U.N., 1946-47, pp. 816-17).

<sup>165</sup> For explanation, see Y.U.N., 1947-48, pp. 958f.

At its eleventh session the Council also had before it statements from the International Confederation of Free Trade Unions (E/C.2/261), the Friends' World Committee for Consultation (E/C.2/273), the International Social Service (E/C.2/274), the International Students Service (E/C.2/275), the Commission of the Churches on International Affairs (E/C.2/267) and the Consultative Council of Jewish Organizations (E/C.2/260).

The Social Committee at its 169th meeting decided to use a French proposal (E/AC.7/L.60) as the basis for its discussions. The representative of France explained that his primary aim had been to unite in one text everything relating to measures of implementation in the Assembly resolution and in the document prepared by the Secretary-General. He had endeavoured to divide the Statute into four main chapters, (1) dealing with general principles; (2) dealing with organization—including sections on the High Commissioner's Office, an advisory committee for refugees and the headquarters of the Office; (3) dealing with the powers, functions and competence of the High Commissioner; and (4) containing certain general provisions relating to administrative and budgetary matters.

The Committee discussed each chapter in some detail, but paid particular attention to the definition of the refugees who would fall under the competence of the Office. Most members thought that the definition contained in the Statute should be the same as that contained in article 1 of the draft Convention relating to the status of refugees. Those representatives (Belgium, Canada, Pakistan, United Kingdom), however, who had wanted a broad definition to be included in the draft Convention<sup>166</sup> expressed the view that such a definition was even more necessary in the Statute of the High Commissioner's Office. They stated that, as the expenses of the Office would be borne by all Members of the United Nations, it should extend protection to all groups of refugees. It was pointed out, however, by the representatives of France and the United States, that the arrangements for the High Commissioner's Office were designed to protect refugees who, through lack of any legal status, were in need of international protection and that, while there were many refugees all over the world in urgent need of relief, such refugees enjoyed the protection of Governments and were therefore outside the scope of the arrangements as at present envisaged. The representative of the United States also argued that the High Commissioner would find himself in a

confusing situation if the definition of refugees falling under his competence differed from that contained in the draft Convention, and, furthermore, the Council had decided that the Convention should contain a definition by categories.<sup>167</sup>

The Social Committee at its 173rd meeting on 12 August, by 8 votes to 3, with 3 abstentions, adopted with slight amendments a definition suggested by the United States (E/AC.7/L.73), the French text having been withdrawn in its favour. Under the recommended definition, refugees falling under the competence of the High Commissioner's Office were to be those defined in the Convention as approved by the General Assembly, and such other persons as the Assembly might from time to time determine. It was left to the High Commissioner to determine which cases were excluded from his mandate in accordance with paragraph c of Article 1 of the Convention.<sup>168</sup> It was also recommended that the High Commissioner might intercede with Governments on behalf of other categories of refugees, pending consideration by the General Assembly as to whether to bring such categories within his mandate.

The Committee rejected by roll-call vote of 6 to 5, with 3 abstentions, a proposal by the United Kingdom representative to define refugees in much broader terms.

The Council also paid considerable attention to the suggestion under chapter II of the French working paper that an advisory council should be set up to give advice on all questions submitted by the High Commissioner, and that such a council should be composed of representatives of States, whether Members of the United Nations or not, which were devoted to the cause of refugees and desired to support the High Commissioner's work. The representatives of Canada, China, Denmark, Mexico and the United Kingdom, among others, stated that they were not opposed, in principle, to the establishment of an advisory body but did not think that it should be set up at this time. It was pointed out by the United States representative that an advisory council could provide the High Commissioner with advice, as opposed to directives, on extremely difficult problems with which he would have to deal. The majority view was, however, that the High Commissioner should have some experience before a final decision was taken on this question. It was therefore decided by 12 votes to none,

<sup>166</sup> See p. 571.

<sup>167</sup> See pp. 571-72.

<sup>168</sup> This finally became paragraph E. See p. 580.

with 2 abstentions, at the 171st meeting of the Committee, to provide for the possibility of setting up an advisory body, but to recommend that its establishment should be deferred until the High Commissioner had expressed his views on the subject.

The Social Committee unanimously agreed also to delete the paragraph in chapter III which provided that the High Commissioner would convene the Advisory Council by agreement with the Secretary-General. Should the Council decide that an advisory body should be established, it could then, the Committee felt, establish its terms of reference.

Among other decisions taken by the Social Committee during its detailed consideration of the Statute were the following:

(1) The Committee unanimously agreed that more emphasis should be placed on the High Commissioner's duty to assist Governments and voluntary agencies, subject to Government approval, in repatriating and assimilating refugees in new national communities. It therefore adopted a United States amendment (E/AC.7/L.73), further amended by France, to this effect.

(2) The representative of France accepted a United States proposal (E/AC.7/L.73) to broaden the provision for policy directives and bring them into keeping with the formula agreed on by the Assembly. The amended paragraph provided that these directives would be given to the High Commissioner by the United Nations, according to methods determined by the Assembly.

(3) The Committee by 12 votes to none, with 1 abstention, adopted a United States proposal to have the Assembly approve the appointment of the High Commissioner on the Secretary-General's nomination. It was agreed that this provision would be more definitive and in keeping with the decision taken by the Assembly than the French text under which the Secretary-General was to draw up the Commissioner's contract. The representative of China, both in Committee and in plenary meeting, stated that he could not agree that the High Commissioner should be elected on the nomination of the Secretary-General since it might create a dangerous precedent. He, therefore, at the 414th meeting of the Council, reserved the right of his delegation to raise the matter in the General Assembly.

(4) The Committee unanimously adopted a United States amendment which, in keeping with the Assembly's formula, would specify that the High Commissioner was not to appeal to Governments for funds or make a general appeal without the prior approval of the General Assembly. On the United Kingdom's recommendation, the Committee also unanimously agreed that the High Commissioner should report on these activities annually.

The Social Committee adopted the Statute, as amended, by 11 votes to none, with 4 abstentions, at its 173rd meeting on 12 August.

To introduce the Statute the representative of France had earlier proposed a draft resolution

(E/AC.7/L.60) which would have the General Assembly, in view of resolution 319 (IV), adopt the Statute prepared by the Council.

The Committee, by 14 votes to none, with 1 abstention, adopted a United Kingdom proposal to add to the resolution, in an amended form, a section from the Secretary-General's proposed resolution (E/1669), calling on Governments to co-operate with the High Commissioner in specific ways.

A proposal by the representative of Belgium (E/AC.7/L.75) which would have the Assembly allocate special funds to the High Commissioner for the purpose of granting material aid on a temporary basis to refugees in dire need was rejected by 10 votes to 1, with 4 abstentions.

The draft resolution, as a whole, was adopted by the Social Committee at its 173rd meeting by 9 votes to none, with 6 abstentions (see below).

The Council considered the Social Committee's report (E/1831) at its 414th plenary meeting on 16 August 1950 and, after a brief discussion, adopted resolution 319 A (XI) by 9 votes to none, with 6 abstentions.

The representatives of Belgium, Canada, China, Denmark, Pakistan and the United Kingdom reserved the right either to support any move to enlarge the definition of a "refugee" or to raise the issue in the General Assembly.

By resolution 319 A (XI) the Council drew up a draft resolution for the General Assembly by which the Council would adopt the text annexed to the resolution as the Statute of the High Commissioner's Office for Refugees. The Assembly, as provided in the resolution, would call upon Governments to co-operate with the High Commissioner in the performance of his duties concerning refugees falling under the competence of his Office, especially by:

- (a) becoming parties to and implementing the provisions of the pertinent international conventions;
- (b) entering into special agreements with him;
- (c) admitting refugees, including the most destitute, to their territories;
- (d) promoting voluntary repatriation of refugees;
- (e) promoting their assimilation, especially by making naturalization less difficult;
- (f) providing refugees with travel and other necessary documents which would facilitate resettlement and, in particular, continuing to issue and accept documents under the 1946 London refugee travel agreement until it is superseded;
- (g) permitting the necessary transfer of assets;
- (h) providing the High Commissioner with information concerning the number and condition of refugees and laws and regulations concerning them.

b. CONSIDERATION IN THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly had before it Economic and Social Council resolutions 319 A & B (XI) and a memorandum by the Secretary-General (A/1385), containing both the provisions for the functioning of the High Commissioner's Office adopted by the Council and the Council's definition of a refugee proposed for inclusion in article 1 of the Convention.<sup>169</sup>

The definition of the term "refugee" to be included in the Convention and in the Statute were discussed together by the General Assembly at the 324th-332nd, 334th, and 335th meetings of the Third Committee, 22-30 November and 1, 4 and 5 December and at the 325th plenary meeting on 14 December, 1950.

The discussion centred "on the question of whether to include a broad or a precise definition in both the Statute and the Convention. The representatives of France, Venezuela, Israel and the United States, among others, were in favour of a precise definition, while the representatives of Belgium, Canada, the Netherlands, Turkey, the United Kingdom and Yugoslavia, among others, were in favour of a general definition. The representative of Australia favoured a general definition for the Statute, but the representatives of Chile and the Union of South Africa supported a limited definition, while favouring a general one for the Convention."<sup>170</sup>

At the 329th meeting of the Committee on 29 November an informal working group was formed, composed of the representatives of Belgium, Canada, France, Israel, Turkey, the United Kingdom, the United States and Venezuela. The Group took into consideration the amendments and resolutions presented by the following States: Yugoslavia (A/C.3/L.132); France (A/C.3/L.123 & 129); Israel (A/C.3/L.124); Venezuela (A/C.3/L.125 & 126); Egypt, Lebanon and Saudi Arabia (A/C.3/L.128); Belgium, Canada, Turkey and United Kingdom (A/C.3/L.130).

At the 332nd meeting on 1 December the Informal Working Group presented revised joint "compromise" amendments (A/C.3/L.131/Rev.1).<sup>171</sup> Part I of this text dealt with the definition of the term "refugee" to be applied under the Convention relating to the status of refugees.<sup>172</sup>

The amendments concerning the definition to be included in the Statute were as follows:

II. Amend the Statute of the High Commissioner's Office for Refugees, Chapter I,<sup>173</sup> General Principles

(A/1385, page 7), by inserting a new paragraph to be (I), the present four paragraphs to be renumbered II, III, IV and V:

"The High Commissioner acting under the authority of the General Assembly shall perform the function of providing international protection under the auspices of the United Nations, to refugees who fall within the scope of this Statute, in that connexion, he shall have the general power to intervene on their behalf. In the exercise of his functions, more particularly when difficulties arise, and for instance with regard to any controversy concerning the international status of these persons, the High Commissioner shall request the opinion of the Advisory Council<sup>174</sup>

III. Amend Chapter III,<sup>175</sup> Section C, "Competence", as follows:

"1. The persons to whom the competence of the High Commissioner extends shall include:

"(a) persons who are refugees within the terms of Parts A and B of article 1 of the draft Convention relating to the Status of Refugees, as established in document A/C.3/L.131/Rev.1; and

"(b) any other person, who is outside the country of his nationality or, if he has no nationality, the country of his former habitual residence, because he has or had well-founded fear of victimization by reason of his race, religion, nationality or political opinions and is unable or, because of such fear, is unwilling to avail himself of the protection of the government of the country of his nationality or, if he has no nationality, to return to the country of his former habitual residence;

"2. Provided that the competence of the High Commissioner as defined in paragraph 1 above shall not extend to:

"(a) a person who is a national of more than one country unless he satisfies the provisions of the preceding paragraph in relation to each of the countries of which he is a national; or

"(b) a person who has entered a country with whose nationals he has close ties of ethnic and cultural kinship and because of this kinship enjoys the rights and privileges usually attached to the possession of the nationality of such country; or

<sup>169</sup> See p. 572.

<sup>170</sup> See also p. 577.

<sup>171</sup> The amendments, as originally proposed, except for those involving only drafting and procedural changes, are indicated in footnotes. Italics in the proposed text indicate revised phraseology.

<sup>172</sup> See pp. 577-78.

<sup>173</sup> A Yugoslav suggestion (A/C.3/L.132) that the work of the High Commissioner be specified as "humanitarian and social" was not adopted.

<sup>174</sup> Israel, in this connexion, had suggested (A/C.3/L.124) that in an emergency the High Commissioner should be given the right to extend assistance to refugees not enumerated in the definition. The paragraph, as it stands, was added by the Working Group, taking into consideration recommendations by France (A/C.3/L.129).

<sup>175</sup> A proposal by Egypt, Lebanon and Saudi Arabia (A/C.3/L.128) to include a broad definition of "refugee" under "Competence", as well as certain other suggested changes, were not adopted.

Many of these proposals, including some suggested by Venezuela (A/C.3/L.126) and France (A/C.3/L.129) were automatically met by the decision to extend the competence of the High Commissioner's Office to those categories of refugees defined in article 1 of the draft Convention.

"(c) a person who, on 1 January 1951, came under the auspices of other organs or agencies of the United Nations, other than the International Refugee Organization; or

"(d) a person in respect of whom there are serious reasons for considering that he has committed a crime covered by the provisions of treaties of extradition or a crime mentioned in Article VI of the London Charter of the International Military Tribunal or by the provisions of article 14, paragraph 2, of the Universal Declaration of Human Rights."

Part II of the Working Group's text was discussed at the Third Committee's 335th meeting on 5 December. The following were among the decisions taken by the Committee:

(1) It rejected by 29 votes to 12, with 3 abstentions, a Yugoslav amendment (A/C.3/L.132) to delete all references to an advisory council. The representative of Yugoslavia, in presenting the amendment, had stated there was no practical use for such a council and, in addition, it was potentially dangerous since it might gain sufficient power to circumscribe the High Commissioner's freedom of action.

(2) It adopted, by 34 votes to 2, with 10 abstentions, a Chilean proposal to insert after the references to the advisory council the words "if it is created".

(3) It adopted by 23 votes to 11, with 11 abstentions, an Australian proposal (A/C.3/L.133) to delete the sentence "In that connexion [i.e. with regard to the refugees falling within the scope of the Statute] he [the High Commissioner] shall have the general power to intervene on their behalf".

Part II, as a whole, was adopted by 31 votes to 5, with 8 abstentions.

The Third Committee discussed part III concerning the Competence of the High Commissioner's Office at its 334th meeting on 4 December.

(1) The Committee, by 33 votes to none, with 9 abstentions, adopted a New Zealand proposal for a new text of section 2 (b). The original paragraph stated that the High Commissioner's competence should not extend to a person entering a country with whose nationals he had close ethnic and cultural ties and on this account enjoyed privileges usually attached to the possession of nationalities. The new text provided that the High Commissioner's competence should not extend to a "person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country".

(2) It adopted, by 20 votes to 5, with 4 abstentions, an Australian amendment (A/C.3/L.133) to reword section 2(c) which had excluded those "who on 1 January 1951, came under the auspices of other organs or agencies of the United Nations, other than the International Refugee Organization". The Australian amendment substituted the words "a person who is receiving from other organs or agencies of the United Nations protection or assistance".

(3) The Committee rejected by 14 votes to 11, with 15 abstentions, an Australian proposal (A/C.3/L.133) to delete all references in section 2(d) to crimes men-

tioned in the International Military Tribunal or in the Universal Declaration of Human Rights.

Part III of the text was adopted, as a whole, by 15 votes to 5, with 17 abstentions.

The remaining provisions of the Statute as formulated by the Council (A/1385) were discussed by the Third Committee at its 335th, 337th, 341st and 342nd meetings, 5, 6, 8 and 11 December, and at the 325th plenary meeting, 14 December 1950.

A number of amendments to the Statute and to the resolution introducing it were submitted orally and in writing and were for the most part accepted by the Committee.

The following were among the substantive amendments to the Statute adopted by the Committee:

(1) By 33 votes to 4, with 9 abstentions, it adopted a United Kingdom amendment (A/C.3/L.118) to specify that directives would be given to the High Commissioner by the General Assembly or the Economic and Social Council. The original paragraph provided that he would be given directives by the United Nations, according to methods determined by the General Assembly.

(2) A Yugoslav amendment (A/C.3/L.132) to indicate in the Statute that the High Commissioner's work would be "humanitarian and social" was adopted by 36 votes to 5, with 1 abstention. In adopting this amendment the Committee agreed that the Statute itself should thus indicate that the work of the High Commissioner was not to be political in character.

(3) In slightly modified form the Committee adopted by 18 votes to 7, with 14 abstentions, an Israeli proposal (A/C.3/L.139 & Corr.1) that the High Commissioner should also provide for the protection of refugees by: promoting their admission to States, not excluding the most destitute refugees; obtaining permission for the transfer of their assets, especially those necessary for resettlement; and obtaining from Governments information with regard to their number and conditions and laws and regulations concerning them.

With regard to the draft resolution proposed by the Council, the Committee adopted the following substantive amendments:

(1) By 17 votes to 8, with 12 abstentions, it adopted an Israeli proposal (A/C.3/L.139 & Corr.1) to delete the reference to the inter-governmental travel agreement of London. The representative of Israel had pointed out that it was to be presumed that the parties to an instrument applied it in good faith and that the necessary travel documents would be provided.

(2) By 27 votes to 5, with 8 abstentions, the Committee adopted a further Israeli amendment which would ensure that the resolution would be brought to the notice of States not Members of the United Nations.

The remaining amendments did not deal with the substance of the Statute and resolution and were, for the most part, concerned with procedural and drafting changes.

At the 341st meeting of the Committee on 8 December the agreed text of the draft Statute, which included the definition of the term "refugee", was rearranged and in part re-drafted (A/C.3/L.151) by a Drafting Sub-Committee consisting of representatives of Canada, France, Israel, Lebanon, Pakistan, the United Kingdom, the United States and Venezuela.

The draft resolution, as amended (A/C.3/L.142), together with the annex containing the draft Statute (A/C.3/L.151) as amended,<sup>176</sup> was adopted at the 344th meeting of the Committee by 26 votes to 5, with 2 abstentions.

Meanwhile, during the 324th to 328th meetings of the Third Committee on 22 to 27 November, the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR had again stated their objections, which they had held in the past when the subject had been discussed, to the High Commissioner's Office and the general policy being undertaken. His Office, they claimed, would not solve the refugee problem or enable effective assistance to be given to the hundreds of thousands of people who, six years after the war, were still in camps or scattered around the world. The High Commissioner's Office was intended to perpetuate the problem which dated back to the refusal by the West and IRO to carry out Assembly directives for repatriation. Charges were again made and defended that the refugees were being used for cheap and slave labour, for spying and subversive activities, and that the Office would merely be another centre for the exchange of slave labour and would serve no worthwhile purpose.

A Byelorussian SSR proposal (A/C.3/L.120), under which the General Assembly would invite all Member States to conform to the provisions of resolution 8(I) of 12 February 1946 and request the Governments of Member States in whose territories there were still refugees and displaced persons to submit to the Secretary-General full information regarding such refugees and displaced persons, was rejected paragraph by paragraph at the 326th meeting on 24 November 1950. Therefore no vote was taken on the whole.

The General Assembly at its 325th plenary meeting on 14 December 1950, on the recommendation of the Third Committee (A/1682), adopted resolution 428(V) by 36 votes to 5, with 11 abstentions. On the same day the Assembly elected, by secret ballot, Mr. G. J. van Heuven Goedhart as High Commissioner. Resolution 428(V) read:

The General Assembly,

In view of its resolution 319 A (IV) of 3 December 1949,

1. Adopts the annex to the present resolution, being the Statute of the Office of the United Nations High Commissioner for Refugees;

2. Calls upon governments to co-operate with the United Nations High Commissioner for Refugees in the performance of his functions concerning refugees falling under the competence of his Office, especially by:

(a) Becoming parties to international conventions providing for the protection of refugees, and taking the necessary steps of implementation under such conventions;

(b) Entering into special agreements with the High Commissioner for the execution of measures calculated to improve the situation of refugees and to reduce the number requiring protection;

(c) Admitting refugees to their territories, not excluding those in the most destitute categories;

(d) Assisting the High Commissioner in his efforts to promote the voluntary repatriation of refugees;

(e) Promoting the assimilation of refugees, especially by facilitating their naturalization;

(f) Providing refugees with travel and other documents such as would normally be provided to other aliens by their national authorities, especially documents which would facilitate their resettlement;

(g) Permitting refugees to transfer their assets and especially those necessary for their resettlement;

(h) Providing the High Commissioner with information concerning the number and condition of refugees, and laws and regulations concerning them;

3. Requests the Secretary-General to transmit the present resolution, together with the annex attached thereto, also to States non-members of the United Nations, with a view to obtaining their co-operation in its implementation.

## ANNEX

### STATUTE OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

#### Chapter I

##### GENERAL PROVISIONS

1. The United Nations High Commissioner for Refugees, acting under the authority of the General Assembly, shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting governments and, subject to the approval of the governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities.

In the exercise of his functions, more particularly when difficulties arise, and for instance with regard to any controversy concerning the international status of these persons, the High Commissioner shall request the opinion of an advisory committee on refugees if it is created.

<sup>176</sup> Drafting changes only.

2. The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees.

3. The High Commissioner shall follow policy directives given him by the General Assembly or the Economic and Social Council.

4. The Economic and Social Council may decide, after hearing the views of the High Commissioner on the subject, to establish an advisory committee on refugees, which shall consist of representatives of States Members and States non-members of the United Nations, to be selected by the Council on the basis of their demonstrated interest in and devotion to the solution of the refugee problem.

5. The General Assembly shall review, not later than at its eighth regular session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 1953.

## Chapter II

### FUNCTIONS OF THE HIGH COMMISSIONER

6. The competence of the High Commissioner shall extend to:

A. (i) Any person who has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

(ii) Any person who, as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it.

Decisions as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of the present paragraph;

The competence of the High Commissioner shall cease to apply to any person defined in section A above if:

(a) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(b) Having lost his nationality, he has voluntarily re-acquired it; or

(c) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(d) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(e) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, claim grounds other than those of personal convenience for continuing to refuse to avail himself of the protection of the country of his nationality. Reasons of a purely economic character may not be invoked; or

(f) Being a person who has no nationality, he can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist and he is able to return to the country of his former habitual residence, claim grounds other than those of personal convenience for continuing to refuse to return to that country;

B. Any other person who is outside the country of his nationality or, if he has no nationality, the country of his former habitual residence, because he has or had well-founded fear of persecution by reason of his race, religion, nationality or political opinion and is unable or, because of such fear, is unwilling to avail himself of the protection of the government of the country of his nationality, or, if he has no nationality, to return to the country of his former habitual residence.

7. Provided that the competence of the High Commissioner as defined in paragraph 6 above shall not extend to a person:

(a) Who is a national of more than one country unless he satisfies the provisions of the preceding paragraph in relation to each of the countries of which he is a national; or

(b) Who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country; or

(c) Who continues to receive from other organs or agencies of the United Nations protection or assistance; or

(d) In respect of whom there are serious reasons for considering that he has committed a crime covered by the provisions of treaties of extradition or a crime mentioned in article VI of the London Charter of the International Military Tribunal or by the provisions of article 14, paragraph 2, of the Universal Declaration of Human Rights.

8. The High Commissioner shall provide for the protection of refugees falling under the competence of his Office by:

(a) Promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments thereto;

(b) Promoting through special agreements with governments the execution of any measures calculated to improve the situation of refugees and to reduce the number requiring protection;

(c) Assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities;

(d) Promoting the admission of refugees, not excluding those in the most destitute categories, to the territories of States;

(e) Endeavouring to obtain permission for refugees to transfer their assets and especially those necessary for their resettlement;

(f) Obtaining from governments information concerning the number and conditions of refugees in their territories and the laws and regulations concerning them;

(g) Keeping in close touch with the governments and inter-governmental organizations concerned;

(h) Establishing contact in such manner as he may think best with private organizations dealing with refugee questions;

(i) Facilitating the co-ordination of the efforts of private organizations concerned with the welfare of refugees.

9. The High Commissioner shall engage in such additional activities, including repatriation and resettlement, as the General Assembly may determine, within the limits of the resources placed at his disposal.

10. The High Commissioner shall administer any funds, public or private, which he receives for assistance to refugees, and shall distribute them among the private and, as appropriate, public agencies which he deems best qualified to administer such assistance.

The High Commissioner may reject any offers which he does not consider appropriate or which cannot be utilized.

The High Commissioner shall not appeal to governments for funds or make a general appeal, without the prior approval of the General Assembly.

The High Commissioner shall include in his annual report a statement of his activities in this field.

11. The High Commissioner shall be entitled to present his views before the General Assembly, the Economic and Social Council and their subsidiary bodies.

The High Commissioner shall report annually to the General Assembly through the Economic and Social Council; his report shall be considered as a separate item on the agenda of the General Assembly.

12. The High Commissioner may invite the co-operation of the various specialized agencies.

### Chapter III

#### ORGANIZATION AND FINANCES

13. The High Commissioner shall be elected by the General Assembly on the nomination of the Secretary-General. The terms of appointment of the High Commissioner shall be proposed by the Secretary-General and approved by the General Assembly. The High Commissioner shall be elected for a term of three years, from 1 January 1951.

14. The High Commissioner shall appoint, for the same term, a Deputy High Commissioner of a nationality other than his own.

15. (a) Within the limits of the budgetary appropriations provided, the staff of the Office of the High Commissioner shall be appointed by the High Commissioner and shall be responsible to him in the exercise of their functions.

(b) Such staff shall be chosen from persons devoted to the purposes of the Office of the High Commissioner.

(c) Their conditions of employment shall be those provided under the staff regulations adopted by the General Assembly and the rules promulgated thereunder by the Secretary-General.

(d) Provision may also be made to permit the employment of personnel without compensation.

16. The High Commissioner shall consult the governments of the countries of residence of refugees as to the need for appointing representatives therein. In any country recognizing such need, there may be appointed a representative approved by the government of that country. Subject to the foregoing, the same representative may serve in more than one country.

17. The High Commissioner and the Secretary-General shall make appropriate arrangements for liaison and consultation on matters of mutual interest.

18. The Secretary-General shall provide the High Commissioner with all necessary facilities within budgetary limitations.

19. The Office of the High Commissioner shall be located in Geneva, Switzerland.

20. The Office of the High Commissioner shall be financed under the budget of the United Nations. Unless the General Assembly subsequently decides otherwise, no expenditure, other than administrative expenditures relating to the functioning of the Office of the High Commissioner, shall be borne on the budget of the United Nations, and all other expenditures relating to the activities of the High Commissioner shall be financed by voluntary contributions.

21. The administration of the Office of the High Commissioner shall be subject to the Financial Regulations of the United Nations and to the financial rules promulgated thereunder by the Secretary-General.

22. Transactions relating to the High Commissioner's funds shall be subject to audit by the United Nations Board of Auditors, provided that the Board may accept audited accounts from the agencies to which funds have been allocated. Administrative arrangements for the custody of such funds and their allocation shall be agreed between the High Commissioner and the Secretary-General in accordance with the Financial Regulations of the United Nations and rules promulgated thereunder by the Secretary-General.

### 3. Problem of Assistance to Refugees

At its fourth session, the General Assembly had decided (resolution 319 B (IV)) to postpone until "its fifth session the examination of the problems of assistance to refugees raised by the General Council of IRO in its memorandum of 20 October 1949 (A/C.3/528) should these problems still be in existence at that date. The memorandum dealt with the probable situation at the time IRO ceased its operations and indicated the special difficulties IRO was encountering in completing its programme and the Governmental assistance it expected. Among other things, IRO had reported that it had proposed to Member Governments that IRO be continued for an additional period of nine months (to March 1951). IRO had requested the General Assembly to take decisions of principle on the question of the international protection of refugees after the termination of IRO and to make preparations for the establishment of machinery which should come into force not later than 1 January 1951.

The Assembly also had before it at its fifth session another memorandum from the General Council of IRO (A/C.3/540) which provided information to supplement that transmitted to the Assembly in 1949. In presenting the memorandum at the 338th meeting of the Third Committee on 6 December, the representative of the

IRO stated that over a period of 38 months IRO had assisted 1,500,000 persons, of whom 70,000 had been repatriated and 832,000 resettled. On 1 October 1950, there remained 293,000 refugees for whom a solution still had to be found through repatriation, resettlement or local settlement.

The General Council had allocated \$22,000,000 for those who, owing to age, illness or other considerations, had little or no chance of resettlement. Norway had admitted 200 blind refugees and Belgium and the Netherlands a number of aged persons. France had received 1,000 aged persons and had admitted 1,000 more. Sweden had admitted several groups of tubercular refugees with their families. The United States had undertaken to admit 1,100 physically handicapped and Israel 3,500 ill or aged or invalid refugees. IRO had also established five re-education centres, equipped with prosthetic appliances for invalids, and five special centres for victims of tuberculosis.

The representative outlined IRO's plans for the remaining period of its activities. (IRO had decided to extend the time limit for assistance by it to refugees to 1 October 1951.) The organization would continue its work of repatriation, taking into consideration the wishes of the persons concerned and the principles laid down by the United Nations and the Constitution of IRO. With respect to resettlement, the policy would be, as in the past, to increase the possibilities of resettlement with the aid of Governments and of the refugees themselves. The Organization hoped in that way to resettle another 200,000 persons, mainly in the United States and Australia, before ceasing its activities. About 9,000 ill and aged refugees would remain in need of help at the termination of IRO's activities.

IRO was trying to make arrangements for the resettlement of those who, although not in need of hospitalization or admission to a home for the aged, would not be able, because of poor health, age or family situation, to leave Germany before the end of its activities. If it proved impossible to resettle this group of refugees IRO would try to arrange for their settlement in Germany under the best possible conditions of housing and employment.

The Third Committee, without discussion, adopted a draft resolution (A/C.3/L.141) sponsored by France, the United Kingdom and the United States by 32 votes to 5, with 6 abstentions (A/1682). It was adopted by the General Assembly at its 325th plenary meeting on 14 December 1950 by 40 votes to 5, with 7 abstentions, as resolution 430 (V) as follows:

The General Assembly,

Having taken cognizance of the communication addressed to it by the General Council of the International Refugee Organization on 13 October 1950 in amplification of its memorandum of 20 October 1949 addressed to the fourth session of the General Assembly,

Having noted that the General Council of the International Refugee Organization has decided to continue operations until 30 September 1951,

1. Decides to address an urgent appeal to all States, whether or not Members of the United Nations, calling upon them to assist the International Refugee Organization in its efforts to resettle refugees remaining under its care and particularly those in need of permanent custodial care;

2. Decides, in the absence of definite data, to postpone until its sixth session the examination of the problem of assistance raised by the above-mentioned communications, in the light of a further communication on the subject which the International Refugee Organization is invited to submit and of the observations which the High Commissioner will make in his report to the sixth session of the General Assembly.

## N. SOCIAL ACTIVITIES

### 1. General Work Programme in the Social field

#### a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS FIFTH SESSION

The Social Commission at its fifth session in December 1949 (E/1568) recommended long-range work programmes in three fields, viz., family, youth and child welfare, prevention of crime and treatment of offenders, and housing and town and country planning.<sup>177</sup> It annexed to its report a work programme covering all its fields of activity for 1950:

I. Activities which are the primary and principal responsibility of the Social Commission

- A. Activities of direct assistance to Governments
- B. Social services
- C. Family, youth and child welfare
- D. Welfare of special groups
- E. Social defence
- F. Housing and town and country planning

II. Activities in which the Social Commission has a basic responsibility complementary to that of other agencies

- A. Studies regarding standards of living (living conditions)

<sup>177</sup> For details, see respectively pp. 599-600, 607-8, 605-7.

- B. Migration
- C. World social and cultural situation
- III. Routine activities within the field of responsibility of the Social Commission
  - A. Documentation and information services
  - IV. Co-operation with other international organizations and co-ordination of international programmes in so far as this falls within the competence of the Social Commission

#### b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

The Council discussed the work programme<sup>178</sup> at the 117th and 118th meetings of its Social Committee on 10 February and at its 354th plenary meeting on 17 February 1950. The Council praised the work of the Social Commission, although several representatives, among them those of Australia, Canada and Chile, advised caution in approving extensions of social activities programmes entailing serious budgetary implications. The representatives of Canada, China and the United States emphasized the importance of establishing an equilibrium between the Council's economic and social activities and expressed their gratification at the progress made in that direction.

Following a brief discussion, the Social Committee at its 118th meeting unanimously adopted (E/1607) a joint draft resolution proposed by Brazil, France, India and the United States (E/AC.7/L.9), which was adopted by the Council at its 354th plenary meeting on 17 February by 14 votes to none, with 1 abstention, as resolution 279 A (X). By this resolution, the Council endorsed, subject to review at its eleventh session, the work programme for 1950 regarding prevention of crime and treatment of offenders; family, youth and child welfare; social aspects of the rehabilitation of the physically handicapped, including the blind, and other social activities. It urged the Social Commission at its sixth session to give urgent attention to the study on the continuing needs of children and to make specific recommendations to the eleventh session of the Council. It was generally agreed that it would be premature at this time to discuss the financial implications (E/1607/Add.I) which would vary between \$20,687 to \$27,270, including the additional funds for housing.

#### c. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS SIXTH SESSION

The Economic and Social Council at its sixth session (122 E (VI)) had asked the Commission to set out work programmes in order of pri-

ority.<sup>179</sup> At its fifth session in December 1949 the Commission decided that the Secretariat should prepare a comprehensive long-range programme of work, including priorities. Accordingly, at the Commission's sixth session in April-May 1950 the Secretary-General presented a draft of a long-range work programme (E/CN.5/189 & Add.1-3 & Corr.1 & 2).

In the light of this programme, the Commission felt that the advice which it was responsible for giving to the Council should necessarily encompass many social questions with which specialized agencies and other organizations, as well as different organs of the United Nations, were also concerned. The Commission, therefore, gave special consideration to machinery and procedures for consultation at the international, regional and national levels.

At the international level, the calling together of ad hoc groups of individual experts, expert representatives of specialized agencies and representatives of non-governmental organizations, within budgetary limitations, was recommended. The Commission considered that such groups would prove more economical and effective than sub-commissions. It particularly recommended that small ad hoc groups should be called together, as needed, for questions in such fields as community, family and child welfare, community welfare in under-developed areas and rehabilitation of the handicapped. At the regional level, the Commission recognized the usefulness of conferences convened at the desire of the Governments concerned, and also of regional social welfare seminars, as a phase in the development of a programme of direct assistance. At the national level, it commended the establishment of committees consisting of representatives of various ministries, and, when appropriate, of non-governmental organizations, in order to prepare the work of the Commission and bring it to the knowledge of the public.

The Commission recommended that first place among its functions should be accorded to operational services of direct assistance to requesting Governments, thus directing its work programme more and more towards practical measures of "help for self-help". It recognized, however, that the other functions, such as technical information, studies and reports, and recommendations and conventions, which indirectly serve all countries, are basic to an effective operational programme

<sup>178</sup> For the discussion of the work programmes in the field of housing and town and country planning, see p. 606.

<sup>179</sup> See also Y.U.N., 1947-48, p. 607.

of direct assistance and tend, in fact, to constitute different phases of a single process of development. It therefore proposed that, within each field of activity, the above functions should be exercised on a continuing basis, but that specific work items and changes in areas of work within the scope of these various functions should be reviewed at the regular sessions of the Commission.

Dealing more specifically with the preparation of recommendations or conventions, the Commission felt that recommendations would be most useful if embodying working guides, basic standards or model legislation, although in some cases a declaration in more general terms might be preferable; and that conventions would be most useful if they had a degree of flexibility. In this connexion, the Commission recommended that the advisory social welfare services should be utilized to help give effect to conventions that Governments had signed, recommendations made by the Economic and Social Council and conclusions reached as the result of studies conducted by the Secretariat and transmitted by the Commission to the Council.

Although the Commission recognized the essential unity of the social field and the interdependency of the various areas of work that are to be found within it, for reasons of convenience it grouped these areas under a limited number of headings, namely: planning; organization and administration for social welfare; community, family and child welfare; social defence; social rehabilitation of the physically handicapped; housing and town and country planning. The Commission felt that a system of priorities by function or by area of subject matter would lead inevitably to artificial results. It did, however, feel that community, family and child welfare services constituted the core of its work, and that techniques for planning, organization and administration for social services were essential to the promotion of social progress and development.

The Commission proposed that the Council approve an integrated programme of action in the fields of work outlined in the report, namely: Community, family and child welfare; planning, organization and administration for social welfare; social defence; rehabilitation of the handicapped; and housing and town and country planning; such programme to be carried out through direct assistance to Governments; and through supporting technical services of information, studies and recommendations, and co-operation and consultation with other agencies as appropriate.

The representatives of Australia, Canada, Denmark, the Union of South Africa, the United

Kingdom and the United States reserved the position of their Governments with regard to the financial costs of the proposed programme. Others insisted on the prime importance of the programme, and, although their Governments were opposed to undue increases in the budget of the United Nations, they considered that the necessary increases here were small in comparison with the importance of the work.

#### d. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The Council considered the Commission's long-term integrated programme of work (E/1678 & Add.1/Rev.1) at the 125th, 126th and 128th-129th meetings of its Social Committee on 5, 6, 7 July and at its 387th plenary meeting on 13 July 1950.

During the discussion, the representatives of Canada and Australia held that to approve "an integrated programme of action in the fields of work outlined in the report" implied approval not only of the programme as a whole, but of all its parts and over a given period. This, they felt, was going too far. The United States representative, while supporting the programme, indicated that her Government could not approve many of the financial implications involved. The representatives of Belgium and the United Kingdom stated that it was essential to stabilize the expenditures of the United Nations and not increase its financial commitments. They also called the Council's attention to the need for avoiding overlapping in the work of the United Nations and the specialized agencies.

After some discussion the Social Committee at its 129th meeting on 7 July unanimously adopted a resolution which had been proposed jointly by Canada, France, the United Kingdom and the United States (E/AC.7/L.24). The representative of the United Kingdom stated that it had been understood by the drafters of the resolution that at this stage the additional financial implications had been neither approved nor disapproved; the resolution merely suggested that the Secretary-General should inform the General Assembly what his requirements were for such purposes, and left the final financial decision to the General Assembly. The resolution approved by the Social Committee (E/1755 F) was adopted without further discussion at the Council's 387th plenary meeting on 13 July as resolution 309 G (XI).

By this resolution, the Council commended the Commission for its orderly and far-sighted ap-

proach toward a long-term integrated work programme, approved the general lines of that programme, including the proposed methods of execution, and requested the Secretary-General, within the limits of such appropriations as might be provided by the General Assembly for the purpose, to make the administrative arrangements appropriate to carry out the unified programme, having full regard to the competence of the specialized agencies.

## 2. Advisory Social Welfare Services

Under the advisory social welfare programme adopted by the General Assembly on 14 December 1946 (58(I)),<sup>180</sup> the Secretary-General had been authorized to make provision for: expert assistance to Governments on welfare services; fellowships for training officials in social welfare; advice, demonstration and instruction in connexion with the manufacture of prosthetic appliances and the vocational training of physically-handicapped persons; the furnishing of demonstration equipment and the provision of technical publications. At its fourth session, in resolution 316(IV) the Assembly authorized the Secretary-General to place these services on a continuing rather than on a year-to-year basis as previously.<sup>181</sup>

### a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS SIXTH SESSION

The Social Commission at its sixth session, in April-May 1955, had before it three reports by the Secretary-General: one (E/CN.5/193 & Add.1) on the progress of the programme of advisory social welfare services, a second (E/CN.5/194) containing recommendations arising from a series of studies requested by the Commission and the Economic and Social Council to aid in the development of these services, and a third (E/CN.5/196 & Add.1-4) on the training of social workers. The Commission also had before it the Secretary-General's proposals (E/CN.5/195 & Corr.1) for a revision of the terms of resolution 58(I). This revision was necessitated by the placing of the advisory social welfare services on a continuing instead of yearly basis.

#### (1) Progress Report on Implementation of Resolution 58(I)

In his report on the progress of the programme (E/CN.5/193 & Add.1) the Secretary-General pointed out that during its early stages requests

for assistance had come primarily from war-devastated countries which had needed help in reconstructing their welfare organizations and staff. During 1949 and 1950, however, two other categories of countries had also requested and received assistance, those wishing to improve already well-established welfare programmes and those just beginning to organize welfare services. In addition, the under-developed countries had shown an increasing interest in receiving assistance which had been given to them in the form of broad social development surveys to determine social needs and suggestions for ways of improving the general social economy. The report also contained summaries of the requests from Governments for services during 1950. As of 29 March 1950, 39 countries had asked for services, seven had stated that they would not participate in the programme in 1950 and twelve had merely acknowledged receipt of the Secretary-General's note requesting information on the services needed.

The Commission was agreed as to the value of the programme and expressed its satisfaction with the methods used in carrying it out. In providing advisory social welfare services, the Commission felt, the Secretariat should give primary consideration to the need for the development in the requesting country of its own social welfare services. With respect to financing the United Nations advisory social welfare programme, it was agreed that the Secretariat had made good progress in obtaining financial participation from recipient Governments. Some members felt that eventually Governments should, where they were able, bear the full cost of services received.

Some members recommended that the words "suitably qualified social welfare officials" should be interpreted liberally in determining the eligibility of candidates for fellowships, and that the length of the observation period should be flexible.

#### (2) Recommendations Resulting from Studies under Resolution

The Secretary-General, on the basis of the research studies undertaken at the Council's request, made recommendations (E/CN.5/194) on the furnishing of experts, on the character of the fellowship programme and on the directives governing its administration.

There was considerable discussion regarding the methods to be used in the furnishing of

<sup>180</sup> See Y.U.N., 1946-47, pp. 160-62.

<sup>181</sup> See Y.U.N., 1948-49, pp. 601-2.

<sup>182</sup> Under Council resol. 43(IV) the Secretary-General had been asked to gather information and report on (a) the furnishing of information and advice to countries, (b) international training for social welfare and (c) social administration.

experts to requesting Governments. It was generally agreed that experts should be employed mainly on an ad hoc basis; that they should be selected internationally and on the basis of their qualifications and practical experience; and that, where necessary, exploratory missions of experts might be sent out to help Governments, particularly those of under-developed countries, to determine their needs.

The main purpose of regional demonstration centres, it was agreed, should be to acquaint Governments with new methods capable of promoting social progress. The centres would represent a joint programme by the United Nations, specialized agencies and countries concerned, and the resulting expenditure would be divided among all those taking part.

The Commission also discussed the Secretary-General's proposal to expand the present fellowship programme so as to provide grants for the professional training of persons with little or no social welfare experience. While there was general agreement that it was necessary for each country to have a body of trained social workers, there was some difference of opinion as to the best methods of achieving this end. Generally, it was agreed that the training of social workers was primarily a responsibility of Governments and that facilities should be developed to carry on this work within the countries concerned. The majority of the Commission were of the opinion, however, that a programme for training abroad, either in schools or by other means, would greatly assist countries which lacked trained personnel as well as appropriate training facilities. Several members advocated United Nations assistance in establishing regional social work training schools, but felt that participants should not be precluded from receiving professional training outside their own region. Scholarships, it was decided, should be reserved for persons who have completed their basic education, as a general rule, but have not had an opportunity for professional training.

The Commission reaffirmed the conclusion that the training of social workers was an essential step in the development of social welfare programmes. It commended the progress made in studying this problem and asked the Secretary-General to invite Governments to comment on the suggestions contained in his preliminary report (E/CN.5/196). These suggestions included recommendations for professional, national and international action to create the conditions necessary for the effective use of international training assistance. The report described and analysed detailed information, collected on a world-wide

basis, concerning the methods of training used in educational institutions of various countries for the professional preparation of social workers, the category of personnel from whom special "social" training was most often required as a condition of entry into the profession.

The Commission unanimously adopted a resolution (E/1678) which requested the Secretary-General to complete before its seventh session (a) the study of agency training programmes (training on the job) and (b) taking into consideration the comments of Governments, the report on the training of social workers (E/CN.5/196).

(3) Review of the Terms of Resolution 58(I)

At the request of the Social Commission, the Secretary-General presented his proposals (E/CN.5/195 & Corr.1) for the revision of the terms of resolution 58(I), necessitated by the placing of the advisory social welfare services on a continuing basis. The proposals were based on previous experience and on the recommendations arising from the social studies under Council resolution 43(IV) (see above). To obtain the extended authority necessary to carry out the programme, the Secretary-General proposed, among other things, that provision be made in the resolution for (1) the use of seminars and films; (2) authorization of "scholarships training" abroad of Governmental candidates; (3) demonstration projects; and (4) removal of restrictions on the supplying of technical literature for social welfare training purposes. (The supply of literature had been restricted to use in war-devastated countries.)

At its sixth session, the Commission (E/1678) examined the Secretary-General's proposals and stressed the following points as relevant for the revision of the terms of General Assembly resolution 58(I):

(a) There should be close correlation between the advisory social welfare services programme and the general programme of work in the social field recommended by the Commission, and a broad interpretation should be given to the term "social welfare";

(b) Co-operation among the United Nations, the specialized agencies, and the international non-governmental organizations having consultative status, as well as appropriate national organizations, should be increased;

(c) Provision should be made for training by scholarships as well as by fellowships, particularly for countries which have no trained personnel eligible for fellowships, nor adequate facilities for training them;

(d) The authorization with regard to demonstration and equipment should be drafted in more general terms, in order to cover the various phases of social work and to make it possible to associate demonstration projects

with the other training opportunities provided under the resolution, such as fellowships and scholarships (the original authorization for demonstrations and equipment had related these activities to rehabilitation work);

(e) Since the regional seminars which had been held and the films which had been produced had shown commendable results, such activities should be included as part of the programme under the revised terms of the resolution. Also, technical publications should be provided to any country requesting them.

The Social Commission therefore recommended for the Council's consideration a draft resolution (E/CN.5/212) which incorporated these revisions. This was later adopted by the Council with minor changes (see below).

#### b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

The Council considered the question of advisory social welfare services at the 125th, 126th, 129th and 130th meetings of its Social Committee on 5 and 7 July and at its 388th plenary meeting on 14 July 1950. It had before it, in addition to the Commission's report (E/1678), a report by the Secretary-General (E/1702 & Add.1). The latter contained the resolution proposed by the Social Commission, a list of the requests for services during 1950 (as of 22 May) and an account of the additional expenditure which would be necessary under the proposed revision of resolution 58(I). The report stated that under the revised resolution an additional cost of \$158,000 would be needed in connexion with the expansion of the advisory services to include a programme of scholarships and demonstration centres and for broadening of the distribution of technical publications.

During the discussions in the Social Committee, the majority of members supported the draft resolution submitted by the Social Commission. A number of them felt that the revised resolution should specifically state that requesting Governments would be expected to participate financially to the maximum extent possible in the services provided to them. The incorporation of this principle in the draft resolution was proposed in a Canadian amendment (E/AC.7/L.27). It was agreed, however, that aid would not be withheld in any circumstances from countries not in a position to pay.

Several representatives, including those of India, Pakistan, Australia and the United Kingdom, expressed the opinion that the emphasis should now be placed on under-developed areas, but, as stressed by the Australian representative, this did not mean that developed countries should not

benefit from the services. The representative of Canada accepted an Indian amendment to add a provision that in furnishing services due regard should be paid to the greater needs of under-developed territories.

The Social Committee at its 130th meeting adopted that part of the Canadian amendment which dealt with these two points of substance by 12 votes to none, with 2 abstentions.

The Committee rejected by 8 votes to 5, with 1 abstention, an oral amendment by the representative of Mexico which would have provided for a definite statement in the resolution that Governments would participate financially only if able to do so.

The Social Committee unanimously agreed to the suggestion of the United States representative that the text of the resolution adopted by the Council should "note the proposals of the Social Commission" on the subject of social welfare services, since the Commission had been responsible for the larger part of work.

The draft resolution (E/1702), as a whole, as amended, was adopted unanimously by the Social Committee (E/1760) at its 130th meeting on 7 July, and by the Council at its 385th plenary meeting on 14 July as resolution 312 (XI).

By this resolution the Council submitted to the General Assembly a draft for the revision of the terms of Assembly resolution 58(I), with the following main suggestions:

- (a) The social welfare training programme would include scholarships as well as fellowships;
- (b) The possibility of creating demonstration centres and pilot projects would be provided for; also, fellowship and scholarship holders would be permitted to benefit from such projects;
- (c) Provision would be made for planning and conducting seminars;
- (d) The furnishing of films would be authorized;
- (e) The authorization to furnish technical publications would be expanded to include all participating Governments, instead of being limited to war-devastated countries.

The resolution also set forth certain policies to be followed in providing services:

- (a) that the Governments concerned would decide the kind of services to be rendered;
- (b) that the Secretary-General would undertake to furnish experts, normally applying to Member States for them, and would base his selection of the grant holders on proposals received from Governments, the latter indicating the host countries preferred;
- (c) that the Secretary-General would decide the amount of services and conditions for furnishing them, with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting Government would be expected to participate financially to the maximum possible extent in the services provided to it.

e. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly considered the proposed revision (A/1335) of resolution 58(I) at the 272nd to 275th meetings of its Third Committee on 27 September to 2 October and at its 314th plenary meeting on 1 December 1950.

(1) Discussion in the Third Committee

The majority praised the programme of advisory social welfare services and supported, in principle, the Council's recommendations. Several representatives, among them those of Australia, the United Kingdom and the Union of South Africa, stressed the importance of avoiding duplication and overlapping with other departments or organs.

In discussing the financial implications of the proposed revision, the representatives of the United Kingdom, the Byelorussian SSR, Canada, Poland and the USSR held that the funds provided for these services in 1951 should not be increased over those provided for 1950. The representatives of the Byelorussian SSR, Poland and the USSR stated that they would therefore abstain from voting. Moreover, the development of social welfare services, the representative of the Byelorussian SSR pointed out, should be a material as well as moral responsibility of Governments and, therefore, they should be expected to pay for the advisory services. The United States representative suggested that additional funds should be derived from increased local contributions from contributing Governments. A few representatives, among them those of Australia, Belgium and Mexico, reserved their delegations' positions until the Fifth Committee had considered the financial estimates which had been submitted to the Council by the Secretary-General (E/1702/Add.1) (see below).

The Committee also heard various explanations and statements by representatives of the Secretariat. A technical explanation was given of the mechanism for consultation with requesting Governments, for collaboration with specialized agencies in meeting requests for services, for combining various advisory services through demonstration centres, for reinforcing and supplementing these services by means of technical publications and films and for using regional offices as dynamic centres for effectively meeting local needs.

A statement was also made concerning the organizational arrangements within the Secretariat for integrating the administration of the advisory social welfare services with that of other aspects

of technical assistance. The Committee noted with approval that the distinctive characteristics of the advisory social welfare programme were to be fully maintained, i.e. it was a continuing programme with wide terms of reference, financially supported from the regular contributions of all Member States, for the stimulation of social progress for its own sake and not only as an aspect of economic development. Moreover, it was to be undertaken on behalf of all people and not only those of under-developed areas.

The Committee understood that the advisory social welfare services would continue to be guided by the Economic and Social Council, on the recommendation of the Social Commission, and subject to the approval of the Assembly.

With a view to clarifying the provisions for participation of requesting countries in the selection of experts and in meeting the costs of the services furnished, the Third Committee adopted two amendments:

(i) Israeli amendment (A/C.3/L.43), to specify that the furnishing of experts and services would be undertaken by the Secretary-General, with due regard to suggestions made by requesting Governments; adopted by 37 votes to none, with 9 abstentions. Although this had been the usual procedure, the majority of the Committee agreed that it should be thus stated in the resolution itself.

(ii) Lebanese amendment (A/C.3/L.42), slightly modified by the representative of France, to provide that Governments would "assume responsibility, as far as possible, for all or part of the expenses connected with the services furnished to it". (The original paragraph had stated that Governments would be expected to participate financially to the maximum possible extent.) The representative of Lebanon accepted a Mexican amendment (A/C.3/L.44) to add the words "either by making a contribution in cash or in the form of services for the purposes of the programme being carried out". The amendment, as amended, was adopted by 37 votes to none, with 7 abstentions. The amended revised resolution was adopted at the 275th meeting of the Third Committee on 2 October by 49 votes to none, with 5 abstentions. A draft resolution (A/C.3/L.41), submitted by the representative of France to introduce the revised resolution, was adopted by a roll-call vote of 47 votes to none, with 5 abstentions. (For text of resolution see below.)

(2) Discussion in the Fifth Committee

The Fifth Committee at its 249th meeting on 17 October unanimously approved the recommendation of the Advisory Committee on Administrative and Budgetary Questions (A/1312) for an appropriation of \$610,500 for advisory social welfare services.

At its 263rd meeting on 10 November, it considered the effect of the draft resolution adopted by the Third Committee (A/1436) on the 1951 budget estimates. The Committee had before it a

report by the Secretary-General which stated that, in keeping with the terms of the proposed revised resolution, an additional amount of \$158,000 would be needed as follows for 1951: 30 scholarships at \$2,000 each—\$60,000; operation of one demonstration centre, including cost of equipment—\$50,000; supply of technical literature on social welfare to various countries—\$48,000.

The Committee also considered a report of the Advisory Committee (A/1488) concerning these estimates. The Advisory Committee had suggested that it would be desirable, irrespective of the merits of the broadened programme, to establish a clear policy governing the continuance of advisory social welfare services. Such a policy decision should, in the Advisory Committee's opinion, take account of:

- (i) the extent to which contributions from recipient Governments should augment the total expenditure for the programme or alternatively decrease the net appropriation to be made by the United Nations;
- (ii) the extent, if any, to which funds for these services might be allocated from the special account for technical assistance; and
- (iii) the extent to which continued expansion of the programme would be consistent with the purposes of resolution 58(I) and proportionate to the financial resources of the United Nations.

The Advisory Committee suggested, with regard to the Third Committee's draft resolution, that a consolidated appropriation covering both scholarships and fellowships should be made. The distribution of funds could then be related to the urgency of the needs. Attention was called to the importance of giving the fullest possible effect to the provision under which requesting Governments were to assume responsibility, as far as possible, for all or part of the expenses. The Advisory Committee also thought that consideration might be given to limiting strictly the duration of advisory missions.

Finally, the Advisory Committee recommended that an attempt should be made to meet the new expenses: (i) by a redistribution of the existing programme; (ii) by increased contributions from requesting Governments; and (iii) by an appropriation from the special account for technical assistance. If, however, the General Assembly should decide to increase the funds available for these services within the United Nations budget, the Committee was of the opinion that under no conditions should the additional provision exceed \$80,000.

During the course of the discussion in the Fifth Committee, a number of members pointed out that the objectives which the Third Committee

had in mind could not be accomplished by means of a redistribution of the existing programme within the limits of the present budgetary provisions. While it was generally agreed that recipient Governments should participate to the fullest extent practicable in the financing of the programme, several representatives again stressed that this principle should not be applied in a way which would deprive those under-developed countries most in need of assistance of the opportunity of benefiting from it.

It was also agreed that the suggestion for an appropriation from the special account for technical assistance should be considered. However, it was pointed out that this would require amending the relevant Council resolution (on technical assistance). Therefore, in view of the circumstances, the representative of Brazil, supported by the representatives of Mexico, Syria, Venezuela, Bolivia and Yugoslavia, proposed that the full amount, \$158,000, should be approved.

The representatives of Canada, the United Kingdom and the Netherlands maintained that the proposed additional activities should be financed within the existing budgetary appropriations. They felt that the United Nations should aim primarily at assisting Governments to initiate and develop their own social welfare services. The United Kingdom representative suggested specifically that technical publications should be furnished only as an integral part of the fellowship programme or as equipment for demonstration purposes; that the costs of the proposed scholarship programme should be borne, first, by increased financial participation of the beneficiary countries, and second, by the transfer of funds earmarked for fellowships; that additional appropriations for the purpose of demonstration centres should not be authorized but that specific projects which might be put forward should be considered on their merits and, if necessary, supplementary appropriations requested; and, finally, that further consideration should be given to the organization of the Secretariat with a view to more effective co-ordination and integration of all technical assistance activities.

The representative of France, while supporting the proposed extension of the advisory social welfare programme, expressed doubts as to the wisdom of adopting a scholarship programme, at this stage, in addition to the existing fellowship programme.

The Fifth Committee at its 263rd meeting on 10 November, by 24 votes to 14, with 8 abstentions, approved (A/1537) the estimates submit-

ted by the Secretary-General. During the second reading of the estimates at its 281st meeting on 13 December 1950 the Fifth Committee recommended to the Assembly (A/1734) a total appropriation of \$768,500.

The General Assembly, in approving the budget for 1951 at its 326th plenary meeting on 15 December 1950, approved this amount (resolution 471 (V)).

(3) Resolution Adopted by the General Assembly

The General Assembly at its 314th plenary meeting on 1 December 1950, without discussion, unanimously adopted the draft resolution recommended by the Third Committee (A/1436). The resolution (418(V)) read as follows:

The General Assembly,

Having considered the modifications made, in the light of General Assembly resolution 316(IV), by the Economic and Social Council, in General Assembly resolution 58(I) on advisory and social welfare services,

Approves the following text of resolution 58(I) revised by the Economic and Social Council and amended by the Third Committee:

"Whereas by Articles 55 and 60 of the Charter of the United Nations the Economic and Social Council, under the authority of the General Assembly, is charged with the responsibility for promoting higher standards of living and conditions of social progress and development,

"Whereas by Article 66 of the Charter, the Economic and Social Council may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies,

"Whereas the General Assembly, after examining the recommendations of the Economic and Social Council and the accompanying report of services rendered for the first three years of operation, approved the recommendations and placed the advisory social welfare services originally authorized by resolution 58(I) on a continuing basis, and requested that a review be made of the terms of that resolution and appropriate recommendations made with respect to desirable or necessary changes (resolution 316(IV)),

"Whereas the General Assembly recognizes that the advisory social welfare services constitute a practical operational programme of direct assistance to governments and that the other activities of the United Nations in the social field should be properly correlated with these services in order to achieve maximum effectiveness, to which end the Social Commission has adjusted its long-range work programme,

"The General Assembly, therefore,

"A. Authorizes the Secretary-General:

"1. Subject to the directions of the Economic and Social Council, to make provision for the under-mentioned functions and services, such provision to be made, where appropriate, with the co-operation of the specialized agencies and in consultation with non-governmental organizations having consultative status:

"(a) For a requisite number of social welfare experts to provide advisory services at the request of governments which show the need for them, and to put into practice, over an appropriate period, new methods in any branch of social welfare;

"(b) For enabling suitably qualified social welfare officials to observe, and familiarize themselves with, the experience and practice of other countries in any branch of social welfare;

"(c) For enabling suitable qualified persons who cannot receive professional training in branches of social welfare in their own country to receive appropriate training in foreign countries having the necessary facilities;

"(d) For planning by appropriate methods projects for experimenting in or demonstrating various phases of social welfare, organizing and participating in these projects, providing the necessary tools and equipment in connexion therewith, and associating with the projects to the extent practicable, the persons referred to in paragraphs (b) and (c) above;

"(e) For furnishing technical publications and films;

"(f) For planning and conducting seminars;

"2. To include in the budgetary estimates of the United Nations the sums necessary for carrying out an effective operational programme based on the provision of the above services;

"B. Instructs the Secretary-General to undertake the performance of the functions listed in paragraph A.1 above, in agreement with the governments concerned, on the basis of requests received from governments and in accordance with the following policies;

"1. The kind of service to be rendered to each country shall be decided by the government concerned;

"2. The furnishing of the experts and services shall be undertaken by the Secretary-General, with due regard to suggestions made by the requesting governments; the Secretary-General shall, normally, make application for experts to States which are Members of the United Nations. The selection of grant-holders shall be made by the Secretary-General on the basis of proposals received from governments, which shall indicate their preferences with regard to host countries;

"3. The amount of services and the conditions under which they shall be furnished to the various governments shall be decided by the Secretary-General with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting government shall be expected to assume responsibility, as far as possible, for all or part of the expenses connected with the services furnished to it, either by making a contribution in cash, or in the form of services for the purposes of the programme being carried out;

"C. Requests the Secretary-General to report regularly to the Social Commission on the measures which he takes in compliance with the terms of the present resolution, and requests the Commission to formulate recommendations from time to time concerning the continued action required to carry on the essential advisory activities in the field of social welfare."

d. SOCIAL WELFARE SERVICES FURNISHED  
DURING 1950

Eighteen social welfare consultants were furnished to eleven Governments and six consultants remained in five countries to finish projects undertaken in 1949. In addition, child welfare experts were on duty in the Far East, Central America and Europe, working in liaison with the United Nations International Children's Emergency Fund. During 1950, 302 fellowships were requested by Governments, of which 184 were awarded to 36 countries, and the fellows proceeded to 23 host countries to study various aspects of social welfare.

Demonstration equipment for the social rehabilitation of physically disabled persons was provided for five Governments and small supplies of technical publications useful in the training of social workers were sent on request to five war-devastated countries.

The United Nations held its second social welfare seminar for the Arab States of the Middle East in Cairo from 22 November to 14 December 1950. At the request of the Government of India, the United Nations organized a three-day conference on physically handicapped children (including the blind, deaf and dumb) at Jamshedpur from 19 to 21 December 1950.

### 3. Community, Family and Child Welfare<sup>183</sup>

a. DRAFT DECLARATION OF THE RIGHTS  
OF THE CHILD

The Social Commission at its sixth session in April-May 1950 had before it a note from the Secretary-General (E/CN.5/199) containing a draft preamble and principles of a declaration of the rights of the child. As requested by the Commission at its fourth session,<sup>184</sup> the Secretary-General had taken into account the Geneva Declaration and comments expressed by members of the Commission, Member Governments, specialized agencies, non-governmental organizations and other appropriate sources.

The Social Commission appointed a committee consisting of the representatives of Australia, Brazil, France, Iraq and Yugoslavia to consider the Secretary-General's note and previous documentation and to draw up a draft declaration for submission to the Council. The draft prepared by the Committee (E/CN.5/L.76) was approved by the Commission with certain amendments. The Commission expressed the view that although

there was a close relationship between the draft and the Universal Declaration of Human Rights the special needs of the child justified a separate instrument. It considered that the declaration should emphasize broad principles embodying standards which the world should strive to attain, that it was important to include in it the parallel concepts of individual rights and obligations toward society, and that emphasis should be placed on protection against factors likely to foster discrimination and on implanting in the minds of children as well as adults the ideals set out in the declaration. The Commission further emphasized the need for special care of the child's rights to a name, nationality, security, health, education and protection against all forms of exploitation which might prejudice his development.

The preamble to the draft declaration, approved by the Commission (E/1678), refers to the affirmation of human rights as expressed in the Preamble to the United Nations Charter and the Universal Declaration of Human Rights, to the statement in the Geneva Declaration of the Rights of the Child that "mankind owes to the child the best it has to give", and, to the special safeguards needed by the child because of his physical and mental immaturity and particular legal status. The Assembly therefore "... recognizes and proclaims the essential Rights of the Child to the end that he may have a happy childhood and be enabled to grow up to enjoy for his own good and for the good of society, the fundamental rights and freedoms, particularly those specified in the Universal Declaration of Human Rights, and calls upon men and women as individuals as well as through their local authorities and national Governments to recognize and strive for the observance of those rights through the application of the following principles".

These principles set forth in the draft declaration provide that the child shall be given the means necessary to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. Irrespective of race, colour, sex, language, caste, religion, political or other opinion, national or social origin, property, birth, legitimacy or other status, he shall have the right to: a name; nationality; social security; adequate nutrition, housing and recreation; free medical services; proper education free of charge; and the opportunity to grow up in economic security, in the care of his own parents whenever

<sup>183</sup> See also pp. 588-91.

<sup>184</sup> See also Y.U.N., 1948-49, p. 603.

possible, and in affectionate and understanding family surroundings.

The child shall in all circumstances, the principles state, be among the first to receive protection and relief. He shall be protected against all forms of neglect, cruelty and exploitation, and any practice which may foster racial or national discrimination or hatred. He shall be brought up in the consciousness that he will achieve his fullest development and satisfaction in the service of others.

The child who is physically, mentally or socially handicapped shall be given special treatment, education and care.

The Social Commission recommended (E/1678) that the Council note the close relationship between the draft declaration and the Universal Declaration of Human Rights and ask the Commission on Human Rights for its observations on the draft declaration with a view to its approval by the General Assembly.

The Council discussed the report of the Social Commission (E/1678) at the 125th to 128th meetings of its Social Committee on 5 and 6 July and at its 387th plenary meeting on 13 July 1950.

During the discussion, the representative of Chile expressed total disagreement with the draft preamble and principles, which, he considered, would merely provoke criticism and irony throughout the world. The representatives of Belgium and Canada stated that, while they were in favour of declarations of fundamental rights which affect humanity as a whole, they did not favour separate declarations for any particular group. They pointed out that the Universal Declaration of Human Rights already contained a number of articles concerning the family and several expressly devoted to children, and felt that there should be full consultation with the Commission on Human Rights on whether an additional declaration was necessary.

As regards the procedure to be adopted, it was generally felt that the draft should not be sent back to the Social Commission for further consideration, but some representatives, including those of the United States, Australia and India, considered that it would be premature to submit the draft for the Assembly's approval and that it should be referred to the Commission on Human Rights.

The representative of Mexico thought that the Council should recommend the adoption of a resolution rather than a declaration by the Assembly.

The Social Committee, at its 128th meeting on 6 July adopted, by 12 votes to 1, with 1 abstention, a draft resolution prepared by a drafting committee composed of the representatives of France, India, Mexico and the United States (E/AC.7/L.20) as amended by the United States, orally, and by the United Kingdom (E/AC.7/L.22).

This amended draft resolution was adopted by the Council at its 387th plenary meeting on 13 July by 12 votes to 1, with 2 abstentions. The Council decided not to append the draft declaration to the resolution. It was also pointed out in the Council's discussions that adoption of the resolution did not imply approval of the preamble and principles of the draft declaration.

In its resolution (309 C (XI)), the Council stated its desire that a resolution on the rights of the child should be presented to the General Assembly as soon as possible, referred to the close relationship between the draft Declaration and the Universal Declaration of Human Rights, and requested the Commission on Human Rights to consider the draft Declaration on the Rights of the Child at the same time as the Universal Declaration, taking into account the Council's discussions, and to report its observations on the principle and contents of the draft Declaration to the Council's thirteenth session.

#### b. WELFARE OF THE AGED

The Economic and Social Council at its eighth session (198(VIII))<sup>185</sup> had asked the Secretary-General to prepare, in collaboration with ILO and other appropriate bodies, a report on the welfare of the aged and to submit it to the Social Commission and to the Commission on Human Rights.

The Social Commission examined the Secretary-General's report (E/CN.5/200 & Add.1) at its sixth session. The material submitted covered only a limited number of countries and reflected the information available from ILO and several other European centres. The first part of the report contained a summary of available documentation on measures taken for the benefit of aged persons (e.g. income security, housing, health, institutional care, employment and welfare service—including recreational facilities and organizations); the second part was concerned with the effects of such measures on the standard of living of aged persons. Brief summaries were given of available material, containing both general and statistical information on living conditions of old people.

<sup>185</sup> See also Y.U.N., 1948-49, pp. 618-19.

Material was also included which indicated to some extent the significance of such measures as old age pensions in relation to standards of living of the aged.

Among other things, the Secretary-General pointed out that no international documentation regarding benefits to the aged—except that relating to social insurance—was available at any international centre, even regarding countries with the most developed social institutions. This was particularly true with respect to non-cash services such as housing, institutional care, recreation and health. Nor was information internationally available on the effects of these various measures on the standard of living of aged persons. Little information relating to measures supplementing compulsory insurance, such as might be secured through voluntary provident activities, mutual aid and collective bargaining, was internationally available. Therefore, he was of the opinion that it was premature at the present time to attempt to recommend minimum standards such as might be implied in a declaration of old age rights.

During the discussion the Commission particularly stressed the need for collaboration with Governments which were actively studying old age problems. It agreed that consideration of a declaration of the rights of the aged should be postponed until more information was available and that steps should be taken for the exchange of information on problems of the aged and practical approaches toward their solution. The Commission also agreed that the Secretariat, in collaboration with interested Governments and specialized agencies, should initiate a programme of research studies and action for promoting the welfare of aged persons. It submitted to the Council (E/1678) a draft resolution to this effect.

The Commission's recommendations were considered by the Council at the 125th and 126th meetings of its Social Committee on 5 July and at its 387th plenary meeting on 13 July 1950. During the discussion in the Committee certain representatives, among them those of Chile, Canada and Belgium, opposed the drafting of a special declaration on the rights of the aged, since they considered that the Universal Declaration of Human Rights made this unnecessary. The representatives of Canada and Belgium suggested consultation with the Commission on Human Rights on whether a good reason existed for drafting a special declaration on old age rights or whether it might not perhaps be better to incorporate a specific reference to the subject in the Universal

Declaration of Human Rights. Those supporting the eventual adoption of a special declaration held that its adoption was important in a world where the old age group was becoming substantially larger.

The draft resolution proposed by the Social Commission was adopted by the Social Committee at its 126th meeting (E/1755), and by the Council at its 387th plenary meeting, without objection, as resolution 309 D (XI). In this resolution the Council requested the Secretary-General, in consultation with the Governments and interested specialized agencies, to initiate an integrated work programme of research, studies and action for promoting the welfare of aged persons, taking into consideration any views expressed by the Commission on Human Rights<sup>186</sup> and the discussions of the Social Commission at its sixth session. The Council deferred any decision on the advisability of drafting a declaration of old age rights until the necessary preparatory studies and reports had been completed.

#### c. WORK PROGRAMME

The Economic and Social Council at its tenth session had before it the report of the Social Commission's fifth session (E/1568 & Add.1) which had been held in December 1949. The Commission had, *inter alia*, approved an over-all programme of work in the field of family, youth and child welfare and a specific programme for 1950.<sup>187</sup> Under the latter, the Secretary-General had been asked to prepare a report concerning the organizational arrangements by which essential international long-range activities for children could be rendered by the United Nations and other appropriate inter-governmental organizations.

The Council considered the Social Commission's report at the 117th and 118th meetings of its Social Committee on 10 February and at its 354th plenary meeting on 17 February 1950. At its 118th meeting the Social Committee unanimously recommended (E/1607) that the Council endorse, subject to review at its eleventh session in the light of further consideration by the Social Commission, the work programme for 1950. It also proposed that the Council should note that the Secretary-General had been requested to prepare a report on the continuing needs of children and should request the Commission to

<sup>186</sup> The Commission on Human Rights at its 6th session (Mar.—May 1950) postponed consideration of the subject until its 7th session in 1951.

<sup>187</sup> See also Y.U.N., 1948-49, p. 603.

give urgent attention to it at its sixth session, and prepare specific recommendations for consideration by the Council at its eleventh session.<sup>188</sup> The Council at its 354th plenary meeting adopted (279 A (X)), by 14 votes to none, with 1 abstention, the Social Committee's recommendation.

At its sixth session in April-May 1950 the Commission took the following action with regard to its work programme in the field of community, family and child welfare.

The Commission considered that the publication, which had grown out of the League of Nations report on child welfare developments, should be extended to cover community, family and child welfare and issued biennially. In view of the preparation of a legislative series, summaries of legislation, it considered, should no longer be included in this publication.

The Commission recommended that the field of community, family and child welfare should be approached from its legal, economic and social aspects.

Concerning the legal aspects, the Commission considered that a series of legal and administrative studies might be undertaken covering such matters as adoption, guardianship, birth registration, desertion, neglect, cruelty, exploitation, divorce and nullity. A study on maintenance obligations and their enforcement abroad, it noted, was already under way.

With regard to the economic aspects, the Commission expressed interest in an inquiry into the social and economic results of economic measures taken in favour of the family, including aged persons and children.

The Commission considered that the social aspects of the problem should be given priority in 1951-52. In this connexion it recommended that priority should be given to a survey of the contributions made by local community organizations in helping people solve their problems in areas at different stages of economic development. In recommending that work should be undertaken on the welfare of handicapped children, priority, it was felt, should be given to the welfare of blind and partially sighted children. Special attention, the Commission held, should be given to the welfare of children and young persons in rural and under-developed areas.

The Commission stated that it had already recommended that an integrated work programme for promoting the welfare of aged persons<sup>189</sup> should be initiated and that with regard to migration,<sup>190</sup> it had specific responsibility, for ex-

ample, for studies on the social position, rights and benefits, and family and community relationship of immigrants. As other projects were completed in 1951, the Commission decided, the Secretary-General should proceed to study the simplification of administrative procedures for migrants and recommended that priority should also be given to a study of measures taken in various countries to facilitate the integration of immigrants into the national life of their new homelands.

#### Special Projects for 1950, 1951 and 1952

Maintenance obligations: enforcement abroad (1950-51)

Economic measures in favour of the family (1950-51)

Social and economic results of such measures (1951-52)

Methods of administering assistance to the needy (1950)

Contributions made by local community organizations in helping people solve their problems, in areas at different stages of economic development (1951-52)

Care of children outside their own homes (1950-51)

Welfare of handicapped children, giving priority to blind and partially sighted (1950-51-52)

Welfare of the aged: programme of research, study and action (1951-52)

Assistance to indigent aliens (1950-51)

Measures undertaken in various countries to facilitate integration of immigrants into the national life of their new homelands (1951)

Simplification of administrative procedures for migrants (1951)

Social problems peculiar to unassimilated groups or minorities (1951-52)

Legal and social status of migrants (1952)

The Economic and Social Council at its eleventh session, in approving the general lines of the Commission's general work programme, thereby approved the programme in the field of community, family and child welfare.

## 4. Social Rehabilitation of the Handicapped

### a. WORK PROGRAMME

#### (1) Consideration by the Social Commission at Its Fifth Session

At its fifth session in December 1949, the Social Commission had before it a memorandum by the Secretary-General (E/CN.5/171) containing detailed proposals for a pilot project in social rehabilitation of the disabled, together with other

<sup>188</sup> For discussion of long-range activities for children, see pp. 616-21.

<sup>189</sup> See pp. 588-91.

<sup>190</sup> See pp. 625-26.

recommendations (E/CN.5/L.1) submitted by an expert consultant sent to Austria and Poland under the advisory social welfare services programme.<sup>191</sup> It also had before it recommendations resulting from an international conference of workers for the blind held at Oxford, England, in August 1949 (E/CN.5/172).

**(a) REHABILITATION OF THE PHYSICALLY HANDICAPPED IN GENERAL**

It was agreed that the subject should be considered in two parts: the question of the physically handicapped in general and the problem of the blind in particular. It had also been agreed earlier that the subject of handicapped children should be given special emphasis as part of the child welfare programme<sup>192</sup> on the understanding that the problem would be appropriately related to the general problem of social rehabilitation of the handicapped.

Several representatives stressed the importance of keeping in mind the financial implications of any programme which might be undertaken, and of considering proposals for special action in that field in relation to the total work programme of the Division of Social Activities, to the functions of specialized agencies and to the advisory social welfare services programme authorized by resolution 58(I) of the General Assembly.<sup>193</sup>

The representative of the International Labour Office emphasized the interest and concern of his organization in rehabilitation of the physically handicapped. The representative of the World Health Organization associated himself with the views expressed on behalf of ILO, but stressed the importance of prevention as a means to reduce the size of the problem.

The majority of the Commission favoured the development of a programme but expressed the hope that specific proposals would be developed by the Secretariat as a basis for action at the sixth session.

The Commission unanimously adopted a resolution (E/1568) noting the scope and complex nature of the subject which extended into the fields of several specialized agencies. It requested the Secretary-General, after consultation with the specialized agencies, to draft a comprehensive proposal on the total rehabilitation of the physically handicapped, including the blind, for the Commission's consideration at its sixth session. The Commission asked him meanwhile to continue, and as far as possible extend, his activities in this field at the request of Governments as provided in General Assembly resolution 58(I).

**(b) REHABILITATION OF THE BLIND**

The Social Commission at its fifth session had before it a report (E/CN.5/172) of an International Conference of Workers for the Blind, consisting of executive officers of the most effective welfare organizations for the blind from seventeen countries, which had been held in England in August 1949. The Conference had adopted recommendations concerning registration, responsibility for the blind, rehabilitation and training, employment, special economic provisions, care of the blind at home, homes for the blind, special facilities, education and international organization. With reference to international organization, it had appointed a planning committee for the purpose of establishing an international committee for the welfare of the blind and also a committee to enquire into the possibility of convening a conference to consider problems relating to the education of the blind. The Conference had further suggested that the Social Commission might recommend appropriate action to develop minimum standards for the blind and establish a pilot project according to certain proposals submitted by the Assistant European Director of the American Foundation for Overseas Blind.

The Commission adopted a resolution requesting the Secretary-General, in co-operation with appropriate specialized agencies, to develop a programme of work in the field of social rehabilitation of the blind, including a plan for a demonstration project. It further recommended that the Council should

- (1) note the report of the Oxford International Conference of Workers for the Blind and state that it considered this a helpful basis for the development of recommendations for governmental action;
- (2) recognize the importance of developing minimum standards for the welfare of the blind;
- (3) call the attention of Governments to the advisory social welfare services of the United Nations;
- (4) recognize the United Nations' interest in the rehabilitation of the blind.

The representatives of the USSR and of the Union of South Africa stated that they had abstained from voting on this resolution because, while generally in favour of the substance of the resolution, they considered that no division should be made in the subject of rehabilitation of the handicapped.

<sup>191</sup> See pp. 591-97.

<sup>192</sup> See pp. 599-600.

<sup>193</sup> See Y.U.N., 1946-47, pp. 160-62.

(2) **Consideration by the Social Commission at Its Sixth Session**

At its sixth session, the Social Commission considered two reports submitted by the Secretary-General, one on the social rehabilitation of the handicapped in general (E/CN.5/197) and the other on the social rehabilitation of the blind (E/CN.5/198).

The former report briefly summarized the international action in the field of rehabilitation of the physically handicapped then in progress or under consideration. It included detailed information on the number of experts, fellowships and demonstration equipment supplied under the advisory social welfare services programme, and the current activities of the specialized agencies.

It also contained recommendations resulting from the conference held in Geneva, from 26 February to 3 March 1950, which had been attended by representatives of the United Nations Secretariat, ILO, WHO, UNESCO, IRO and the United Nations International Children's Emergency Fund. The Conference, *inter alia*, had recommended that the co-operation of the non-governmental organizations, including employers' and workers' organizations, should be sought as a part of a composite international programme. Responsibility for a co-ordinated programme, it suggested, could be entrusted to a working group of the Administrative Committee on Co-ordination,<sup>194</sup> which should meet preferably in Europe. The Conference envisaged that, in the initial phase of co-operation, the United Nations and the specialized agencies would provide technical assistance for the rehabilitation of the disabled. As a second phase, the United Nations and the specialized agencies should immediately establish an integrated and comprehensive plan for international action so that it might be submitted to the Council and the Executive Boards of the agencies for implementation in 1952.

The Secretary-General, bearing in mind these recommendations and the suggestions in the memorandum discussed at the Commission's fifth session (E/CN.5/171), included in his report a plan of action for the Social Commission. He recommended that the Commission establish a completely co-ordinated international programme and ensure co-ordination between the United Nations and the specialized agencies through consultations in the Administrative Committee on Co-ordination. The United Nations Secretariat, the report stated, would necessarily have to provide the staff for the administrative machinery and would have to be responsible for organizing an

interchange of information and for encouraging the formation of national committees for the rehabilitation of the handicapped. He suggested that the Commission (1) subsequently compile an international list of the best known experts, (2) if it wished, request the Department of Public Information to study the possibility of organizing travelling exhibits and (3) ask the Economic Commission for Europe whether it could study a plan for Europe to facilitate the exchange of scarce materials used in the manufacture of prosthetic appliances for the handicapped.

The majority of the Commission agreed on the need for such a programme and considered it important to establish international standards for the education, treatment, training and placement of the disabled. The importance of including methods for prevention in a comprehensive programme of rehabilitation was also stressed. It was pointed out that the stage of development in each country was a very important factor in determining emphasis. Several members explained that their governments had not had time to consider the long-range implications of the proposed programme.

Concerning the blind, the Secretary-General reported (E/CN.5/198) that he had developed within the general framework of the comprehensive proposal on the total rehabilitation of the physically handicapped, including the blind, a programme of work for social rehabilitation of the blind. Considerations basic to an integrated programme, it was stated, involved (1) general considerations, such as medical aspects, education, industrial and labour aspects and welfare services, and (2) a plan for a demonstration project. A programme of this nature would call for early action with regard to co-operative planning, co-ordinated utilization of available resources, and secretariat machinery. The report also contained, in an annex, recommendations for the blind resulting from the Geneva Conference (see above). Among other things, the Conference had felt that it was essential to establish a section for the welfare of the blind within the Division of Social Activities of the United Nations, and that a demonstration project should be set up to include: home teaching services, pre-vocational rehabilitation, vocational guidance and training, employment and home industries, general social welfare and recreation and a braille printing plant. Moreover, every effort should be made to bring non-governmental agencies within the framework of the programme.

<sup>194</sup> See pp. 639 ff.

The Social Commission was in general agreement with the proposals in the Secretary-General's report on the blind, although a number of representatives expressed doubts about a demonstration centre.

The representatives of ILO and WHO agreed in principle with the proposals for international action. The ILO representative stated that although his organization was anxious to be of assistance, it could not, for budgetary reasons, commit itself at the present time to participation in a demonstration centre for the blind. The representative of WHO expressed his organization's particular concern with the prevention of blindness.

On the basis of several proposals, the Commission (E/1678), *inter alia*, recommended that in addition to planning a work programme, the Secretary-General should as a continuing function provide as wide a range of services as possible to Governments, including, more particularly, training materials and appliances. It also recommended that the specialized agencies which are directly concerned with the problem of disability should assist Governments by whatever means they have at their disposal. Governments themselves should be urged, where they have not already done so, to take the initiative, either through their own or other organs, in adopting measures for the readjustment of disabled groups in their communities. (For text of resolution, with minor changes, see below.)

The Social Commission at its sixth session also determined a programme of work for 1950 for the rehabilitation of the handicapped. It pointed out that the main groups among the physically handicapped whose readjustment required special attention were the blind and the partially sighted; the deaf and the hard-of-hearing; orthopaedic cripples, in which group might be included cardiacs, the cerebral-palsied and all those whose power of locomotion was limited by their disability; epileptics; and some types of tuberculosis sufferers. The mentally handicapped would include the sub-normal or retarded mental defectives and those suffering from psychoneuroses and other types of psychiatric disorders which lend themselves to rehabilitative treatment. A programme for the physically handicapped should include minor disabilities which constitute a hindrance to adjustment.

The major item in the work programme for 1950, it indicated, was the development of a co-ordinated plan for effective study and action to rehabilitate the handicapped.

In developing a programme for the disabled, it recommended that the Secretary-General give particular attention to the problem of the blind, more especially in under-developed areas.

The Commission recommended further (E/1678) that the studies and other appropriate action in this field for the years 1951 and 1952 should be:

Development of a co-ordinated plan for submission to the Commission at its next session (1950)

Preparation of training materials (1950-51)

Assistance in providing for the exchange of materials for the manufacture of all types of prosthetic appliances (1950-51)

Rehabilitation of the blind: emphasis on planning of co-operation with a national demonstration project in an under-developed country (1950—51)

Rehabilitation of one or more other handicapped groups (preferably cripples) as the Secretariat, having regard to available technical staff and other relevant considerations, might find expedient and practicable

**(3) Consideration by the Economic and Social Council at Its Eleventh Session**

The Economic and Social Council considered the question at the 125th and 127th meetings of its Social Committee on 5 and 6 July and at its 387th plenary meeting on 13 July 1950.

During the discussion in the Social Committee the representative of Chile expressed the view that the draft resolution proposed by the Social Commission served no purpose since it merely made recommendations to Governments for action which most of them had already taken. Moreover, the matter could be adequately dealt with under the advisory social welfare services programme. The majority, however, were of the opinion that Governments were aware of the problem but to differing degrees and that there was, therefore, a distinct advantage in having some central place where knowledge could be concentrated.

The representatives of Canada, India and Belgium expressed the hope that the financial estimates could be reduced and expenditures kept at a minimum. The United Kingdom representative supported this view, and stated that he thought there was no case at the moment for a large staff as recommended by the Secretary-General. The present stage, he felt, was only one of joint planning for action and that could be done within the United States Secretariat and the specialized agencies.

The Social Committee agreed that throughout the resolution the word "physically" should be placed before any reference to "handicapped", since the problem of the mentally handicapped should be dealt with at a later stage.

To satisfy the point made by the representative of Chile concerning governmental action, the representative of Belgium submitted an amendment which would indicate that Governments were active and therefore recommend that they continue their efforts. The amendment was adopted unanimously.

The Social Committee also unanimously adopted a United States amendment (E/AC.7/L.19) to add a paragraph requesting the Secretary-General to report to the seventh session of the Commission on the progress made in developing the programme so that the Commission might advise the Council at its thirteenth session regarding further steps to be taken.

The Social Committee at its 127th meeting on 6 July adopted the resolution proposed by the Social Commission (E/1678), as amended, by 11 votes to none, with 3 abstentions (see below).

The question of expense was again raised in the Council's 387th plenary meeting on 13 July. The Secretary-General had submitted an estimate (E/1678/Add.1/Rev.1) which called for an additional expenditure of \$21,550 for 1951. The United Kingdom representative thought that it seemed premature to engage staff at such a cost before there was any plan of action. Moreover, he felt that any plan should be carried on by a joint effort of the specialized agencies concerned and the United Nations and not by a special section of the United Nations Secretariat.

The representative of the United States pointed out that the activities had to be co-ordinated from some centre, and that a small staff in the Secretariat would form a nucleus which would be able to provide both the expert knowledge required and the necessary co-ordination of activities of all the agencies in the field.

The Council at the same meeting adopted the resolution, as recommended by the Social Committee (E/1775), by 11 votes to none, with 3 abstentions. Resolution 309 E (XI) endorsed the Commission's views with minor changes. It read as follows:

The Economic and Social Council,

Having considered the report of the Social Commission, based on the recommendations of the Geneva meeting of the Secretariats of the United Nations, the specialized agencies and the United Nations International Children's Emergency Fund, with respect to the desirability of the United Nations, the specialized agencies and the United Nations International Children's Emergency Fund developing a broad, co-ordinated programme of rehabilitation of the physically handicapped, including the blind,

Requests the Secretary-General:

(1) To plan jointly with the specialized agencies and in consultation with the interested non-governmental organizations a well co-ordinated international programme for rehabilitation of physically handicapped persons;

(2) To provide, in so far as the budget permits, the various types of service which are made available from time to time under resolution 58(I) and other available sources such as the expanded programme of technical assistance;

(3) To expand the present facilities for dissemination of information on rehabilitation and the preparation of training materials;

(4) To assist, as appropriate, in providing for the exchange of knowledge and materials for the manufacture of all types of prosthetic devices as well as information on hearing aids;

(5) To include an amount in the budget estimates of the United Nations for 1951 for employing staff to initiate this programme; and

(6) To report to the seventh session of the Social Commission the progress made in developing the programme in order that the Commission may advise the Council at its thirteenth session regarding further steps to be taken in implementing an effective international programme in this field;

Recommends to the specialized agencies concerned that every effort be made to provide Governments, in need of and requesting expert assistance, with help and advice in the field of the social rehabilitation of the physically handicapped, including the blind; and

Recommends to Member Governments that they should continue their efforts in the field of social rehabilitation of physically handicapped persons, including the blind, and in cases where they have not yet done so:

(1) That they consider establishing or encouraging appropriate governmental or other organs to take the lead in studying and solving the problems confronting physically handicapped persons; and

(2) That they consider appropriate measures including legislation for helping physically handicapped persons to solve the special problems with which they are faced.

In approving the general lines of the Social Commission's general work programme (309 G (XI)),<sup>195</sup> the Council thereby approved the projects recommended with regard to the rehabilitation of the physically handicapped, including the blind.

## b. ACTIVITIES DURING 1950

A meeting of an ad hoc Technical Working Group of the Administrative Committee on Co-ordination on rehabilitation of the physically handicapped was held in Geneva from 18 to 20 December 1950 to discuss the co-ordination of existing services and programmes for implementa-

<sup>195</sup> See pp. 590-91.

tion in 1950. The group prepared a report for submission to the Commission at its seventh session in 1951.

Under the provisions of the advisory social welfare services programme, one expert visited Austria and another Yugoslavia. Twelve fellowships were awarded to eight countries and demonstration equipment, mostly for the manufacture and fitting of prosthetic appliances, was supplied to Austria, Bulgaria, Czechoslovakia, Finland; Hungary, Poland and the Philippines.

## 5. Housing and Town and Country Planning

In resolution 243 D (IX) adopted in August 1949<sup>196</sup> the Economic and Social Council had asked Member Governments to express their views concerning the focus of an international programme in the fields of housing and town and country planning and to specify which of the services listed in a report prepared by the Secretary-General (E/1343) would be of special interest to them. The Council also requested the Secretary-General to arrange for a meeting of experts in 1950 in an appropriate tropical area to consider technical questions relating to housing and town planning for the lower-income groups in the humid tropics (243 C (IX)).

### a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS FIFTH SESSION

At the Social Commission's fifth session reference was made to the necessity for ensuring effective co-ordination between the United Nations and all other interested organizations. The specialized agencies, it was suggested, should be invited to develop their work, in the field of housing, within the framework of the integrated programme as rapidly as possible.

The attention of the Commission was also drawn to the desirability of including studies and projects on housing in the expanded programme of technical assistance when it began its operations.

The Commission felt that it was important to hold the meeting of experts on tropical housing, for which funds had been provided. However, if for organizational or other reasons that was impossible, it recommended that the Council authorize the Secretary-General to use these funds to arrange for groups of visiting experts in the tropical areas concerned.

The Commission proposed (E/1568) that:

1. The basic continuing work programme of the United Nations to which may be added special projects, should include the following items:

(a) Continuation of the Housing and Town and Country Planning Reference and Documentation Centre;

(b) Publication of the bulletin Housing and Town and Country Planning;

(c) Publication of the Legislative and Administrative Series;

(d) Provision at the request of Governments of advisory services, seminars, fellowships and technical assistance in general, particularly to under-developed and tropical areas;

(e) Assisting in developing basic studies and plans for technical assistance programmes.

2. In regard to the meeting of experts on tropical housing and town planning approved by the Economic and Social Council by its resolution 243 C (IX) adopted at its ninth session, the Secretary-General should be authorized, if necessary, to use the funds allocated for that purpose to promote groups of visiting experts in the tropical areas concerned.

3. The 1950 work programme should consist of the following items listed in order of importance:

(a) Continuation and consolidation of the Housing and Town and Country Planning Reference and Documentation Centre;

(b) Publication of the bulletin Housing and Town and Country Planning;

(c) Publication of information relating to organizations and research institutions concerned with housing and town and country planning;

(d) Publication of a study on minimum housing standards enforceable under penalty;

(e) Provision, at the request of Governments, of advisory services and fellowships;

(f) Preparation of study of financing of housing;

(g) Preparation of study of the neighbourhood unit.

4. The work programme after 1950 should include:

(a) Publication of the handbook providing summaries of housing and town and country planning legislation;

(b) Preparation of a film catalogue;

(c) A study of the social, economic and technological factors in various types of urban development.

5. The following topics, set out in the report of the Secretary-General (E/1343), should be covered in 1951 and subsequent years, with the co-operation, as appropriate, of the specialized agencies, by articles, abstracts, bibliographies and other documented information, in the bulletin or otherwise:

(a) Available housing and its condition;

(b) Income and housing costs (other than questions of financing);

(c) Land policies;

(d) Problem of urban development;

(e) Improvement in rural housing and amenities;

(f) Suggestions for improved neighbourhood and dwelling design (for areas other than tropical);

(g) Increasing productivity in construction;

(h) Housing for special categories of persons.

<sup>196</sup> See also Y.U.N., 1948-49, pp. 604-6.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

In view of the fact that only thirteen Governments and the Social Commission had expressed opinions on the proposed integrated work programme (E/1343), the Council's Agenda Committee, at the tenth session, decided that the final decision regarding the programme should be deferred until the Council's eleventh session. However, the Council, when examining the report of the Social Commission's fifth session (E/1568 & Add.1) at the 117th and 118th meetings of its Social Committee on 10 February and at its 354th plenary meeting on 17 February, considered those matters relating to housing and town and country planning, which the Social Commission had judged to be within its own competence and had therefore included in its proposed short-range and long-range work programmes.

During the discussion several representatives, among them the representatives of Chile and the United Kingdom, stressed the importance of the role of the expanded technical assistance programme in matters of housing. The majority supported the proposals of the Social Commission in principle and the Social Committee, at its 118th meeting on 10 February, adopted (E/1607) by 13 votes to none, with 2 abstentions, a draft resolution presented by the representative of Chile (E/AC.7/L.8), and slightly amended by France. The resolution was adopted with minor amendment by the Council (see below).

At its 354th meeting on 17 February the Council also had before it a note by the Secretary-General (E/1607/Add.1) on the financial implications which would result from the adoption of the resolution. The additional costs for carrying out the proposed programme, it was indicated, would be approximately \$10,630. It was generally agreed, however, that the Assembly would have to make the final decision on any increase of expenditure in this field. It was also agreed, on the proposal of the United Kingdom representative, that the resolution should be amended to indicate that the Council "recommends" rather than "authorizes" the Secretary-General to use the funds for visits by experts. The Council, at the same meeting, by 13 votes to none, with 2 abstentions, adopted resolution 279 B (X), as recommended by its Social Committee (E/1607). By this resolution, the Council approved the 1950 work programme in the field of housing and town and country planning as adopted by the Social Commission at its fifth session, drawing

the attention of the Commission to the Council's discussions and requesting it to establish priorities in favour of a few items from which positive results could be obtained. The Council also requested the Secretary-General to promote and intensify the co-operation already established with the specialized agencies and other international organizations. It recommended, as suggested by the Social Commission, that, in the event that it was impossible to hold the meeting of the experts on tropical housing in 1950, the Secretary-General should use the funds for organizing visits by groups of experts to the tropical areas concerned.

Following consultations with the Governments concerned, a mission of four experts on tropical housing visited India, Indonesia, Malaya, Pakistan and Thailand from November 1950 to January 1951.

c. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS SIXTH SESSION

The Social Commission at its sixth session in April-May 1950 (E/1678) reviewed the continuing programme which it had recommended at its fifth session and noted that the Secretary-General had decided to organize, in 1950, visits by experts on tropical housing to advise Governments in the areas concerned. The Commission included within the work programme for succeeding years all the activities and projects indicated in the integrated programme on housing and town and country planning as falling within the responsibility of the United Nations. It also recommended that certain other projects outlined in this programme should be undertaken after 1952, i.e. problems of urban and rural settlement; collection and analysis of programmes of housing and public construction; community services and tenant co-operation; technical reports on community development and community centres with special reference to rural areas; and collection of information on increasing productivity in construction of housing.

The Commission stated the opinion that some of the studies for which the United Nations had been given prime responsibility in the integrated programme, such as the studies of housing problems of special categories of persons and the studies on housing and economic stability, should be carried out as integral parts of the general social welfare and economic programmes of the United Nations. Therefore, the Commission did not assign any special priority to these studies.

The Commission outlined the following special projects for 1950, 1951 and 1952:

Mission of experts on tropical housing (1950)

Minimum housing standards enforceable under penalty (1950)

Financing of housing (1951)

The neighbourhood unit and improvement of neighbourhood unit design for areas other than tropical (1951)

Social, economic and technological problems of urban planning and development (1951)

Methods of preparing housing programmes (1951-52)

Available housing and present and future housing needs (1951-52)

Housing costs in relation to family income (1951-52)

Improvement of rural dwellings and amenities with special reference to tropical and under-developed areas (1952)

Collection of current information on urban land policies (1952)

The Economic and Social Council at its 387th plenary meeting on 13 July 1950, in approving the general lines of the Commission's general work programme (309 G (XI)),<sup>197</sup> thereby approved the programme in the fields of housing and town and country planning.

#### d. ACTIVITIES DURING 1950

The Housing and Town and Country Planning Reference Centre at Headquarters during 1950 prepared for publication 1,075 abstracts. At the first General Assembly of the International Council for Building Documentation in Paris in October arrangements were made for the systematic exchange of information between the United Nations Reference Centre, and the Council and its national Documentation Centres. In addition 1,210 bibliographical references were prepared for publication.

Two issues of the Housing and Town and Country Planning bulletin were published in English in February and October 1950<sup>198</sup> and the French texts were to be published early in 1951.

A report on minimum standards enforceable under penalty<sup>199</sup> was published in March 1950, and a preliminary report on low-cost rural housing in tropical areas<sup>200</sup> appeared in November 1950.

In addition to consideration of five requests from Governments for expert assistance, an expert was sent to the Fourth West Indian Conference at Curaçao to assist in the formulation of programmes and policy in the field of low-cost rural housing. Eight fellowships were granted to students in housing and town and country planning under the advisory social welfare services pro-

gramme, and training facilities were provided through the organization in Egypt, in December 1950, of a rural welfare seminar which dealt with, among other things, the problems of rural housing.

## 6. Social Defence

### a. PREVENTION OF CRIME AND TREATMENT OF OFFENDERS

#### (1) Work Programme

The Social Commission at its fifth session in December 1949 (E/1568)<sup>201</sup> approved a programme of research and action in this field, which was provisionally endorsed by the Economic and Social Council at its tenth session (279 A (X)). The Commission listed, inter alia, those subjects on which research was in progress: the problem of juvenile delinquency in all its phases, including the study of advanced legislation on the subject; probation and related measures; criminal statistics, with a view to a report on the state of crime; and, in co-operation with the World Health Organization, medical, psychiatric and social examination of offenders, before the final disposition of the case and as a guide to treatment.

In reviewing the work programme at its sixth session, the Commission, in April-May 1950 (E/1678), noted that the final statistical report on the state of crime, 1937-46, would contain proposals for the standard classification of offences and uniform crime statistics and that the final study on probation would contain conclusions indicating internationally attainable standards.

Taking into account that negotiations were proceeding for integrating the International Penal and Penitentiary Commission into the United Nations,<sup>202</sup> the Commission recommended that as the work in progress was completed during 1951 and 1952, the Secretary-General should undertake work on the following subjects selected by him from among those which the Commission had recommended for priority at its fifth session. These were: the detention of adults prior to sen-

<sup>197</sup> See pp. 590-91.

<sup>198</sup> U.N.F., Sales No. 1949.IV.8 and 1950.IV.6, respectively.

<sup>199</sup> "Minimum Standards of Occupancy and Fitness for Habitation of Urban Dwellings Enforceable Under Penalty," E/CN.5/207Add.1, 23 Mar. 1950. in English and French.

<sup>200</sup> "Survey of Problems of Low-Cost Rural Housing in Tropical Areas," ST/SOA/2, 17 Nov. 1950. In English and French.

<sup>201</sup> See Y.U.N., 1948-49, pp. 616-18.

<sup>202</sup> See pp. 654-56.

tence; the indeterminate sentence and other measures designed to adapt the duration of treatment in correctional or penal institutions to the need of the individual offender and to ensure the protection of society; parole and after-care; and the selection and training of personnel for penal and correctional institutions.

During the years immediately following 1952, the Commission recommended that the Secretary-General should first undertake the other studies which the Commission had recommended for high priority, namely: the use of short-term imprisonment and the payment of fines in instalments; habitual offenders; open penal and correctional institutions; and police programmes and activities positively directed at the prevention of crime.

The Economic and Social Council at its 387th plenary meeting on 13 July 1950, in approving the general lines of the Commission's general work programme (309 G (XI)),<sup>203</sup> thereby approved the programme with regard to the prevention of crime and treatment of offenders.

#### (2) Activities during 1950

A meeting of representatives of specialized agencies and of international non-governmental organizations dealing with the prevention of crime and the treatment of offenders was organized by the United Nations and took place at Geneva from 16 to 18 May 1950. The meeting determined the general lines for the participation of the specialized agencies and the international organizations in the implementation of the United Nations work programme. It established a permanent committee of the interested specialized agencies and international organizations for the primary purpose of maintaining close liaison with the United Nations Secretariat and thereby avoiding duplication of work (E/CN.5/223).

In keeping with the Council's decision in July 1949 (243 F (IX)),<sup>204</sup> an International Group of Experts met at Lake Success from 11 to 15 December 1950 to advise the Secretary-General and the Social Commission (E/CN.5/231) in devising and formulating certain policies and programmes. The Group considered the problems of probation and related measures, criminal statistics and detention of adults prior to sentence.

Under the advisory social welfare services programme, five experts on juvenile delinquency took part in a seminar held at Rome in December 1950. The Secretariat also advised the Technical Assistance Administration on possible action to take on fifteen requests for observers' fellowships in social defence.

#### b. TRAFFIC IN PERSONS

The Social Commission at its sixth session in April-May 1950 (E/1678) recommended that priority should be given to questions concerning the exploitation of the prostitution of others. The Commission recommended that summaries of reports received from Governments on traffic in persons should be published every five years instead of annually and that the Secretary-General should cease to publish the report summarizing Government reports on Traffic in Obscene Publications. The draft questionnaire, which is to serve as a basis for the five-year reports, was revised during the year in the light of government comments.

The Commission at its sixth session also had before it a report from the Secretary-General (E/CN.5/206) on the establishment of a Far Eastern Bureau for the purpose of combating traffic in persons in that area. This report had been prepared in accordance with Council resolution 43(IV) which had asked the Secretary-General to report on the possibility of implementing the League of Nations' proposal to establish a Far Eastern Bureau for this purpose and to inquire into the need for the establishment of other such regional bureaux. The Secretary-General's report was limited to the question of the establishment of a bureau in the East.

The report dealt with: the background and development of the proposal of the League of Nations; action by the United Nations; the current need for an Eastern Bureau; and suggested functions and organizations of the Far Eastern Bureau. In his conclusions, the Secretary-General suggested three possibilities:

(1) That the creation of a bureau in the Far East should be recommended as a timely and necessary measure since, in the light of existing conditions, the problem of prostitution and the traffic in persons had become more acute;

(2) That the decision as to whether or not to recommend the establishment of a Bureau should be postponed in view of the troubled situation existing in many countries of the Far East, which would greatly impede international action, and that the matter should be re-opened as soon as circumstances in that Area permitted a practical solution; or

(3) That the desirability of creating a Far Eastern Bureau should be accepted in principle by the Commission, which should, however, before recommending that the Bureau be established, suggest that an expert adviser be appointed by the Secretary-General to discuss on the spot, with the competent governmental authorities, the practical problems related to the organization and functioning of such a Bureau. The expert, it was proposed,

<sup>203</sup> See pp. 590-91.

<sup>204</sup> See Y.U.N., 1948-49, p. 617.

should visit, *inter alia*, Djakarta, Bangkok, Hong Kong, Manila, Saigon, Singapore, Shanghai and Tokyo. On the basis of a further report from the Secretary-General the Commission could then make its recommendations to the Council. If this recommendation were adopted, the Secretary-General estimated, an amount of \$14,560 would be needed for the services of an expert.

During the discussion in the Commission it was agreed that, in view of the radically changed conditions in the Far East, further investigation would be necessary before a decision could be taken in principle as to the setting up of a Far Eastern Bureau.

The Commission, therefore, (E/1678) asked the Secretary-General to consult Governments in the region with a view to the calling of a conference to examine the problem. The conference, it proposed, should be attended by governmental experts and representatives of interested non-governmental agencies and the costs should be borne by the participants. It also asked that an expert consultant in this field should be made available by the Secretary-General to Governments of the Far East which requested these services under the advisory social welfare services programme. The Secretary-General was also asked to study the feasibility of making advisers in this field available in other areas of the world and to report to a future session of the Commission.

## 7. Report on the World Social Situation

The Economic and Social Council at its ninth session in July-August 1949, at the request of the General Assembly (280(III)), discussed the possibility of preparing periodic surveys of social and cultural conditions throughout the world to assist the United Nations and the specialized agencies in formulating their social welfare and development programmes. The Council (244(IX)) asked the Secretary-General to report on the feasibility of drafting a general report on the world social and cultural situation.

The Secretary-General's memorandum on the subject (E/CN.5/208) was considered by the Social Commission at its sixth session in April-May 1950. The report contained replies received from specialized agencies and non-governmental organizations, as well as the results of consultations held with private scholars.

The Secretary-General reported that, on the basis of comments received from various sources, he was of the opinion that a report on the world social and cultural situation would be feasible if it was conceived as a co-ordination and synthesis of information already available in documents

which are prepared for the normal programmes of the United Nations and the specialized agencies. He suggested that the report might be presented in two parts: part I would organize the available data on a regional basis—that is, for each country or region, the various kinds of available statistical data on the country would be grouped together, together with an appropriate commentary; part II would organize the available data on a subject-matter basis—health, education, employment conditions, housing, etc.—so that a world-wide perspective of conditions in each specific subject would be presented. The Secretary-General further stated that he would be prepared to undertake a trial report during 1951. This report might then serve as a basis for a final decision on the feasibility of establishing the project on a permanent basis.

The Social Commission (E/1678) expressed the belief that a trial report along the lines outlined in the memorandum by the Secretariat should be prepared. The Commission recommended that the title of the report should be changed to indicate that it was essentially an international report on social conditions, that it should be completed by the end of 1951, if possible, and that it should serve as a basis for decision as to the feasibility and value of having such reports in the future. Finally, the Commission recommended that the Council should request the Secretary-General to submit to the eighth session of the Social Commission and to the fifteenth session of the Council such a report on the world social situation based on the information at the disposal of the United Nations and its specialized agencies and in accordance with the recommendations on this subject by the Social Commission at its sixth session.

The Council considered these recommendations of the Social Commission at its eleventh session at the 125th, 126th, and 128th meetings of its Social Committee on 5 and 6 July and at its 387th plenary meeting on 13 July 1950.

During the discussions, the representatives of Australia, Canada, Pakistan and the United Kingdom opposed the Social Commission's proposals. Among other things, they held that the subject of the proposed report was too broad and that there would be a danger of its overlapping with the work of specialized agencies. Moreover, the work and expenditure entailed could be used to better advantage elsewhere. The representative of Pakistan also stated that, in his opinion, the inquiry would be of no practical value as world conditions were changing so rapidly.

Those favouring the proposal, among them the representatives of Belgium, Brazil, India, France, Iran, Mexico, Peru and the United States, felt that the proposed inquiry would be feasible since the limits had been defined and restricted to factors which were important in solving urgent practical problems. There was a need, they held, for a synthesis of all the information available on the subject, since this information might otherwise be lost in the archives of the various agencies. The inquiry would also be useful in connexion with the technical assistance programme, since the economic and social aspects of this programme were closely inter-connected. Many international organizations, they said, favoured such an inquiry. Its cost, moreover, should not be exaggerated, and should not impede an action which clearly was in accordance with the principles laid down in the United Nations Charter.

The Social Committee at its 128th meeting on 6 July rejected the recommendations of the Social Commission by 6 votes to 6, with 2 abstentions. These recommendations, however, were approved by the Council at its 387th meeting by 10 votes to 5, without substantial modification, in resolution 309 F (XI).

Following the adoption of this resolution the Secretary-General has begun to compile and organize the relevant information available in the Secretariat. The Secretary-General has also begun discussions with the appropriate specialized agencies regarding the nature of the contributions they might make to the report.

## **8. Social Problems of the Aboriginal Populations and Other Under-developed Social Groups of the American Continent**

At its ninth session in July-August 1949, the Council considered a report of the Secretary-General on the action taken under General Assembly resolution 275(III) and the texts of two resolutions concerning the indigenous populations of the American continent, one adopted by the fourth Labour Conference of American States members of the International Labour Organisation (Montevideo, April-May 1949), and one adopted by the second Inter-American Indigenous Congress (Cuzco, June-July 1949).<sup>205</sup>

The Council, in resolution 245(IX), requested the Secretary-General to report to the eleventh session of the Council on the progress being made in this field by all parties concerned, and, in particular, to report on the comments received from Governments.

In his report to the eleventh session (E/1691), the Secretary-General informed the Council that no comments nor requests to study the situation of the aboriginal populations and other under-developed social groups of the American continent had been received from any Member States. At the same time, he drew the Council's attention to the resolutions adopted by the Economic and Social Council of the Organization of American States at its session in March-April 1950, calling for the early negotiation of an agreement among the American States with large aboriginal populations for the purpose of requesting jointly from the United Nations and the specialized agencies any international help that could be rendered to improve the living conditions of those populations. Finally, the attention of the Council was called to a resolution adopted by the Population Commission at its fourth session in April 1949 requesting the Secretary-General, in consultation with the relevant specialized agencies, to consider methods for identifying such under-developed social groups, and, when requested by the Governments concerned, to investigate the inter-relationships of the demographic, economic and social characteristics of the groups concerned (E/1313).

The Council considered the matter briefly at its 397th plenary meeting on 24 July 1950. It unanimously adopted resolution 313(XI), proposed by the representatives of Chile, Peru and the United States (E/L.76), underlining the importance of raising the standard of living of the aboriginal populations of the American continent. It requested the Secretary-General to render, in this regard, with the advice and collaboration of the specialized agencies concerned, expert assistance to any governmental body, whether national or international, that might request it, and to report to the Council on this matter whenever necessary.

## **9. Inter-relationship of the Social and Economic Activities of the United Nations**

The Social Commission at its fifth session in December 1949 discussed the question of the inter-relationship of social and economic activities, stressing the importance of co-ordination. The Commission (E/1568) expressed its confidence that the Council, in implementing its several resolutions on technical assistance and economic development and financing, would give due consideration to the desirability and feasibility of studying measures to promote and finance social

<sup>205</sup> See also Y.U.N., 1948-49, pp. 621-22.

development as well as economic development. The Commission asked the Secretary-General to report periodically to the Social Commission on any measures which might be adopted to co-ordinate and integrate programmes in the social field with the application of the General Assembly resolutions on technical assistance and economic development.

The Commission also recommended that the Secretary-General undertake an analysis of the experiments carried out under varying local conditions in the establishment of necessary community social services in under-developed areas. He was to present to the sixth session of the Commission a statement outlining the projects he was prepared to provide on the request of Governments as part of technical assistance for economic development.

The Social Commission at its sixth session had before it the Secretary-General's report on "Social Projects to Be Provided by the United Nations under the Expanded Programme of Technical Assistance for Economic Development" (E/AC.5/209). The report dealt chiefly with the social fields in which the United Nations was prepared to render services:

- I. Background Data on Social Conditions
  - a. Population characteristics and trends
  - b. Standards of living
  - c. Sociological surveys
  - d. Sample surveys of popular attitudes
- II. Housing, Community Development, Town and Country Planning
- III. Migration
- IV. Administration of Social Welfare Services
- V. Social Services for Special Groups
  - a. Aboriginal inhabitants and other unassimilated groups
  - b. Elderly people
  - c. Problems of women
  - d. Physically handicapped persons
  - e. Aliens, refugees, immigrants

- f. Narcotic addicts
  - g. Delinquents
- VI. Social Reforms

The Commission was unable to discuss the subject fully but adopted a resolution calling certain aspects of the question (E/1678) to the attention of the Secretary-General. It recommended that the Secretary-General take the appropriate steps to ensure that the Technical Assistance Board give attention to the social aspects of all matters with which it deals. It also asked him to take further steps to assure that economic exploratory missions, where possible, include experts qualified: (a) to study social conditions, including basic cultural factors; (b) to advise on the social effects of proposed economic development projects and on measures to prevent the development of social problems that would interfere with economic development; and (c) to recommend projects to assist countries in dealing with social problems affecting their productive capacities.

The Commission also requested the Secretary-General to:

- (1) report on the work carried out for social development and community welfare in under-developed countries, particularly in rural areas, by indigenous voluntary organizations, noting in particular the basic principles and methods which had been found effective;
- (2) examine and ascertain the ways in which these organizations were seeking to relate social welfare to economic changes presently taking place;
- (3) suggest lines along which United Nations assistance in the social field might relate itself to such indigenous effort;
- (4) outline, from this point of view, any additional social projects he was prepared to provide to under-developed countries at their request as part of the United Nations Technical Assistance Programme;
- (5) report on the experiences of non-indigenous consultants and field workers who have been concerned with the concrete problems and methods of relating developmental programmes to the social conditions, customs and potentialities of under-developed areas.<sup>206</sup>

## O. UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND (UNICEF) AND THE CONTINUING NEEDS OF CHILDREN

### 1. Activities of the Fund during 1950

In its final report (E/1908) to the Economic and Social Council, the First Executive Board of UNICEF<sup>207</sup> covered the activities of the Fund from its establishment on 11 December 1946 to 31 December 1950. The following is a summary of the activities during 1950.

Total accumulated contributions and pledges to the Fund at the end of 1950 amounted to

\$152,900,000, not taking into account pledges which would become available in 1951 and in future years. Seventy-one per cent had been derived from voluntary contributions of 47 Governments and two territories, 21 per cent from the residual assets of UNRRA and 8 per cent from

<sup>200</sup> At the seventh session of the Social Commission (19 Mar.—13 Apr. 1951), this resolution was consolidated with four related resolutions into a central project on "community welfare centres".

<sup>207</sup> For reconstitution of the Board, see p. 621.

the United Nations Appeal for Children (UNAC) which had conducted campaigns in 45 countries and more than thirty territories. Included in the 8 per cent were donations from other private sources, almost \$100,000 of which was in the form of personal contributions from members of the United Nations and of the specialized agencies staffs.

UNICEF reported the following allocations for assistance to country child care programmes for the year 1950: \$5,700,000 to Asia, \$700,000 to Europe, \$2,500,000 to Latin America and \$2,300,000 to the Middle East and North Africa. In addition, \$7,250,000 had been allocated for international training courses and operation services, for freight for UNICEF supplies and for administration purposes. By June of 1950 the Fund had received contributions and pledges from other Governments sufficient to draw the full \$75,000,000 from the United States on the matching formula of \$72 for every \$28 equivalent. New United States legislation was enacted in June, authorizing an additional \$15,000,000, subject to appropriation and matching.

Of the total contributions to UNICEF since its inception, \$151,700,000 had been allocated, and \$119,000,000 had been spent by the end of 1950 for the benefit of children in sixty countries and territories. During 1950 the Fund's aid was extended to 22 additional countries in Asia, Europe, Latin America and the Middle East. During the year the Fund continued to devote increasing attention to countries outside Europe.

#### a. SUPPLEMENTARY FEEDING

In its supplementary feeding programme UNICEF continued during 1950 to supply powdered, skim and whole milk, cod liver oil, margarine, lard and butter, canned and dried meats, fish, cheese, cocoa, sugar grains, rice, dried fruits and jam. In May 1950, at the peak of its programme in Europe, 6,000,000 children, infants and nursing mothers were receiving such assistance, nearly 80 per cent of the recipients being school children. By the end of 1950, 500,000 children in Asia were participating in government feeding programmes, and plans were being undertaken in Latin America for feeding programmes to cover 547,000 school children and 74,000 infants, pre-school children, pregnant women and nursing mothers. During the early part of 1950, about 7,000,000 children and nursing and pregnant mothers were being supplied with an "extra" meal. By the end of the year, the number was somewhat less because, except for Greece, Italy

and Yugoslavia, food shipments had ceased to European countries and the UNICEF-assisted feeding programmes in Asia and Latin America were not yet in full swing. FAO advised the Governments in Central America, the Philippines and Thailand in developing these programmes. By the spring of 1951 it was expected that between five and six million would be receiving an extra meal. With regard to the Palestine refugees, the Fund continued its aid, begun in 1948, to approximately half a million mothers and children, for whom it supplied milk, meat, fats, wheat and other foods.

In the course of general aid to child feeding programmes, UNICEF took special steps to meet particular emergencies. For example, in the case of a drought in Bulgaria in the winter of 1949-50, it provided grains (a departure from its usual policy), and in the drought in Yugoslavia in 1950 it increased the number of beneficiaries. In the summer of 1950 it provided dried milk to the victims of an earthquake in Assam (India) and of a flood in West Punjab (Pakistan).

During the year UNICEF also continued its emergency feeding programmes to help those suffering from the effects of the war in Greece. Since the spring of 1950 a considerable proportion of UNICEF supplementary foods was distributed to the refugee children and nursing mothers who had gone back with their families to their home villages, mostly in the mountains.

One of UNICEF's main contributions has been the provision of vitamin-rich liver oils for feeding programmes. In the winter of 1949-50, UNICEF reported, more children benefited from cod liver oil and concentrated fish liver oil capsules than from other foodstuffs sent by UNICEF, and in some countries this was the only assistance supplied.

#### b. MILK CONSERVATION

To assist in improving the local supplies of milk for the benefit of children, UNICEF during 1950 supplied fluid milk equipment (pasteurizers, cooling units, bottling machines, etc.) to Austria, Finland, Greece, Italy and Malta, milk-drying plants to Bulgaria and Czechoslovakia and both fluid milk and dry milk processing plants to Poland and Yugoslavia. In November 1950 the Executive Board of UNICEF approved a request from Chile for the first UNICEF-assisted milk drying plant in Latin America, as a result of which more than 100,000 children would receive free skim milk daily as a supplementary food distributed mainly through maternal and child health centres.

### c. RAW MATERIAL FOR CHILDREN'S CLOTHING AND SHOES

One form of aid furnished by UNICEF has been to supply, mainly in Europe, textile and leather raw materials to recipient countries which in turn bore the costs of manufacturing the finished product. During 1950, Austria, Finland, Germany, Greece, Italy and Poland were given such assistance. By the end of the year UNICEF reported the following products had been made in Europe with UNICEF-supplied materials: 1,850,000 pairs of shoes, 400,000 layettes and 1,300,000 diapers and infant vests, 5,770,000 square metres of cotton piece goods, 850,000 stockings, over 1,000,000 overcoats, underwear, sweaters and dresses, and 67,000 blankets.

In Japan UNICEF raw cotton was supplied in 1949 and 1950 and was used primarily for suits of clothing. The Japanese Government met all the local expenses and distributed without charge the finished products to approximately 467,000 children. UNICEF has also distributed finished or semi-finished goods to meet sudden emergencies. In the winter of 1949-50 it supplied blankets to Greece and to the Palestine refugees and in the winter of 1950-51 it sent about 300,000 for the civilian relief programme in Korea.

In the winter of 1950-51 cloth was sent to the Palestine refugees for manufacture into garments as a co-operative work relief project with the United Nations Relief and Works Agency.

### d. AID TO MEDICAL PROJECTS

By the end of 1950, UNICEF had spent \$15,700,000 on its medical supply programmes and \$1,570,000 on the BCG vaccination programme. For these programmes UNICEF has provided supplies and WHO technical advice and assistance. A Joint UNICEF/WHO Committee was established in 1949 composed of representatives of the Executive Boards of the two bodies. In November 1950 WHO drew the attention of UNICEF to the basic need for large supplies of penicillin and other antibiotics and DDT and insecticides for the improvement of child health in under-developed countries, and suggested that UNICEF aid some production centres while WHO provided technical assistance.

#### (1) The BCG Anti-Tuberculosis Vaccination Programme

Under this programme, which had been started in March 1948 as a "Joint Enterprise" with the Danish Red Cross and its Scandinavian associates,

about 25,000,000 children and young adults had been tested by the end of 1950, and of that number nearly 12,000,000 had been vaccinated. The programme included children and young people in Europe, the Middle East, North Africa, Asia and Latin America. In all instances, these campaigns were conducted by the Governments with the assistance of UNICEF and its associates and in such a way that the countries would be able to continue the work.

In November 1949 the Scandinavian partners of the Joint Enterprise informed the Executive Board of UNICEF that they were unable to extend the services of the Enterprise to countries other than those to which commitments had already been made. After consultations between WHO, UNICEF and the Joint Enterprise, it was decided that until June 1951 the Joint Enterprise would aid the BCG programmes already started, after which WHO and UNICEF would consider all requests for aid for BCG campaigns.

In addition, by mid-1950, over 11,000 children in Europe suffering from miliary tuberculosis, meningitis, and primary tuberculosis infections in early childhood had been treated with streptomycin in specially established demonstration centres. This number included practically all the diagnosed cases of these forms of tuberculosis in the participating countries.

During 1950, aid in the control of tuberculosis through the mass vaccination programme, demonstration treatment centres, or by the provision of tuberculosis diagnostic equipment and BCG production equipment was given to seven countries or territories in Asia, ten in Europe, four in Latin America and eight in the Middle East and North Africa, as well as to the Palestine refugees.

The aid in tuberculosis control given to Latin American countries began in 1950. BCG campaigns in Ecuador and Mexico were aided by UNICEF through the Joint Enterprise. The goal of the Ecuador campaign, the first mass campaign in Latin America to test and vaccinate large numbers of children, was to test over a million children within a year. Because of the value of the campaign as a demonstration, UNICEF financed observation visits of teams of doctors and nurses from other countries. Teams, which were selected on the basis of technical background and the possibilities of working in BCG campaigns in their own countries, went to Ecuador from Costa Rica, El Salvador and Jamaica. UNICEF also helped Mexico and Ecuador to establish production centres for BCG vaccine, and assisted Ecuador in developing a general tuberculosis control pro-

ject which includes the follow-up of suspected cases and the training of tuberculosis workers from other countries.

(2) Anti-Syphilis and Anti-Yaws Campaigns

The Fund has provided penicillin and supplies to assist Governments in treating mothers and children as part of national, regional or demonstration campaigns against syphilis, yaws and bejil. During 1950 such aid was given to seven countries in Europe, four in Asia, one in Latin America and one in the Middle East as well as to the Palestine refugees.

(3) **Immunization Against Diphtheria and Whooping Cough**

Both Chile and Colombia started, in 1950, large-scale immunization campaigns against diphtheria and whooping cough along with intensive health education programmes. UNICEF provided vaccines, transport and educational material, and helped to equip laboratories in both countries for production of the vaccine so that within about a year they would have a sufficient supply of their own. Smaller projects involving UNICEF assistance for the production of vaccines and sera were being undertaken in Brazil, Peru, Bulgaria, Czechoslovakia, Poland and Yugoslavia.

(4) Anti-Malaria and Other Insect Control Measures

To reduce infantile mortality, UNICEF began to aid projects for the control of insect-borne diseases and later combined these with malaria control measures previously assisted by UNRRA. By the end of 1950 it had supplied 4,500,000 pounds of DDT for spraying, as well as sprayers and other equipment.

During 1950 malaria-control campaigns were carried on in Europe in Bulgaria, France (Corsica), Poland and Yugoslavia. UNICEF aid in the control of malaria in Asia was limited to three countries—India, Pakistan and Thailand. In Latin America UNICEF provided supplies and equipment for insect-control programmes in Bolivia, the Dominican Republic, Paraguay, Peru and Uruguay.

In Costa Rica, British Honduras, El Salvador, Guatemala and Nicaragua houses and barns were sprayed to destroy disease-carrying insects, particularly mosquitoes.

In Bolivia and Peru campaigns assisted by UNICEF supplies were undertaken to control the typhus-carrying louse through DDT dusting of the bodies, clothing and bedding of the inhabitants of the mountainous areas where typhus is

prevalent. In Peru a smallpox vaccination campaign was being carried out at the same time, taking advantage of the organization, staff and equipment mobilized for the typhus programme.

**e. MATERNAL AND CHILD HEALTH**

Increasing emphasis was placed by UNICEF during 1950 on programmes of assistance to countries for the building and expansion of their basic maternal and child welfare services. This programme has included the provision of equipment and supplies for rural health centres, clinics, laboratories, children's hospitals and wards, child-care institutions and other units of maternal and child welfare services as well as aid in the training of local child care personnel, including the provision of supplies and equipment for the development of training centres. Under this programme, UNICEF assistance in Europe included projects for expanding maternal and child health services, for controlling communicable childhood diseases, for improving specific ante-natal, maternity and post-natal services, for the care and rehabilitation of handicapped children and for the care of health of school children. All these projects were aided by UNICEF with equipment and supplies.

Assistance was also given for the training of child care staff. Following child care training courses in 1948 and 1949, a Swedish paediatric course was repeated in 1950 for 43 fellows. A Swiss contribution to this course took the form of financial aid to permit some 200 paediatricians from Europe, Asia and Latin America to attend the International Paediatric Congress held in Zurich in July 1950 and a seminar on social paediatrics sponsored by WHO in Geneva.

In Asia, UNICEF assistance in developing maternal and child health services, begun in 1949, was continued and extended in 1950. Afghanistan, Burma, Ceylon, China, India, Indonesia, Pakistan, the Philippines, Thailand and the United Kingdom territories in Asia received such assistance, which took the form of equipment for maternal and child health institutions and field centres and of aid in training medical staff at various levels. Generally speaking, both types of assistance were given simultaneously.

In India, for example, the training of nurses and midwives in the New Delhi area was assisted in association with the improvement of both urban and rural field practice areas. UNICEF also assisted three paediatric training centres and provided basic equipment and supplies for a hundred

rural maternal and child health centres in various parts of the country. It has also assisted in the establishment in Calcutta of a centre for international training of maternal and child health workers in the Asian region, to be financed equally by UNICEF and the Indian Government.

Projects begun in 1950 included assistance to Ceylon in the training of nurses and assistance to Burma in the training of nurses and midwives as well as the provision of equipment. Equipment and supplies were also sent to Pakistan and Indonesia for maternal and child health centres and to Thailand for maternal and child health demonstration areas in Bangkok.

In connexion with its various programmes in Asia, UNICEF has established 144 fellowships, about one half of which had been taken up at the end of 1950.

UNICEF's assistance for the improvement of general maternal and child health services in Latin America began in 1950. The Fund has undertaken to provide supplies and equipment for maternal and child centres as well as health education supplies in Brazil, Chile, Colombia, El Salvador, Paraguay and Peru. In La Paz, Bolivia, the Fund provided medical supplies and equipment for a 200-bed children's hospital, and in Quito, Ecuador, the complete medical equipment for a maternity hospital, scheduled to open in 1951.

#### f. INTERNATIONAL CHILDREN'S CENTRE IN PARIS

The group training in social paediatrics in 1948 and 1949, made possible by the contribution of the French Government, was placed on a continuing and expanded basis by the creation of the International Children's Centre in Paris. The Centre is assisted in carrying out its programme and establishing it on a permanent basis by a UNICEF allocation of \$1,000,000 for the three-year period 1950-52, to be increased by an additional \$660,000, subject to the availability of funds. Group training activities in 1950 took the form of a course in social paediatrics, one on tuberculosis in children, and another on child psychiatry. Approximately 150 paediatricians; public health officers, social workers, psychologists, and educators from 42 countries in Europe, the Middle East, Latin America and Asia participated in these courses. The Paris Centre also took over from UNICEF the operation and further development of the Pilot Station for investigations relating to BCG anti-tuberculosis vaccine.

#### g. CO-OPERATION WITH OTHER UNITED NATIONS BODIES

In all its health projects UNICEF has co-operated closely with WHO, which has given technical approval to medical and technical standards, plans of operations and individual supply lists and specifications of material supplied by UNICEF, and has provided experts to assist in implementing the programmes and in evaluating and reporting on them.

FAO has advised UNICEF on nutritional questions, and the United Nations Department of Social Welfare has given technical advice on child welfare and has administered UNICEF fellowships in this field.

UNICEF has also co-operated with non-governmental organizations. In addition to the Danish Red Cross, the Norwegian Help for Europe and the Swedish Red Cross, which were its partners in the Joint Enterprise to assist national health authorities in executing the BCG vaccination campaigns, the Fund has carried on combined operations with voluntary agencies engaged in international assistance in Austria, Germany, Greece, Hungary, Poland and Romania. These agencies were the Don Suisse pour les Victimes de la Guerre, its successor agency, Aide Suisse à l'Europe, and the Swedish Committee for International Relief.

International non-governmental organizations represented on an advisory committee, established in the summer of 1949, have distributed to their national affiliates information material supplied by UNICEF and have called the attention of certain Governments to the desirability of programmes for which application might be made to UNICEF, as well assisting in efforts to raise funds for UNICEF.

#### h. UNITED NATIONS APPEAL FOR CHILDREN

By the end of 1950, UNICEF received approximately \$1,470,000 from campaigns undertaken in ten countries during 1949 and 1950. In Afghanistan, Australia, Canada, Liechtenstein and New Zealand these campaigns were for the sole benefit of UNICEF; in Belgium, the Dominican Republic, Italy and Switzerland funds were divided between UNICEF and national welfare organizations; and in the United States an educational campaign was held with provision for acceptance of contributions from individuals and non-governmental organizations.

## 2. Long-Term Programmes for Children

### a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS SIXTH SESSION

At its tenth session, the Council, in resolution 279 A (X),<sup>208</sup> noting that the Secretary-General had been requested by the Social Commission, at its fifth session, to prepare a report concerning the organizational arrangements by which essential international long-range activities for children could be rendered by the United Nations and other appropriate inter-governmental organizations (E/1568), requested the Social Commission, at its sixth session, to give urgent attention to this report and to make specific recommendations to the eleventh session of the Council.

The Secretary-General submitted a report on this question (E/CN.5/201 & Add.1) to the Social Commission at its sixth session.

The report dealt with, *inter alia*, types of problems which lend themselves to international action on a continuing basis, previous efforts at co-ordination, types and kinds of activities now being carried on and the extent to which these could be expanded, current methods of co-ordination, and suggestions for arrangements for future international action for children and for permanent machinery.

The Social Commission recommended that the Economic and Social Council should take all necessary steps to ensure the uninterrupted continuation and development of the activities of the United Nations International Children's Emergency Fund, both with respect to (a) relief supplies for emergency needs; and (b) the provision of appropriate assistance to Governments, designed to aid them in creating or expanding their permanent child welfare programmes, with particular emphasis on the latter. The resolution enumerated the principles basic to these activities as follows:

(1) the administration of the Fund should be responsible to a United Nations Children's Board, composed of the Governments represented on the Social Commission, and of other Governments designated by the Council;

(2) a Programme Committee of members of the Board should meet as often as necessary to advise the Board;

(3) the Board should take the necessary steps to ensure close co-operation of the Fund with the specialized agencies and non-governmental organizations concerned with children, and to obtain from them the necessary advice and technical assistance;

(4) the administrative services required by the Fund should be provided by the Secretary-General;

(5) the central administrative expenses of the Fund should be covered by appropriations in the normal budget of the United Nations;

(6) operational activities of the Fund, including the costs of field missions, should be financed by voluntary contributions from public or private sources, to be placed in a special account;

(7) the General Assembly should review, at its regular sessions, the financial situation of the Fund and consider the advisability of increasing the money available from voluntary contributions by a sum of money to be shared by Member States in the same proportion as laid down in the scale of contributions to the regular United Nations budget.

The resolution further requested the Council to recommend to the General Assembly, in the light of these principles, that it should reaffirm the relevant provisions of its resolution 57(I)<sup>209</sup> incorporating in them the necessary modifications, particularly with regard to the definition of priorities to cover the most urgent needs of all the regions of the world.

### b. CONSIDERATION BY THE COUNCIL AT ITS ELEVENTH SESSION

The Council considered the question at the 162nd to 164th meetings of its Social Committee on 3 and 4 August and at its 406th plenary meeting on 11 August 1950. It had before it the report of the Social Commission (E/1678), together with a report by the Secretary-General (E/1725) containing statements regarding the long-term programmes for children under way or contemplated by the Department of Social Affairs as well as by ILO, FAO, UNESCO and WHO, relevant sections of the report of the Administrative Committee on Co-ordination (E/1682) and of the Secretary-General's report on particular co-ordination matters (E/1741), and communications from ILO (E/1731), FAO (E/1745) and WHO (E/1730) transmitting to the Council the texts of resolutions adopted on the question by their governing organs. The Council also considered a report by the Executive Board of UNICEF on the development and activities of the Fund (E/1738).<sup>210</sup>

The Council also had before it a joint draft resolution (E/AC.7/L.64) by the representatives of Brazil, France, India, Iran and the United States. The joint draft resolution differed from the proposals of the Social Commission in the following principal ways:

<sup>208</sup> See p. 589.

<sup>209</sup> For text of resol. 57(I) establishing UNICEF, see Y.U.N., 1946-47, pp. 163-64.

<sup>210</sup> For activities of the Fund undertaken in 1950, see pp. 611-15.

(1) It provided for a continuation of the activities of UNICEF under the name "United Nations International Children's Endowment Fund" for the purpose of "(a) providing supplies, training services, and advisory assistance in support of the recipient countries' permanent programmes for children, and (b) meeting relief needs in cases of serious emergencies",

(2) It provided that the Social Commission as well as the Council would be concerned with determining the over-all principles of operation,

(3) It provided for development and technical approval by the specialized agencies concerned and the United Nations of all assistance programmes before presentation to the Programme Committee and Board,

(4) It provided that the administration of the Fund would form an integral part of the United Nations Secretariat,

(5) It provided for certain changes in structure and organization necessary to meet the requirement for continuing long-term operations; these included a provision for an advisory committee composed of representatives of the United Nations and the specialized agencies concerned to co-ordinate the procedures of co-operation and to exchange information,

(6) It recommended that resolution 57(I), establishing the Children's Fund, should be amended to incorporate the relevant changes.

The representative of the United States in presenting the joint draft resolution stressed that increasing emphasis should be placed on helping countries to help themselves.

The majority spoke in favour of the joint draft resolution. During the discussion the representative of Canada stated the opinion that, basically, the special problem of children should be approached through the United Nations programme for under-developed areas. Her delegation could not support the joint resolution in its present form because it placed too great an emphasis on the provision of material supplies. The main emphasis in any long-term programme, she stated, should be on training programmes. Relief activities should be confined to emergency situations and carried out at specific requests from the General Assembly, the Security Council or the Economic and Social Council.

The representative of France pointed out that material aid would have to be given to the world's children on an international basis until the United Nations technical assistance programme had borne concrete results leading to improved living standards and economic conditions.

The representative of Australia suggested that the Council should look ahead two years in determining UNICEF policies, but that it might be appropriate to re-examine the need for assistance to children after that time in the light of the economic conditions then prevailing. He opposed the setting up of a permanent organization because every aspect of such a long-range pro-

gramme was already part of either a United Nations or a specialized agency programme.

While favouring the permanent establishment of the Fund, the representative of Brazil stated that he would be willing to accept a continuation for a five-year period. Although a co-author of the joint draft resolution, he thought that there was little reason for shifting the emphasis from material supplies to technical assistance and that the provision for an advisory committee was superfluous. The United Kingdom representative was of the opinion that the draft resolution had three fundamental defects: (1) it concentrated too exclusively on UNICEF and not enough on general activities being carried out for the purpose of raising living standards; (2) the proposed terms of reference of the Endowment Fund, as the representative of Canada had pointed out, were as wide as those given to the Emergency Fund although the resources would be smaller; and (3) it envisaged too large future budgetary commitments.

The representatives of Pakistan and Iran stated that they would have preferred less complicated machinery so that more rapid and far-reaching action could be taken in cases of emergency. The former also expressed the opinion that it might be better to amend resolution 57(I) to shift the emphasis from immediate to long-term activities and leave the structure of UNICEF untouched.

The representative of Belgium thought that the proposed advisory committee should also have the advice of certain non-governmental organizations specializing in child welfare problems and that this should be indicated in the resolution. Provision should also be made for active participation of organizations concerned with the welfare of families.

These two points were incorporated in a series of joint amendments proposed by the representatives of Canada, Denmark and the United Kingdom (E/AC.7/L.67) and as such accepted by the sponsors of the joint draft resolution (E/AC.7/L.64) and incorporated in it. The sponsors of the joint draft resolution also accepted, in addition to other minor points, the proposals in the joint amendments to refer to programmes for the general improvement of economic conditions and to include some reference to the need for co-ordination with the work of the Technical Assistance Board (TAB) and the Technical Assistance Committee (TAC). In this respect they drafted a new paragraph to read: "During its review of the Technical Assistance Programme to under-developed countries, the Council should examine the

activities of UNICEF with a view to ensuring proper co-ordination". This was later adopted by 14 votes to none, with 1 abstention, while the paragraph proposed in the joint amendments which specifically called for consultation between the Advisory Committee and the TAB was rejected by 8 votes to 5, with 2 abstentions.

The Social Committee at its 164th meeting on 4 August rejected the following amendments proposed in the joint amendment (E/AC.7/L.67) to the joint draft resolution (E/AC.7/L.64):

(1) By varying votes, several amendments proposed by the representative of Australia (E/AC.7/L.65) which were based on the conception of the present International Children's Emergency Fund and were designed to continue it for two years, reviewing the question later in the light of the economic conditions then prevailing.

(2) By 8 votes to 5, with 1 abstention, a proposal to reverse the order of the purposes of the Fund to stress first its emergency functions and second its long-term activities.

(3) By 9 votes to 4, with 2 abstentions, a proposal which would continue in being the present Emergency Fund, and by 9 votes to 5, with 1 abstention, the present terms for constituting its Board.

The Committee also adopted by 13 votes to none, with 7 abstentions, an amendment by Canada, Denmark and the United Kingdom (E/AC.7/L.67) to indicate that Governments in which operational activities were being carried out would be expected to contribute to the largest possible extent to the local expenses of such activities. By 8 votes to none, with 7 abstentions, on the proposal of India, it added to this the words "due regard being had to the need of under-developed countries".

Following a paragraph-by-paragraph vote, the joint draft resolution (E/AC.7/L.64) as a whole, as amended, was adopted by 9 votes to none, with 6 abstentions, by the Social Committee (E/1811) at its 164th meeting on 4 August 1950. (See below.)

During the discussion at the Council's 406th plenary meeting on 11 August several representatives, among them those of Belgium, Brazil, the United Kingdom and Canada, reserved the position of their Governments on the question of the financing of the proposed fund.

By 7 votes to 4, with 2 abstentions, the Council then agreed to delete from the section of the draft resolution which provided that the Assembly should consider the advisability of increasing the amount of money available from voluntary contributions, the words "if necessary, by a sum of money to be shared by Member States in the same proportion as laid down in the scale of contributions to the regular United Nations budget".

The Council also adopted an Indian proposal (E/L.92) to reword, for the purposes of clarification, the paragraph dealing with the question of contributions of recipient countries.

The draft resolution, as proposed by the Social Committee (E/1811), as amended, was then adopted by 8 votes to none, with 5 abstentions.

In resolution 310(XI) the Council recommended that the General Assembly should amend its resolution 57(I) so as to incorporate the proposals in the Council's resolution, and requested the Secretary-General to prepare a draft resolution embodying these proposals for presentation to the General Assembly.

The resolution provided that:

(1) the activities of the United Nations International Children's Emergency Fund would be continued and developed by the United Nations International Children's Endowment Fund for the purpose of (a) providing supplies, training services and advisory assistance in support of the recipient countries' permanent programmes for children, and (b) meeting relief needs in cases of serious emergencies;

(2) a United Nations Children's Board would be established, composed of the Governments represented on the Social Commission and of other Governments not necessarily Members of the United Nations, designated by the Economic and Social Council; this Board, with the advice of a Programme Committee of members of the Board, would, subject to such principles as may be laid down by the Council and the Social Commission, formulate the policies—including the determination of programmes, and allocations of funds—under which the Fund would be administered;

(3) close collaboration would be ensured between the Fund and the specialized agencies pursuant to the agreements between such agencies and the United Nations, and also between the Fund and the non-governmental organizations having a special interest in child and family welfare; the specialized agency or agencies concerned, and the United Nations, would each in its respective field, in collaboration with UNICEF, develop and give technical approval to all programmes of assistance to Governments to be presented to the Programme Committee, and would provide the technical personnel required in their implementation; the administration of the Fund would be assisted by an advisory committee, composed of representatives of the United Nations and the specialized agencies concerned, in order to co-ordinate the procedures of co-operation with their organizations and to exchange information;

(4) during its review of the technical assistance programme to under-developed countries, the Council would examine the activities of UNICEF, with a view to ensuring proper co-ordination;

(5) the Executive Director would be appointed by the Secretary-General after consultation with the Board, and the staff and facilities required for the administration of the Fund would be provided by the Secretary-General;

(6) the central administrative expenses of the Fund would be covered by appropriations in the United Nations budget;

(7) the operational activities, including the costs of field missions, would be financed from the voluntary contributions;

(8) the Governments of countries in which operational activities of the Fund are being carried out would be expected to contribute to the largest possible extent to the local expenses of such activities;

(9) the Fund would consist of the assets of UNICEF as of 1 January 1951, the date on which it was proposed that these amendments should come into effect, as well as of further voluntary contributions made available by Governments, voluntary agencies, individual or other sources;

(10) the General Assembly should review at its regular sessions the financial situation of the Fund.

### c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly considered the question at the 278th to 287th meeting of its Third Committee from 6 to 18 October and at its 314th plenary meeting on 1 December 1950. It had before it, *inter alia*, a draft resolution (A/1411) prepared by the Secretary-General for the purpose of consolidating the provisions of Council resolution 310(XI) with those of General Assembly resolution 57(I) which, in his opinion, would remain in effect as not inconsistent with the Council's resolution.

During the debate in the Third Committee the activities and work of the Children's Fund were highly praised. There was general agreement that the activities should be continued, but opinion was divided as to the most desirable and effective method of continuing them. The majority stressed that the Fund should continue to meet emergency relief needs with material assistance. However, several representatives, including those of Belgium, Canada, Chile, Greece, Ethiopia, Lebanon, Sweden and the United States, were of the opinion that, while not ignoring emergency needs, the Fund should develop long-range programmes of technical assistance and advice. The United States representative, in this connexion, explained that by technical assistance her Government did not mean that all furnishing of supplies should be completely abolished. Rather, it was intended that while these supplies were being furnished, the Fund should survey the position with the Governments concerned to see what steps could be taken to remove the need for future supplies and effect permanent improvement. The need for supplies would continue indefinitely, she felt, unless nations were helped to help themselves.

The representatives of Burma, India, Indonesia, Iraq, Pakistan, Israel, Afghanistan and Poland wished to see the work of the Fund continued,

with particular attention being paid to the needs of under-developed areas.

There was some discussion as to the role the specialized agencies should play in determining programmes. The representatives of Brazil, Turkey and the Dominican Republic stressed that the agencies should act in an advisory capacity with regard to everything that concerned the technical aspects of assistance and pilot projects, but that they should not be consulted on the preparation of programmes. The representatives of the United States and the Union of South Africa, however, thought that the specialized agencies should be able to pass judgment on programmes that they would be called upon to aid in implementing. The representative of the World Health Organization, speaking for WHO and other agencies, felt that no specialized agency should be asked to take responsibility for the working out of a programme without being given a voice in its formulation.

Because of the number of amendments submitted to the Secretary-General's draft resolution (A/1411), the Third Committee, at its 281st meeting on 9 October, appointed a sub-committee to clarify the different points of view expressed and to reduce the amendments to the smallest number necessary to express the differences still outstanding. The sub-committee, composed of representatives of Burma, France, India, Indonesia, Iraq, Pakistan, Poland, the United Kingdom, the United States, Venezuela and Yugoslavia, held two meetings on 11 and 12 October, and reported that it had made a small reduction in the number of amendments, but that irreconcilable differences remained (A/C.3/L.58).

The different points of view which were irreconcilable were expressed in the following amendments:

(i) Several United States amendments (A/C.3/L.48) to ensure the integration of the Fund in the United Nations Secretariat, to make clear the distinction between the administrative integration and the financial separateness, and to include in the United Nations budget the administrative costs of field missions;

(ii) Joint amendments by Burma, India, Indonesia, Iraq and Pakistan (A/C.3/L.49), *inter alia*, (1) to specify that UNICEF had contributed aid of lasting value, rather than to state simply that it had effectively bettered the world's situation; (2) to indicate that the needs of children in under-developed areas are among the principal needs of the world's children and that they offer scope for action which can be best met by the provision of supplies; and (3) to specify that the purpose of the Endowment Fund would be to provide supplies, training services and "related" assistance rather than "advisory" assistance, and delete the provision that assistance should be given in support of "permanent" programmes in recipient countries;

(iii) Amendments by Venezuela (A/C.3/L.50), providing for a Children's Board composed of Governments of 25 States; by France (A/C.3/L.52), which suggested that it should be composed of Governments represented on the Social Commission and eight other States; and by the Dominican Republic (A/C.3/L.53), providing for a 27-Member Board, two thirds of which would be members of the Social Commission. (The original draft resolution called for a Board composed of Governments represented on the Social Commission and of other Governments not necessarily Members of the United Nations);

(iv) Yugoslav amendment (A/C.3/L.51) to delete the reference to the role of the specialized agencies with regard to formulating programmes, and to delete the paragraph providing for coverage in the United Nations budget of the central administrative expenses of the Fund. Polish amendment (A/C.3/L.55) would have retained this latter point but added to it that this should be done by effecting savings in other items and not by increasing the total budget;

(v) United Kingdom amendment (A/C.3/L.56) (a) to rearrange the order of several phrases so that emergency action would be listed before long-term action; (b) to delete the reference to the shifting of emphasis from immediate to long-term objectives; (c) to continue the present Fund without a change in structure, except that the Executive Board would be replaced by a Children's Board which would be responsible for the allocation of money and supervision of administration; (d) to indicate that in view of limited resources many urgent long-term needs would remain to be met and to instruct the Council to explore the possibility of giving greater emphasis to children's programmes under the expanded programme of technical assistance;

(vi) Amendment by Uruguay (A/C.3/L.57) later revised (see below) which would recommend that States in making budgetary provisions for social services for their own children, set aside a special amount for UNICEF.

The Third Committee, therefore, on receiving this report, at its 283rd meeting on 13 October decided by 13 votes to 8, with 22 abstentions, to consider first a draft resolution presented by the representative of Australia (A/C.3/L.54) before considering the Secretary-General's draft resolution and the amendments to it.

The representative of Australia pointed out that his draft resolution was based mainly on the original General Assembly resolution 57(I) establishing UNICEF, with the difference that the composition of the Executive Board had been altered in recognition of the principle that the activities of UNICEF should be extended to Asia and Latin America. The draft resolution would, *inter alia*, recognize the necessity for continued emergency action, particularly in under-developed countries and countries devastated by war and other calamities; reaffirm its approval of the policy of devoting a greater share of the Fund's resources to development programmes outside Europe; express its gratitude for contributions and appeal for

further collaboration; and decide that the Board should be reconstituted as from 1 January 1951 to consist of eighteen members, having regard to geographical distribution and to the representation of the major contributing and recipient countries and to include States not Members of the United Nations. The Assembly, under the resolution, would consider the future of the Fund again in two years time.

The representatives of Mexico, Peru, Uruguay, India, Egypt, Yugoslavia, and the United Kingdom indicated that they would support the Australian proposal with some amendment. Those opposed to the resolution, among them the representatives of Canada, China, the Netherlands, Norway and the United States, stated that they could not support it since it would merely postpone for two years a decision on the fundamental issue of the permanent nature of the Fund.

The Committee adopted, *inter alia*, the following amendments to the Australian proposal (A/C.3/L.54):

(i) By 41 votes to 5, with 7 abstentions, an Indian proposal (A/C.3/L.61) to delete the word "emergency" with reference to the need for continued action;

(ii) By 40 votes to 2, with 9 abstentions, a Lebanese amendment (A/C.3/L.63) to renew the Assembly's appeal for the continuance of contributions;

(iii) By 29 votes to 12, with 9 abstentions, a proposal by the representative of Ecuador (A/C.3/L.60) to have the Council reconstitute the Executive Board to consist of Governments represented on the Social Commission and eight other Governments not necessarily Members of the United Nations;

(iv) By 36 votes to 3, with 8 abstentions, a United States amendment (A/C.3/L.65) to ensure close collaboration between the Administration of the Fund and the specialized agencies;

(v) By 30 votes to 7, with 11 abstentions, a United Kingdom amendment (A/C.3/L.66) which would have the Fund obtain, when appropriate, advice and technical assistance from inter-governmental and non-governmental organizations;

(vi) By 35 votes to 8, with 5 abstentions, an amendment by Yugoslavia which recommended that the Assembly consider in 1953 the future of the Fund with the object of continuing it on a permanent basis;

(vii) By 23 votes to 9, with 15 abstentions, a proposal by Peru (A/C.3/L.62) recommending that Member States develop their national child welfare services;

(viii) By 35 votes to 2, with 13 abstentions, a United Kingdom amendment (A/C.3/L.66) requesting the Council to give greater emphasis to the support of national children's programmes within the framework of existing United Nations activities for promoting the economic and social development of under-developed areas, and to explore the means of providing and financing supplies incidental to such programmes, especially those needed for demonstration purposes;

(ix) By 42 votes to none, with 8 abstentions, an Indian proposal (A/C.3/L.70) to entitle the resolution: "Con-

tinuing needs of children: United Nations International Children's Emergency Fund".

Among the amendments rejected by the Third Committee were the following:

(i) By varying votes, several United States amendments (A/C.3/L.65) which were designed to make the Fund an integral part of the United Nations and establish it as a permanent organization;

(ii) By 22 votes to 9, with 23 abstentions, a proposal by Uruguay (A/C.3/L.57/Rev.2), amended by Lebanon (A/C.3/L.63), which would recommend that States if possible make budgetary provision for UNICEF as means permit;

(iii) By 27 votes to 4, with 16 abstentions, a proposal by the representative of Peru which would recommend that States look forward to providing funds for an organ such as the proposed Endowment Fund at the end of three years.

The Australian draft resolution, as amended (A/C.3/L.69), was adopted, as a whole, at the Committee's 287th meeting on 18 October by a roll-call vote of 43 to 8, with 1 abstention (see below). In recommending the adoption of the resolution (A/1455), the Committee proposed that the Council, which was still in session, should immediately be notified of the Assembly's decision so that it might at the current session designate the eight members of the Executive Board which are not members of the Social Commission<sup>211</sup>.

The General Assembly considered the report of the Third Committee (A/1455) at its 314th plenary meeting on 1 December 1950. Without further discussion it adopted by 33 votes to none, with 5 abstentions, an amendment (A/1581) by the representatives of Australia, Chile, Denmark, Ecuador and Yugoslavia to specify that the eight Governments elected to the Board would be designated for "appropriate terms", and by 51 votes to none, with 5 abstentions, an amendment (A/1580) concerning activities of the Executive Board. The latter amendment which was adopted as paragraph 6(b) (see below) of the resolution was proposed by the representatives of Bolivia, Canada, Ecuador and the Netherlands.

The resolution as a whole was adopted without objection. Resolution 417(V) read as follows:

The General Assembly,

Having considered resolution 310(XI) of the Economic and Social Council in the light of resolutions 57(I) and 318(IV) of the General Assembly,

Recognizing the necessity for continued action to relieve the sufferings of children, particularly in under-developed countries and countries that have been subjected to the devastation of war and to other calamities,

1. Reaffirms its approval of the policy of the Executive Board of the United Nations International Chil-

dren's Emergency Fund to devote a greater share of the Fund's resources to the development of programmes outside Europe;

2. Expresses again its gratitude to governments and individuals for their generous contributions enabling the Fund to carry out its tasks;

3. Renews its appeal to governments and private persons to continue their contributions to the Fund, and to the various officials and private international organizations interested in child welfare to collaborate with the Fund in every possible way;

4. Recommends to Member States that they develop and improve their national child welfare services, providing, if possible, the necessary funds for that important purpose under their respective budgets;

5. Requests the Economic and Social Council, in consultation with the appropriate specialized agencies:

(a) To give greater emphasis to support of national programmes designed to aid children within the framework of existing United Nations activities for promoting the economic and social development of under-developed areas;

(b) To explore the means of procuring and financing supplies incidental to such programmes, especially those needed for demonstration purposes;

6. Decides:

(a) That the Executive Board of the Fund shall be reconstituted as from 1 January 1951 to consist of the governments of the States represented on the Social Commission and the governments of eight other States, not necessarily Members of the United Nations, to be designated by the Economic and Social Council for appropriate terms, with due regard to geographical distribution and to the representation of the major contributing and recipient countries;

(b) That during the period of the Fund's existence, as provided in paragraph 6(e), the Board, in accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission, shall, with due regard to the urgency of the needs and available resources, formulate the policies, determine the programmes and allocate the resources of the Fund for the purpose of meeting, through the provision of supplies, training and advice, emergency and long-range needs of children and their continuing needs particularly in under-developed countries, with a view to strengthening, wherever this may be appropriate, the permanent child health and child welfare programmes of the countries receiving assistance;

(c) That the Executive Board shall take all necessary steps to ensure close collaboration between the Administration of the Fund and the specialized agencies, pursuant to the agreements between the United Nations and the specialized agencies;

(d) That the Administration of the Fund shall, as appropriate, obtain from inter-governmental and non-governmental organizations having a special interest in child and family welfare the advice and technical assistance which it may require for the implementation of its programmes;

(e) That the General Assembly will again consider the future of the Fund at the expiration of three years, with the object of continuing the Fund on a permanent basis.

<sup>211</sup> See p. 84.

## P. POPULATION AND MIGRATION QUESTIONS

At its eleventh session, held from 3 July to 16 August 1950, the Economic and Social Council debated aspects of the problems of population and migration when it came to consider the reports of two of its Commissions—that of the fifth session of the Population Commission (E/1711), and that of the sixth session of the Social Commission (E/1678).

The report of the Population Commission was discussed by the Council's Social Committee at its 131st and 132nd meetings on 10 July and by the Council at its 388th and 389th plenary meetings on 14 and 17 July.

The report of the Social Commission, in so far as it referred to migration, was discussed by the Social Committee at its 125th and 126th meetings on 5 July, and at the 387th plenary meeting of the Council on 13 July 1950.

### 1. Population and Economic Development of Under-developed Countries

The Population Commission, at its fifth session, held from 22 May to 2 June 1950, was concerned primarily with problems of economic development of under-developed countries. In this connexion, the Commission paid special attention to (1) demographic aspects of technical assistance for economic development, and (2) studies of the relationships between population trends and economic and social changes.

#### a. DEMOGRAPHIC ASPECTS OF TECHNICAL ASSISTANCE

The Commission, in its report (E/1711), noted that demographic considerations are related to many aspects of economic development; that the size and composition of the population largely determine the needs for consumer goods and thus the objectives of economic development programmes; and that, on the other hand, population factors—notably the supply of labour—also affect the problems of developing and utilizing productive resources. The Commission considered that economic development programmes should be formulated with a view not only to the existing demographic situation, but also to expected future population changes and, in particular, to the population increases which might result from economic development itself. The Commission stated that in many countries economic develop-

ment would probably be accompanied, at least for a time, by rapid population growth, because of reductions in death rates without immediate corresponding reductions in birth rates; successful economic planning would thus depend on increasing production faster than the rate of population growth.

The Commission's report included, in an annex, a statement of the kinds of technical assistance which, in its view, could most usefully be rendered to the governments of under-developed countries in dealing with the demographic aspects of their economic development problems. Assistance might be rendered, for example, in: (1) a survey of the demographic situation of the country, as a part of a more general survey of economic and social conditions affecting development plans; (2) specific analytical studies on such subjects as the effects of changing social and economic conditions on birth and death rates, the influence of migration on population trends and on economic development, the estimation of future changes in population size and composition, and the effects of prospective population changes on labour supply, utilization of resources, capital formation, consumption, production, and the standard of living; (3) improvement of demographic statistics; and (4) the formulation of legislative and administrative measures for social and economic reform with regard to their effects on population trends.

The Social Committee had before it a draft resolution by the United States (E/AC.7/L.29), based on recommendations of the Commission, which had not been presented to the Council as draft resolutions. In respect of the demographic aspects of technical assistance, the United States draft resolution would have the Council, noting the views of the Commission on this subject, request the Secretary-General to draw the attention of Member Governments to these views and recommendations as relevant to the plans and operations of the Technical Assistance Programme,<sup>212</sup> and to bring them to the attention of the Technical Assistance Committee and the Technical Assistance Board for use in the implementation of their programmes.

In the discussion, the importance for the technical assistance programme of the Commission's work on demographic aspects of technical assistance was emphasized by the representatives of

<sup>212</sup> See pp. 445 ff.

Australia, Belgium, Canada, Chile, the United Kingdom and the United States. The United Kingdom representative, however, urged that great care should be exercised in the selection of experts to advise Governments on this matter, as the success of the Commission's proposals would largely depend on this. The United States representative said that the implementation of the entire technical assistance programme might be seriously hindered if it were believed that attempts to develop the economies of under-developed countries would result only in population increases and the spreading of existing poverty to still larger numbers of people.

The draft resolution was adopted unanimously both by the Committee, at its 132nd meeting on 10 July, and by the Council, without discussion, at its 388th plenary meeting on 14 July (resolution 308 B (XI)). It read as follows:

The Economic and Social Council,

Taking note of the views and recommendations of the Population Commission relating to the demographic aspects of technical assistance for economic development of under-developed areas,

Requests the Secretary-General to draw the attention of Member Governments to these views and recommendations, in the measure in which they are relevant to the plans and operations of the Technical Assistance Programme; and

Calls these views and recommendations to the attention of the Technical Assistance Committee and the Technical Assistance Board for use in the implementation of technical assistance programmes.

#### b. POPULATION TRENDS AND ECONOMIC AND SOCIAL FACTORS

The Commission, at its fifth session had before it a report (E/CN.9/55 & Add.1 & 2) it had requested of the Secretary-General summarizing the findings of existing scientific studies on the relationships between population trends and economic and social factors. This document showed that most of the existing knowledge concerning the inter-relationships of demographic, economic and social factors had been derived from studies relating to Western countries, and recognized the need to undertake new studies with specific reference to individual under-developed countries.

The Commission had already recommended, at its fourth session during 1949, that the Secretary-General should explore the possibilities of undertaking studies in individual under-developed countries, in collaboration with the Governments concerned. At the fifth session the Secretary-General submitted to the Commission a plan worked out in consultation with the Government

of India for a co-operative study of relationships between population trends and social and economic development in that country (E/CN.9/58; E/CN.9/L.6 & Add.1). The Commission recommended that this project should be considered as an initial step in a continuing programme of studies on inter-relationships of demographic, economic and social factors in India, and further recommended that the scope of this initial study should be expanded. In addition, the Commission requested the Secretary-General to consider the possibility of conducting similar studies in such health demonstration areas as the World Health Organization might establish as part of its technical assistance activities.

The Commission's recommendations on this matter were embodied in a draft resolution submitted by the representative of the United States (E/AC.7/L.29), who emphasized the importance of the issues with which the Population Commission was concerned and stated that too little was known of the inter-relationship between economic and social factors and growth of population. The existence in India of a variety of populations at varying stages of development made that country an ideal field for a comparative study. He urged that the pilot survey in India be completed as soon as possible, in order to ascertain facts which could also be of value to other countries.

Members of the Committee generally expressed recognition of the importance to both Member Governments and specialized agencies of the recommendations of the Commission regarding studies of the relationship between population trends and economic and social factors. Some criticism, however, was made of the report by the Secretary-General (E/CN.9/55). The representative of Belgium thought that this report seemed to set out from the idea that in order to improve the standard of living it was necessary to limit the increase of the population, and his delegation opposed this theory. The representative of Pakistan also pointed out that it would be difficult to implement any plan for the limitation of families as most of the religions in the East were opposed to this.

The representative of France felt that there were two weaknesses in the report by the Secretariat (E/CN.9/55); it was based only on "Anglo-Saxon authors" and this basis could have been widened. Another aspect which the report failed to take into account, he said, was the effect of the ageing of populations.

As for the proposed studies in India, the representative of India said that it might be wise to

postpone this for a while. The representative of Pakistan supported the suggestion of postponement.

An amendment (E/AC.7/L.34) was proposed by the representative of the United Kingdom, which sought to incorporate in the United States draft resolution a recognition that the expanded field of investigations recommended by the Commission would be of use not only to India in its programme of economic development and to other Governments facing similar problems, but "above all to the United Nations as an essential examination of the demographic aspects of the provision of technical assistance to India and similar new fields in Asia and the Far East". The United States representative accepted this amendment, and added to the draft resolution, with a view to meeting some objections raised in the Committee, a paragraph which would have the Economic and Social Council recommend that the timing of the studies in India and the selection of the areas to be studied be left to the Secretary-General, in consultation with the Government of India.

The amended draft resolution was adopted by 12 votes to none, with 2 abstentions, at the 132nd meeting of the Committee on 10 July, and by the Council (resolution 308 D (XI)) at its 389th plenary meeting on 17 July, unanimously and without discussion. The resolution read:

The Economic and Social Council,

Having in mind the relation of population growth to problems of economic development, especially in areas of dense population in relation to existing economic resources,

Noting

(1) The high priority assigned by the Population Commission to studies of the interrelationship of economic, social and population changes, and especially to the development of a field study of this question in India in co-operation with and jointly financed by the Government of India;

(2) The recommendations of the Population Commission that the field investigation should be expanded to provide adequate information on fertility and on the social and economic characteristics of households exposed to differing patterns of economic development;

(3) That such expanded field investigations will be of use to India in its programme of economic development, to other Governments facing similar problems and, above all, to the United Nations as an essential examination of the demographic aspects of the provision of technical assistance to India and similar new fields in Asia and the Far East;

Recommends

(1) That the studies of the interrelationship of demographic, economic and social factors be carried forward by the Secretary-General as recommended by the

Population Commission, and that the essential additional costs be met by the Secretary-General by

(a) Releasing funds by postponing work on projects given lower priority by the Commission,

(b) Exploring with the Government of India the possibility of developing a technical assistance project financed from the Special Account to meet part of the additional costs of the proposed expansion of the field investigation noted above; and

(2) That the timing of the studies in India and the selection of the areas to be studied be left to the Secretary-General in consultation with the Government of India.

## 2. Development of Population Statistics

The Population Commission and the Statistical Commission both gave further consideration to problems of population statistics at their fifth sessions (E/1696, E/1711). The two Commissions had previously paid special attention to the development of international standards relevant to the data to be obtained in censuses of populations to be undertaken in many countries during 1950 and 1951. The additional action taken by the Commissions in this connexion at their fifth sessions included:

(1) the adoption of tentative international standards for the definition and enumeration of categories of status;

(2) the adoption of standard international terminology for various types of classifications relating to economic activities of the population;

(3) the recommendation that the Secretary-General, in collaboration with the International Labour Office, should prepare a preliminary manual on the application of international standard classifications by occupation, industry and status;

(4) the adoption of recommended classifications relating to urban and rural population.

They also considered a report on comments (E/CN.9/47 & Add.1) by Governments on a set of draft recommendations for the improvement of migration statistics, which were presented to the Statistical Commission for comment at its fourth session and subsequently circulated for comment to Governments and interested international agencies. The Commissions requested the Secretary-General to continue work on this problem, calling upon Governments which had not yet done so to submit their comments on the draft recommendations; analysing the difficulties in implementing these recommendations which had been mentioned in some of the comments, with a view to the possibility of adjustments in the recommendations; examining the possibility of improving certain of the recommended classifications and definitions; and studying the possibility

of using sampling methods to obtain migration statistics.<sup>213</sup>

### 3. Migration

#### a. MIGRATION STUDIES

The Economic and Social Council, in resolution 156 A (VII), had laid upon the Population Commission the responsibility for advising the Council on co-ordination of the research on international migration undertaken by the United Nations and the specialized agencies. Accordingly, the Commission, at its fifth session, examined a report on the relevant activities of various agencies (E/CN.9/59), and noted, in particular, the recommendations of the Preliminary Conference on Migration, held at Geneva in April-May 1950, concerning the possibilities of emigration from certain European countries and the relation of such emigration to the economic development of under-developed countries in other parts of the world. The Commission requested the Secretary-General, in collaboration with interested specialized agencies and other bodies, to prepare a summary statement of inter-war and recent migrations affecting various parts of Europe, as well as to analyse emigration potentials in these areas and the possible contribution of emigrants from Europe to the economic and social advancement of the countries of emigration and immigration (E/1711).

During its discussion of the report of the Population Commission, the Social Committee had before it a draft resolution by the United States (E/AC.7/L.29) referring to migration studies and embodying the recommendations of the Commission.

An amendment (E/AC.7/L.30) to the Report of the Commission was proposed by the representative of Brazil, who pointed out that the Preliminary Conference on European Migration, held under the auspices of the International Labour Organisation, had emphasized the urgency of the problem of surplus labour in Europe, and the outstanding contribution that European emigrants could make to the development of under-developed countries. The Preliminary Conference had concluded that the most serious obstacle to a solution of the problem of migration was of a financial character; countries with a labour surplus and those with a labour shortage usually lacked financial resources and technical knowledge adequate to solve the problem by bilateral agree-

ments alone. His delegation therefore thought that the possibilities of international financing of European migration to under-developed areas should be studied by the Secretary-General. Such international financing could be included among the "economic and social overhead projects" mentioned in the report of the Sub-Commission on Economic Development.<sup>214</sup>

Support for the principle of this amendment was given by the representatives of Australia, Chile, and Mexico. The representative of Mexico, however, suggested that the Brazilian amendment to the Commission's report should be incorporated in the draft resolution of the United States referring to migration.

At its 132nd meeting on 10 July 1950, the Social Committee first adopted, by 8 votes to none, with 6 abstentions, the Brazilian amendment (E/AC.7/L.30) to the report of the Population Commission. It was then pointed out by the Chairman that the decision taken by the Committee raised some difficulty as it was not the practice of the Council generally to amend reports submitted to it. The representative of Brazil thereupon agreed to submit a draft resolution to the Council, and the Committee adopted the Mexican oral amendment to the United States draft resolution by 7 votes to 2, with 5 abstentions. The draft resolution, as amended, was adopted by 12 votes to none with 2 abstentions.

At the 389th plenary meeting of the Council, a joint amendment by Brazil, Chile and Mexico (E/L.66) to replace the draft resolution submitted by the Social Committee, was adopted unanimously by the Council (resolution 308 C (XI)). By this resolution, the Council referred not only to the work of the Preliminary Conference on Migration, but also to studies prepared by the Economic Commission for Latin America. The latter, at its third session (E/1717), had recommended the establishment of a working group in the Commission's secretariat to study and advise the Governments of Latin-American States, at their request, on questions of immigration in relation to economic development.<sup>215</sup>

In discussing this resolution, the representative of India raised the question why it referred only to emigration from Europe. He felt it desirable to study also the migration problems of the Middle East and the Far East.

By its resolution, the Council requested the Secretary-General, in consultation with the Di-

<sup>213</sup> For action by the Council, see below.

<sup>214</sup> See pp. 439-40.

<sup>215</sup> See pp. 505, 507.

rector-General of the International Labour Office and the executive heads of other interested agencies, to press forward not only with the migration studies recommended by the Population Commission, but also with a study of methods of international financing of European emigration.

#### b. ASSISTANCE TO INDIGENT ALIENS

At its sixth session, held from 3 April to 5 May 1950, the Social Commission considered the report (E/CN.5/191 & Add.1-3) which the Secretary-General had been requested to prepare by Council resolution 43(IV) concerning the Model Convention and recommendations relative to the assistance of indigent aliens, and adopted a resolution recommending that the Secretary-General pursue his inquiries in this field, since sufficient time had not been available to Governments to furnish their observations on the international convention suggested by the Secretary-General for dealing with the problem.

The Social Commission further submitted to the Council, at its eleventh session, a draft resolution recommending to the Governments of Member States "that pending consideration of the possibility of an international Convention, they consider according to indigent aliens the same measures of social assistance as that accorded to their nationals, and refrain from removing them from their territories for the sole reason of indigency".

This aspect of the report of the Social Commission (E/1678) was considered by the Social Committee of the Council at its 125th and 126th meetings on 5 July 1950, and by the Council at its 387th plenary meeting on 13 July 1950.

Support for the draft resolution was expressed in the Social Committee by the representatives of Belgium, France, Mexico, the United Kingdom and the United States. The representative of Denmark, however, said that because of difficulties

resulting from large numbers of refugees pouring into his country in recent years, his Government could not undertake unconditionally to refrain from removing indigent aliens from that territory, although its attitude was a humane one. The representative of Canada said that his Government, in common with that of Denmark, felt that the moment was premature for elaborating a draft convention to protect the rights of aliens. The Government of Canada was sympathetic to consideration of the needs of indigent aliens, but Canadian immigration laws specified certain grounds for removing indigent citizens, and the Government was not prepared to amend existing legislation in that respect. The representatives of France and Belgium, who said that they would support the draft resolution, added that they felt that the conclusion of reciprocal multilateral or bilateral agreements would be preferable to the adoption of the recommendation contained in the draft resolution. The representative of Belgium orally proposed an amendment to the draft resolution which would have the Council recommend to Member Governments that they consider these measures of social assistance to indigent aliens pending consideration of the possibility of an international convention "or model agreement". The draft resolution, as amended, was adopted by the Committee by 10 votes to none, with 4 abstentions, at its 126th meeting, and by the Council, without discussion, at its 387th meeting on 13 July (resolution 309 B (XI)). It read:

The Economic and Social Council,

Having considered the recommendation of the Social Commission and the Secretary-General's Report on Assistance to Indigent Aliens,

Recommends to Member Governments that, pending consideration of the possibility of an international convention or model agreement, they consider according to indigent aliens the same measures of social assistance as those accorded to their nationals, and refrain from removing them from their territories for the sole reason of indigency.

## Q. INTERNATIONAL CONTROL OF NARCOTIC DRUGS

### 1. Implementation of International Treaties on Narcotics

#### a. ANNUAL REPORTS OF GOVERNMENTS

The Commission on Narcotic Drugs at its fifth session from 1 to 15 December 1950 (E/1889) examined the Summary of Annual Reports of Governments for 1948 (E/NR.1948/Summary), and the annual reports for 1949 (E/NR.1949/-

Summary). After a brief discussion, it requested the Secretary-General:

(1) to obtain from the competent authorities of Kuwait, from whom annual reports had never been received, more detailed information on the alleged offer for sale in that territory of seven and one half tons of morphine;

(2) to obtain from the Union of South Africa an account of the work of a commission set up in that country to inquire into the misuse of daggá [Indian hemp];

(3) to obtain particulars from Argentina on the cultivation of the opium poppy as announced in that country's annual report for 1948;

(4) to draw the attention of the Government of Haiti to the need for amending its legislation on narcotic drugs, which dates from 1922, to apply the provisions of international treaties concluded after that year; and

(5) to draw Australia's attention to its export of diacetylmorphine in apparent breach of the provisions of the 1931 Convention.

He was also to draw the provisions of this convention to the attention of Finland, the representative of which had now explained to the Commission that that country's apparent breach of the Convention, as far as a minor export of tablets containing diacetylmorphine was concerned, had been due to an oversight.

#### b. ILLICIT TRAFFIC

The Commission also discussed the question of the presence of opium, diacetylmorphine and heroin in the illicit traffic and commented on the relationship between the medical use of diacetylmorphine and the presence of this drug on the illicit market in countries which authorized its use. The Commission took particular note of the increasing quantities of hashish and opium seized in Egypt. The Egyptian representative stated that a considerable quantity was being smuggled in from Syria and Lebanon, where 60,000,000 square metres were reported to be under Indian hemp cultivation with an annual production of some 300 tons in each country. The representative of Turkey also mentioned certain data which, he thought, indicated that opium was being produced in large quantities in Syria. The Commission, therefore, asked the Secretary-General to obtain information immediately from Syria concerning the export of opium and from Syria and Lebanon with regard to the cultivation of Indian hemp and the production of hashish in their countries.

There was some discussion about the increase in illicit traffic in narcotics on ships, due to smuggling by merchant vessel personnel. The representative of the United States presented a resolution in which the Council would request the Secretary-General to compile a list of merchant vessel personnel who had been convicted, during the period 1946-50, of crimes involving the smuggling of narcotics. This list would then be sent to all States with recommendations, *inter alia*, that they revoke licences of those persons on the list, or refuse to issue new ones, that they ask the maritime unions in their territories to take steps to bar such officers and seamen permanently, and that they urge all steamship companies in

their territories, engaged in international commerce, not to employ such seamen.

However, the representatives of Canada, China, France, Mexico, the Netherlands and the United Kingdom, while expressing agreement with the general intention of the resolution, pointed out that the penalties applicable to seamen were prescribed in national legislation, which, in many instances, left it to the discretion of the appropriate authorities to decide whether or not loss of licence should follow conviction. The Commission decided to include the United States draft resolution in its report and to request the Secretary-General to ask Governments for their comments on the possibilities of giving effect to it.

The Commission further expressed its appreciation of the offer of co-operation extended by the International Criminal Police Commission (ICPC).

#### c. INVITATION TO THE UNITED STATES OF INDONESIA TO BECOME A PARTY TO THE PROTOCOL OF 19 NOVEMBER 1948 RELATING TO NARCOTIC DRUGS

At its eleventh session, the Economic and Social Council at its 377th plenary meeting on 4 July 1950 considered the question of inviting Indonesia to become a party to the Protocol of 19 November 1948, bringing under international control drugs outside the scope of the Convention of 13 July 1931, as amended by the Protocol of 11 December 1946.

Article 5 of the Protocol provides that it "shall be open for signature or acceptance on behalf . . . of any non-member States [of the United Nations] to which an invitation has been addressed by the Economic and Social Council".

The Secretary-General pointed out (E/1689) that Indonesia had become a sovereign State after 8 October 1948, the date on which the General Assembly had invited all non-member States to sign or accept the Protocol. Indonesia had therefore not been included in the invitation. To enable it to become a Party to the Protocol, it would be necessary for the Council to issue an invitation in that sense.

The Council on 4 July unanimously adopted resolution 317(XI), inviting Indonesia to become a Party to the Protocol at an early date.<sup>216</sup>

<sup>216</sup> Indonesia, which had been admitted to the United Nations as a Member State on 28 Sept. 1950, accepted the Protocol as a Member State in Feb. 1951.

## 2. Draft Single Convention on Narcotic Drugs

### a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS ELEVENTH SESSION

During its eleventh session the Council at its 377th plenary meeting on 4 July 1950 had before it a draft resolution submitted by the Secretary-General (E/1673) on the procedure to be followed with regard to the transmission to Governments, for comment, of the draft single convention on narcotic drugs. In view of the postponement of the fifth session of the Commission on Narcotic Drugs,<sup>217</sup> such transmission would be delayed if the usual procedure of submitting the draft text to the Council after it had been examined by the Commission and before it was sent to Governments were to be followed. The Secretary-General, therefore, proposed that the Council should authorize the Commission on Narcotic Drugs, if it should so desire, to request him to transmit the draft instrument to Governments for their comments after the Commission, at its fifth session, had examined the draft and had made such amendments as it saw fit.

The Council unanimously adopted the proposal (315(XI)) with the understanding that the draft single convention would eventually be submitted to the Council before being submitted to the General Assembly.

### b. CONSIDERATION IN THE COMMISSION ON NARCOTIC DRUGS (FIFTH SESSION)

The Commission had before it a draft (E/CN.7/AC.3/3 & Corr.1) of a single convention to replace the eight existing instruments on narcotic drugs and to contain provisions for limiting the production of raw materials. The draft had been prepared by the Secretary-General, in accordance with the Commission's request, at its fourth session,<sup>218</sup> and was accompanied by a detailed commentary (E/CN.7/AC.3/4/Rev.1) on the provisions of the draft. The discussion was primarily an exchange of views, since it had been decided that there would not be time to reach conclusions on the many complex issues which the new proposals involved. The Commission felt, therefore, that it would be premature at the present stage to send the draft to Governments for their observations. It considered, however, that it would be advantageous to formulate the views of the Governments represented on the Commission and to make them available to its sixth session in order that these observations and

any discussion undertaken by the Commission in the light of them might be available to the Secretary-General in preparing revised drafts. The Commission at its seventh session, early in 1952, would then make a detailed study of the draft single convention.

The following were among the observations made by the Commission regarding the general principles of the draft instrument.

There was general agreement that the control of narcotics should, in principle, be carried out by national organs, although under supervision of international organs, and that, in general, indirect international administration was preferable to direct international administration. It was also agreed that direct international administration should not be excluded whenever its disadvantages were outweighed by greater effectiveness of international control of narcotic drugs. Some members, however, expressed the fear that the draft deviated in some respects unnecessarily from the principle of indirect international administration and that this might result in a considerable weakening of existing domestic control.

One member expressed the opinion that a rigid limitation of the use of drugs under control to medical and scientific needs exclusively did not sufficiently take into consideration long-established customs and traditions which persisted, in particular, in territories of the Middle and Far East and which it was impossible to abolish by a simple decree of prohibition. More elastic provisions should be adopted under which special measures, in keeping with the varying circumstances of the territories in question, could be taken for the abolition of the non-medical use of drugs in this part of the world.

Some members of the Commission held that the Single Convention placed too much emphasis on the control of the legitimate trade in narcotic drugs while not dealing very satisfactorily with the illicit traffic. For example, there was no provision for establishing international inspection. Close liaison, it was suggested, should be arrived at between national bodies concerned with the repression of the illicit traffic, as well as effective co-ordination on the international level.

Some members expressed the fear that the draft showed a tendency to grant excessive discretion-

<sup>217</sup> The date of the Commission's 5th session as indicated in the revised calendar of conferences for 1950 (E/1569/Rev.1), was moved forward to Aug. 1950. At the 11th session, the Council in resol. 316(XI) agreed to a further postponement to Dec. 1950.

<sup>218</sup> See Y.U.N., 1948-49, pp. 642-43.

ary powers to international organs and that a heavy and complicated control machinery would be established which would prove too expensive. They thought it might be preferable to define more precisely in the convention itself the powers of the international control organs.

Several members held that some provisions of the draft were too complicated and were adopted for theoretical considerations rather than for practical reasons and that they would even impede medical research.

Attention was called to the fact that the control of synthetic drugs showed several aspects which were different from those involved in the control of other narcotics and that it might be desirable to provide for a specific régime applying to synthetic drugs. Some apprehension was also expressed that the draft paid too little attention to the problems of composite States of varying constitutional structures.

Observations were also made on specific provisions of the draft Single Convention, i.e. on the international control organs provided for; the organization of national control organs; production of raw materials, manufacture and trade in drugs; penal provisions and cure of the drug habit; and general provisions, including the so-called "Colonial Clause", and reservations. Comments were also expressed regarding terminology and drafting.

In conclusion, the Commission recommended (E/1889) that the Council approve its plans for the further study and elaboration of the single convention and reaffirm its authorization that the draft instrument might be sent to Governments for comment, after the Commission had made such amendments as it had seen fit.

### **3. Interim Agreement to Limit the Production of Opium to Medical and Scientific Needs**

The Commission on Narcotic Drugs at its fifth session had before it the report of its Ad Hoc Committee of the Principal Opium-Producing Countries (E/CN.7/188), which had met in Ankara in 1949, the report (E/CN.7/200) of the Meeting of Representatives of the Principal Drug-Manufacturing Countries held in Geneva from 7 to 15 August 1950, and the reports (E/CN.7/201 & 204) of the Joint Committee of the Principal Opium-Producing Countries and of the Principal Drug-Manufacturing Countries.

The Ad Hoc Committee,<sup>219</sup> among other things, had agreed to the limitation of the production of

opium to medical and scientific needs, to the shares of the world opium output which the opium-producing countries would severally produce each year under the proposed Interim Agreement and to the re-organization of the existing opium trade as an international monopoly. The Committee had further proposed a number of draft provisions for the Interim Agreement which the Secretary-General used as a basis for the first draft of this instrument (E/CN.7/199), which was presented to the Meeting of Representatives of the Drug-Manufacturing Countries. This Meeting (E/CN.7/200) accepted in principle the decisions taken at Ankara and emphasized matters of paramount interest to the drug-manufacturing countries, for which provisions should be made in the Interim Agreement.

The Joint Committee of the Principal Opium-Producing Countries and of the Principal Drug-Manufacturing Countries held its first session at Geneva in August and its second session at New York in November 1950.

At the first part of its first session (E/CN.7/201) it reviewed the work done up to August 1950 and made a number of provisional decisions on several aspects of the Interim Agreement. It particularly stressed that some form of international inspection would be essential to ensure the proper functioning and successful operation of the International Opium Monopoly under the Interim Agreement. Due to lack of time, the Joint Committee, at its first session, was unable to give full consideration to all aspects of the draft Interim Agreement. It also was unable to reach agreement on certain questions, including that of the basic price at which the International Opium Monopoly should conduct its opium transactions. It therefore continued its session in November 1950.

At the second part (E/CN.7/204) of its first session, the Committee, however, was again unable to agree on: opium prices; the precise form that international inspection of the opium trade should take under the International Monopoly; the problem of the competition which would be met by drug-manufacturing countries from exports of opium alkaloids by countries producing opium under the Interim Agreement; and the measures required to meet competition from exports of alkaloids made from poppy straw.

The Committee, therefore, gave some consideration to a proposal by the Secretary-General

<sup>219</sup> For further details of the report, see Y.U.N., 1948-49, p. 644.

(E/CN.7/214) which would provide for a protocol to be signed simultaneously with the Interim Agreement to bring into immediate operation such provisions of the Agreement as might be possible, pending the ratification of the latter instrument and the solution of the other outstanding problems raised by its provisions. The general opinion of the Joint Committee was, however, that the protocol would require ratification and it was therefore doubtful whether it could be brought into operation within a sufficiently short space of time to enable its primary purpose to be achieved.

The Commission at its fifth session noted (E/1889) that up to the present stage of its development only the principal opium-producing countries and the principal drug-manufacturing countries had had an opportunity to discuss the draft of the Interim Agreement, and to bring such changes to the text as they had considered necessary. It therefore decided, in addition to examining the text of the Agreement in some detail, to obtain some expression of the views of countries not in either of these categories on the proposed treaty instrument.

Among the observations made on behalf of those countries, the view was expressed that their interests did not seem to have been adequately safeguarded; the costs of running the opium trade as an international monopoly would, it appeared, have ultimately to be borne by the actual consumers of drugs made from opium, and fears were expressed that in time of international emergency the rigidity of such a system might militate against consumers obtaining their drug requirement. It was also stated that the obligation to buy opium alkaloids from parties to the Interim Agreement might discourage certain countries from acceding to the Agreement, because they would wish to reserve the right to buy alkaloids from other countries at lower prices, and for similar reasons, they might not be prepared to accept any proposal to prohibit or limit the export of alkaloids by opium-producing countries.

In reply it was, however, stated that the principal drug-manufacturing countries were themselves the principal consumers of opiates, having consumed in 1948, for example about two thirds of the total quantity of morphine manufactured and three quarters of all the codeine. Thus, it was reasonable to assume that the interests of consumers generally would be assured. It was also pointed out that the dangers of an opium shortage in any particular area of the world in an international emergency were much less likely under the International Monopoly than if the opium trade

remained unchanged, since the International Monopoly as an organ set up under the auspices of the United Nations would have the duty of ensuring to all States adequate supplies of opium for their medical and scientific requirements. The cost of operating the International Monopoly would clearly have ultimately to be distributed on a fair basis among all users of drugs made from opium. As the representative of the Secretary-General pointed out, it would be a small premium to pay for a reduction in the illicit traffic with which the Commission had been so deeply preoccupied during its fifth session. It was mentioned, however, that the Interim Agreement would not affect illicit traffic from those opium-producing countries which remained outside it.

The Commission (E/1889) informed the Economic and Social Council that it wished, during its sixth session, to solve the problems still requiring solution before the elaboration of the proposed Interim Agreement could be completed. It therefore expressed its desire to meet for two months in the spring of 1951 at Geneva to facilitate the attendance of experts from European and Near Eastern countries.

Since Belgium, Italy and Switzerland were among the principal drug-manufacturing countries, the Commission also decided to invite them to send observers to the sixth session, which would be devoted to consideration of the proposed Interim Agreement to limit the production of opium to medical and scientific needs.

The Commission considered briefly the proposal of its Joint Committee for the establishment of an International Monopoly of Alkaloids and asked the Secretary-General to obtain from Governments represented on the Commission their views on this subject.

In connexion with the establishment of the International Monopoly, the Commission agreed with the Joint Committee that it would be desirable to establish an internationally accepted method for assaying opium, and for standardizing the packing, sampling and weighing of that substance. The Commission endorsed the Joint Committee's recommendation that one or more expert committees should subsequently be set up to study the question.

#### **4. Abolition of Opium Smoking in the Far East**

During the debate at its fifth session the Commission on Narcotic Drugs was informed of the measures taken by the French authorities in Indo-

china to close the clinics for the cure of drug addicts, to discontinue the registration of addicts and to reduce the quantity of opium allowed to each new addict. The proportion of smokers to the whole population was about 1 : 1,000, and care was being taken to prevent young people from becoming addicts.

The Commission was further informed of the efforts being made in British territories in the Far East to abolish opium smoking, which was already prohibited.

At the request of the representative of the United States, the Commission decided to ask the Secretary-General to communicate with the Republic of Indonesia to ascertain how the opium dens in that country obtained their supplies of opium since there was no longer any official source of supply.

## 5. Methods of Determining the Origin of Opium by Chemical and Physical Means

The Commission at its fifth session heard a report by the Secretariat on the generally satisfactory progress of the programme of research into the methods of determining the origin of opium by chemical and physical means undertaken pursuant to Economic and Social Council resolution 246 F (IX). International collaboration in the laboratory research had started early in 1950 but had developed slowly because the number of opium samples which had thus far been furnished to the Opium Distribution Centre by Governments was insufficient to enable a wide distribution to be made; and it was accordingly expected that about two years would be required before the results of the research could be finally evaluated. The Secretariat, it was stated, hoped soon to be in a position to publish a new method for determining the morphine content of opium.

The Commission debated the desirability and possibility of extending the scope of the research to include studies on methods of determining the origin of opium by physiological means and by such other scientific means as might seem desirable.

However, since this would entail additional expenditure, it was decided not to attempt any broadening of the scope of the research for the time being, especially in view of the fact that the current programme had not been completed. It was generally agreed that the Secretariat should, within the terms of reference provided by the Council's resolution, be able to continue its re-

search into methods for determining the morphine and codeine content of opium, irrespective of the use of such methods for establishing the geographical origin of opium seized in the illicit traffic. The necessary authority for this, the Commission considered, would be given if the Council approved its decision to study the commercial assay of opium (see above).

The Commission decided (E/1889) to request the Secretary-General to continue research on methods for determining the morphine and codeine content of opium within the scope of Economic and Social Council resolution 246 F (IX), and to explore the possibilities of research into the methods of determining the origin of opium by scientific means other than those referred to in that resolution.

## 6. Drug Addiction

Among other aspects of drug addiction, the Commission at its fifth session discussed addiction to heroin and the consequent desirability of prohibiting its use even for medical purposes, and noted that the division of opinion on this question, which had been brought to its attention in previous years, still remained. The representatives of France and the Netherlands restated the view that the prohibition of the medical use of heroin would deprive sufferers from certain diseases of an irreplaceable medicament without suppressing the sources from which addicts to the drug drew their supplies. The representatives of Mexico, Peru, Turkey, the USSR and the United States re-emphasized the opposite point of view, that heroin could well be replaced for all medical uses by other less dangerous drugs, the USSR representative suggesting the use of dicodide, dilaudide, eucodal, methadon and pethidine as possible substitutes.

The Commission noted with appreciation the work done on drug addiction at its request by the Expert Committee of the World Health Organization on Drugs Liable to Produce Addiction. It debated, in particular, the definitions of addiction-producing drugs and of habit-forming drugs which the Expert Committee of WHO had elaborated. The representatives of France and the USSR considered that it would be more satisfactory to have one definition only, in view of the fact that the characteristics of habit-forming drugs were covered by the definition of addiction-producing drugs. The representatives of Canada and the United States, however, considered that there

would be an advantage in keeping the two definitions, in view of the fact that the two classes of drugs produced different types of withdrawal symptoms. The United Kingdom representative drew attention to the fact that the definitions really left the question whether a substance fell into either category to be determined by the view of society at a given time as to the detrimental effect upon the individual and upon society of its habitual use.

The Commission decided that the problem should be studied further.

### 7. Question of the Exemption of "Ipécopan" from the Provisions of the International Convention on Narcotic Drugs

Article 8 of the Convention on Narcotic Drugs, of 19 February 1925, as amended by the Protocol of 11 December 1946, provides that the Convention will not apply to any preparation which the World Health Organization (WHO) finds cannot give rise to the drug habit because of the medicaments with which it is compounded and which, in practice, preclude the recovery of the drug.

In June 1949 the Swiss Government requested that the product known as "ipécopan" be exempted from international control under this provision. This request was referred to WHO for its advice and report. The Executive Board of WHO, at its fifth session from 16 January to 2 February 1950, approved the recommendation of its Expert Committee on Drugs Liable to Produce Addiction to the effect that exemption should not be granted in respect of "ipécopan" (E/1632/Rev.2). The Council at its 372nd plenary meeting on 3 March 1950 authorized the Secretary-General to transmit WHO's decision to the Swiss Government.

### 8. Question of the Use of Morpholyethylmorphine

During the Commission's examination of a report of the WHO Expert Committee, the representative of France questioned the findings of the Committee on morpholyethylmorphine. The French Government had proposed that the substance should be subject to the control applicable to the drugs mentioned in article 1, Group II, of the 1931 Convention, as amended by the 1946 Protocol. The Expert Committee, on the other

hand, had decided that there was insufficient evidence on the addiction-producing properties of this substance, though it was probable that it was convertible to morphine. In any case, they concluded, as an ether of morphine it belonged by definition in Sub-group (b) of Group I, for which the Convention requires a more strict control.

The French representative therefore asked that a committee of three experts be appointed to reconsider the matter.

After a brief discussion the representative of the United Kingdom proposed that the question should be referred back to WHO for consideration in the light of fresh information which the French authorities would now be in a position to make available. Since this was acceptable to the representative of France, the Commission (E/1889) adopted this proposal.

### 9. Offer for Sale in China of Five Hundred Tons of Opium

The Commission at its fifth session considered the offer for sale of five hundred tons of opium which had been made in December 1950 to a British firm in Hong Kong and which had been reported to the Secretary-General by the United Kingdom (E/CN.7/211).

That this large amount of opium, equal to the world requirements of the substance for medical and scientific needs for more than a year, should suddenly be offered on the market from a country in which the production of opium had been prohibited since 1934 and at a time when the Commission was actively engaged on work to limit the production of opium, was an occurrence that the Commission viewed with concern. It accordingly discussed at some length what action could appropriately be taken in the matter, but was hampered in reaching conclusions by a lack of precise and complete information on the origin of the opium in question and on its present whereabouts. The representative of the United Kingdom had no further information. The representative of the United States informed the Commission that some three hundred tons had been offered in his country as barter in exchange for cotton. He had also had reports that one hundred and thirty tons had recently been reported at Tientsin and that a further quantity was at Peking.

The Commission proposed that the Council request the organs entrusted with the control of narcotic substances to ascertain the origin of this opium, what stocks of opium existed in China,

and whether the production and export of opium were still prohibited there.

#### 10. Report of the United Nations Commission of Enquiry on the Coca Leaf

The Commission at its fifth session had before it the Report to the Council of the Commission of Enquiry (E/1666) which had visited Bolivia and Peru towards the end of 1949<sup>230</sup> to investigate the effects of the chewing of the coca leaf on the inhabitants of the High Andes. The report consisted of two main parts, one dealing with medical considerations and the other with economic and social considerations. The Commission concluded that coca-leaf chewing was a dangerous habit and that since the habit is the consequence of a number of unfavourable social and economic factors, the solution of the problem involved two fundamental and parallel aspects: the need for improving the living conditions of the population among which chewing is a general habit, and the need for initiating simultaneously a governmental policy to limit the production of the coca leaf, to control its distribution, and eradicate the practice of chewing it. The Commission of Enquiry made detailed recommendations in regard to these two aspects in its report. The Commission on Narcotic Drugs (E/1889) recorded its appreciation of this report and of the co-operation given to the Commission of Enquiry by the Governments of Bolivia and Peru.

At the Commission's invitation a representative of the Government of Bolivia attended the discussion of the report. The representatives of Bolivia and Peru expressed dissatisfaction with the medical part of the report of the Commission of Enquiry on the ground that this Commission had not itself undertaken an expert scientific investigation of the medical and physiological factors involved, and that the findings upon which its conclusions and recommendations were based were not accepted by certain medical and scientific authorities in these countries who have given the question special study. The Commission on Narcotic Drugs decided (E/1889) to request the Commission of Enquiry to forward its observations on the opinions expressed by the representatives of Bolivia and Peru to the Secretary-General by 1 March 1951 for transmission to the Council. It recommended to the Council that the report and the observations of the Commission of Enquiry should be forwarded to the Governments of Bolivia and Peru with a request that they send

their observations to the Secretary-General before 15 September 1951; it proposed that the Commission on Narcotic Drugs should examine the question further at its seventh session, taking all available information into consideration, with a view to submitting recommendations to the Council as soon as possible thereafter.

#### 11. Report of the Permanent Central Opium Board

##### a. CONSIDERATION IN THE ECONOMIC AND SOCIAL COUNCIL AT ITS TENTH SESSION

At its tenth session in February-March 1950, the Council examined the report of the Permanent Central Opium Board (E/OB/5 & Add.) at the 124th meeting of its Social Committee on 28 February and at its 368th plenary meeting on 1 March 1950. The report covered the Board's work in 1949 and included statistical tables covering 1936 and 1946-1948. Apart from routine questions relating to administration and the present state of the control the report contained a section on the responsibilities of exporting countries in preventing exports in excess of estimates of importing countries, a section on synthetic narcotic drugs, and sections on diacetylmorphine and the trend in the movement of narcotic drugs during 1948.

The Board concluded that a perfect control of narcotics ought to begin even before their production, so that production might be adjusted to effective lawful requirements, which are well known. The current volume of production of certain manufactured drugs, synthetic or non-synthetic, and the prevailing uncertainty as to the volume of the production and utilization of opium, coca leaf and Indian hemp made it more necessary than ever, the Board stated, that an extremely strict control over the distribution and use of these drugs should be exercised in all countries and territories in order to avoid improper consumption and increased addiction. The Board expressed particular concern that a synthetic narcotic such as demerol was being manufactured in amounts almost equal to those of morphine produced for use as such (i.e. not used for conversion), and did not yet fall under the Convention of 1931. The Board was of the opinion that the only way to fill one of the most serious gaps which still existed in the international control of narcotics was to bring the Protocol of 19 November

<sup>230</sup> See Y.U.N., 1948-49, pp. 646-48.

1948 into force, and it therefore urged Governments which had not done so to ratify it.<sup>221</sup>

In its report the Board had drawn the attention of the Council to the fact that the Government of Iran, although a party to the 1931 Convention, had not replied to the Board's communications.

The representative of Iran stated that his Government, although not a signatory to the Convention of 19 February 1925 relating to narcotic drugs, had taken appropriate measures to prevent the illicit traffic in opium and wished to co-operate fully with the Board. Among other things, the Board had referred to the "presence of Iranian opium in the illicit traffic in many parts of the world" and to "exports to countries which had prohibited import" of the drug. The Iranian representative stated that specific instances had not been quoted and the references were somewhat vague. He pointed out that it had been impossible for Iran, during its four-year occupation by foreign Powers, to take effective measures against smuggling in both directions. To strengthen control the Iranian Government had since decided to issue export permits only when the importer had secured appropriate import certificates. Furthermore, the Government was prepared to make inquiries whenever cases of smuggling were discovered, but it had requested that such charges should be accompanied by supporting evidence. Some of the delay in submitting statistics had also been due to the difficulties which had arisen following the four-year occupation, but the administrative machinery was again functioning effectively. Another reason for delay had been the Government's confusion in assuming that the annual reports containing statistics prepared for the Secretary-General might also serve the needs of the Board. However, both quarterly and annual reports for the period 1947/48 had now been sent to the Board and his Government would gladly supply additional data should this be necessary.

The representative of India congratulated the Board. While agreeing with its recommendations for a "perfect control of narcotics", he pointed out that it should be remembered that, despite good will and determination, such control was sometimes difficult to put into effect.

In addition he stressed the importance of the question of assessing those parties to the 1925 Convention which were not Members of the United Nations for a share of the Board's expenses.

The Social Committee (E/1638) and, on its recommendation, the Council at its 368th plenary

meeting on 1 March 1950 in resolution 282(X) took note of the Board's report.

#### b. CONSIDERATION IN THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly, at the 258th meeting of its Fifth Committee on 31 October and at its 305th plenary meeting on 16 November 1950, considered the question of assessment of non-members of the United Nations which had signed the Convention of 19 February 1925 relating to Narcotic Drugs. Pursuant to General Assembly resolution 353(IV),<sup>222</sup> the Secretary-General had submitted a report (A/1418) embodying the results of a comprehensive study of this question. Attention had been given to the total expenses incurred in connexion with the international administration of the control of narcotic drugs and of such other functions or powers, the responsibility for which is shared by non-members of the United Nations under existing treaties. In addition to the Secretary-General's report, the Fifth Committee had before it the observations of the Advisory Committee on Administrative and Budgetary Questions (A/1461) on the report.

In the case of international administration in the field of narcotic drugs the Secretary-General had expressed the view that, in addition to direct meeting and secretariat costs of the Permanent Central Opium Board, certain other costs enumerated in his report (such as meetings of the Commission, the Board and Supervisory Body, and certain salary, service and printing costs) might reasonably be deemed to comprise assessable expenditure towards which non-member States might be asked to contribute. The Advisory Committee had concurred in this recommendation, as well as in the Secretary-General's provisional recommendation that the United Nations should include in its calculations similar expenses incurred by the World Health Organization, on the understanding that, should these proposals be approved, the United Nations would turn over to WHO its share of such collections.

With regard to the scale of assessment to be applied to non-members of the United Nations, the Advisory Committee expressed the opinion that the first of the alternative methods proposed by the Secretary-General would be an equitable one, namely, that the General Assembly, on the recommendation of the Committee on Contribu-

<sup>221</sup>The Protocol came into force on 1 Dec. 1949.

<sup>222</sup>See Y.U.N.. 1948-49, p. 649.

tions, should establish the percentage contribution to be paid—this assessment being based on the same principles as those which are being used for the assessment of Member States in apportioning the expenses of the United Nations (i.e. the method presently used in assessing contributions of non-Member States to the expenses of the International Court of Justice). The Secretary-General had given the assurance that, when seeking payment of contributions from non-member States, he would be guided by the resolutions of the General Assembly regulating the relationships with those States.

The Fifth Committee approved (A/1497), without discussion, the Advisory Committee's recommendation that the draft resolution submitted by the Secretary-General should be adopted.

The General Assembly at its 305th plenary meeting on 16 November 1950, without discus-

sion, unanimously adopted resolution 455(V) as recommended by the Fifth Committee, as follows:

The General Assembly,

Taking note of the report of the Secretary-General to the fifth session of the General Assembly on the question of the assessment of signatories of international instruments relating to the control of narcotic drugs, which are non-members of the United Nations, for their fair share of expenses resulting from obligations placed on the United Nations by those instruments,

1. Approves the principle proposed by the Secretary-General for determining the expenses to be considered as assessable on such non-members;

2. Requests the Committee on Contributions to determine the rates at which such non-members should be assessed by the same method as that followed in determining the assessment of non-members which are parties to the Statute of the International Court of Justice for their share of the expenses of the Court;

3. Directs the Secretary-General to seek payment of such amounts as are determined by the method established above in respect of the 1950 expenses and those of future years.

## R. CULTURAL ACTIVITIES

### 1. Teaching about the United Nations in the Schools of Member States

The Economic and Social Council, at its seventh and eighth sessions, had examined reports on the teaching about the United Nations prepared in response to General Assembly resolution 137(II). At its eleventh session, in July-August 1950, it had before it a report (E/1667), submitted jointly by the Secretary-General of the United Nations and the Director-General of UNESCO, as requested by Council resolution 203(VIII), on the progress achieved in teaching about the United Nations in the educational institutions of Member States.

The joint report stated that in response to this request the United Nations and UNESCO had attempted to find out what was being taught about the United Nations, what had been the main obstacles and difficulties and how they were being overcome. Although the report was based largely on information received from 19 Member States in 1949, the information included in the earlier reports to the Council had also been used. Altogether, reports from 37 Member States had been analysed. The report noted that about half of these Member States had merely stated that they did include teaching about the United Nations in the curricula of their educational institutions. In many cases it had been very difficult for States

to compile the data because of a decentralized system of education. Twenty-two Member States had never submitted any information on the subject.

The report dealt chiefly with teaching about the purposes and principles, structure and activities of the United Nations in schools, universities and adult education groups. Special attention was also given to information on teaching about the United Nations in Trust and Non-Self-Governing Territories. One section, based on reports of non-governmental organizations, gave an account of the important part the organizations had played in such teaching, and another outlined the work that the United Nations and UNESCO had been doing to encourage this teaching.

Among other things, the report stated, teaching could not be isolated from the whole question of education for international understanding. UNESCO and the United Nations regarded teaching about the United Nations as a means both of developing a world outlook and as a means of creating the public support for the work of the United Nations and the specialized agencies which was essential to their success. The report concluded that the over-all picture was not too discouraging in view of the recent establishment of the United Nations, the slowness with which educational changes take place and the preoccupation of many educators with other problems, such as

providing minimum education for all in the under-developed countries. However, the position was not entirely satisfactory in any country. One of the greatest obstacles to teaching about the United Nations at all levels was the shortage of materials, particularly in countries where the language was not one of the official languages of the Organization.

Finally, the following recommendations were suggested for improving teaching about the United Nations.

(1) In primary and elementary schools increased attention should be given to the development of skills favourable to international understanding and some direct teaching on the United Nations and the specialized agencies should be included.

(2) In secondary schools full use should be made of all subjects in the curriculum and of special activities and current events lessons to give pupils an understanding of the work of the United Nations. Some systematic teaching about the United Nations system as a whole should be given in either special courses or in appropriate school subjects.

(3) United Nations Day and Human Rights Day should be observed in schools of all types.

(4) University authorities and student organizations in each country should be consulted on how to expand teaching about the United Nations at the university level.

(5) Greater attention should be given to training prospective teachers and full use made of national, regional and international seminars to assist teachers.

(6) Non-governmental organizations should be encouraged to continue to spread information about the work of the United Nations and particular consideration given to holding courses for leaders in adult and youth organizations on education for international understanding.

(7) Serious efforts should be made by national authorities to provide more teaching materials for educational institutions, and to make wider use of the United Nations Bulletin and the UNESCO Courier.

(8) Ministries of Education should establish the necessary machinery to give official encouragement and to assist in the distribution—and where necessary the translation—of material on the United Nations.

(9) Fullest use should be made of the services of the United Nations and UNESCO.

(10) Reports on progress achieved should be submitted at two-year intervals and fuller reports prepared every four years.

The Council discussed the question at its 397th plenary meeting on 24 July 1950. The majority of members commended the report and supported its conclusions and suggestions.

The representatives of Australia, France and the United States pointed out that the crux of the problem at the present time did not lie with the young but with the adult. The effectiveness of the United Nations depended on the extent to which Governments were prepared to accept their responsibilities which in turn depended on the

support of their people. One big obstacle, several representatives stated, was the pessimism which had resulted from the failure of the League of Nations and the current disagreements among United Nations Members.

The representatives of Chile, France and the United States urged greater propaganda efforts to explain the aims and principles of the United Nations. The United Nations machinery which had been set up to implement these aims should, the United States representative stressed, also be publicized so that the principles of the Charter might seem more real. These representatives held that greater emphasis should be placed on the use of the Press, radio, cinema and television in spreading information. The need for up-to-date information to enable current United Nations activities to be defended when criticized was pointed out by the representative of France.

The representatives of Canada, Pakistan and the United Kingdom agreed with these points, but stressed that the United Nations should not be advertised along commercial lines which would lead to false emotional associations and hopes. The Organization's possibilities and achievements should not be exaggerated and information should be restrained and realistic.

The Council unanimously adopted a joint United States-France resolution (E/L.75), as amended by Mexico (E/L.78) and India. Resolution 314 (XI) read:

The Economic and Social Council,

Noting with satisfaction the report on "Teaching about the United Nations and the Specialized Agencies" submitted, in accordance with resolution 203(VIII) of the Economic and Social Council, jointly by the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization, and particularly the conclusions set forth in chapter IV,

Considering that teaching about the United Nations, including the specialized agencies, in order to promote understanding among all the peoples of the world concerning the purposes, and principles and activities of the United Nations, should be undertaken in schools as well as in adult education programmes in all countries and territories,

Recognizing that the attainment of these ends requires continuous effort on the part of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the other specialized agencies, the Member States, and interested non-governmental organizations,

Requests the Secretary-General, in collaboration with the United Nations Educational, Scientific and Cultural Organization:

(a) To continue the preparation of basic materials on the United Nations and to encourage educational and public information authorities of Member States,

particularly those whose native tongues are not the official languages of the United Nations, to adapt and publish these materials in the light of their particular needs;

(b) To continue to make available through Information Centres to all interested persons and to Press, radio and film services, information about the United Nations; and

(c) To study ways for increasing public awareness and understanding of United Nations policies, problems and activities;

Invites the United Nations Educational, Scientific and Cultural Organization, in consultation with the United Nations:

(a) To continue the production for use by teachers, and by adult education groups, of teaching aids on the United Nations;

(b) To evaluate, in collaboration with the educational authorities of the Member States, various methods for teaching about and stimulating interest in the United Nations;

(c) To encourage and facilitate teaching about the Universal Declaration of Human Rights in schools and adult education programmes and through the Press, radio and film services; and

(d) To continue to grant a limited number of fellowships to enable educators to study, both at the headquarters of the United Nations and of the specialized agencies, and in educational institutions, the practical problems of teaching about the United Nations;

Requests the other specialized agencies to co-operate with the United Nations and the United Nations Educational, Scientific and Cultural Organization in this programme;

Invites interested non-governmental organizations to continue their valuable co-operation in these activities;

Requests the Member States actively to encourage the dissemination of information about the purposes and principles and the structure and activities of the United Nations through all appropriate media, and to report to the Secretary-General every two years on the progress made toward achieving the ends set forth in this resolution; and

Invites the Trusteeship Council to consider this resolution in order to ensure its implementation in the Trust Territories.

## 2. United Nations Research Laboratories

The question of establishing international research laboratories under the auspices of the United Nations or the specialized agencies had been considered by the Economic and Social Council at its third and seventh sessions. At the third session, the Council had expressed the view that a certain number of research activities could only be carried out in a rational manner on an international scale, and had invited the Secretary-General to undertake extensive consultations on the problem (22(III)). At its seventh session, the Council had noted his report and affirmed its interest in furthering the development of research and discovery in all sciences. In view of the large

number, variety and importance of suggestions made in the report, the Council had decided that study of the question ought to be actively pursued. It, therefore, had recommended that a committee of experts in the basic sciences should consider the question of priorities. The Committee was also asked to examine the advisability of convening an international conference of scientists (160(VII)).

The Committee of Scientific Experts on International Research Laboratories met in Paris from 16 to 24 August 1949 (E/1694 & Add.1). In considering the question of priorities the Committee used as a basis for its decisions the following criteria: (1) the importance of the work to humanity; (2) its appropriateness for research on an international level; (3) existing resources available for proceeding with the project; and (4) cost. The Committee recommended that the highest priority should be given to the establishment of an international computation centre, an international institute of research on the brain and an international institute of social sciences. While the Committee was of the opinion that there were compelling reasons for beginning with these projects, it urged that funds should be made available as soon as possible to start on four other projects: an international laboratory for arid-zone research; an international astronomical laboratory; an international institute for the chemistry of living matter and an international meteorological institute.

Finally, the Committee proposed that a widely representative conference of scientists should be held in 1951 or 1952 for the purpose of examining other proposed projects and of providing the Council with an exhaustive study on the important question of international action in the field of scientific research.<sup>223</sup>

The Committee's report and the second report of the Secretary-General (E/1669/Rev.1) were examined by the Council at its eleventh session at its 410th and 411th plenary meetings on 14 August 1950.

The Secretary-General's report contained substantive excerpts from communications from Governments and national institutions, specialized agencies and international scientific organizations on the question of establishing such laboratories. The Secretary-General noted that by 30 April 1950, 25 Member Governments, three non-member Governments, eleven specialized agencies and

<sup>223</sup> For a more detailed description of the Committee's proposals, see Y.U.N., 1948-49, pp. 664-65.

three international scientific unions had entered into correspondence with him on the subject. All communications, with the exception of one from Canada and one from Pakistan, which had been received too late, had been submitted to the Committee of Experts.

During the Council's discussions, a number of representatives, among them those of Australia, Canada, the United Kingdom and the United States, were of the opinion that the need for the establishment of international research laboratories at this time had not been proved; therefore, they doubted the feasibility and desirability of setting up these laboratories. For one thing, there were not sufficient funds available to carry out a far-reaching programme. The representatives of Canada and the United Kingdom held, in addition, that it would be wiser to strengthen research on a national level, placing the emphasis on greater collaboration.

The representative of Canada thought that one of the best ways of carrying out research would be through the technical assistance programmes of the United Nations. However, the representatives of the United States and India pointed out that it had already been established at the Council's tenth session that as a general rule technical assistance funds should not be used for the promotion of scientific research *per se*.

Those supporting the Committee of Experts' proposals, among them the representatives of Denmark, France, Chile and Mexico, considered that the creation of international research laboratories would provide scientists with increased resources and ensure better results. Such laboratories would remove obstacles to certain projects which were too costly to be undertaken by one single country. They also would obviously be of great benefit to the under-developed countries. Moreover, they would encourage the development of science itself by removing the danger that Governments would limit research in fields such as the basic sciences because of an over-concern with the added power they might gain from the development of certain branches of scientific knowledge.

The majority felt that UNESCO should study the general problem connected with the establishment of international research laboratories, and, in particular, should proceed as early as possible with details for the setting up of an international computation centre.

In view of this the majority of the Council held that it was unnecessary and undesirable to hold the proposed conference of scientists in 1952.

The Council considered a joint draft resolution (E/L.102) combining resolutions proposed by Denmark and France (E/L.100) and by the United States (E/L.101). Regarding the holding of a conference of scientists (Part C of draft resolution) two alternatives were presented: one, proposed by the representatives of Denmark and France, that a conference be convened as early as possible and not later than 1952; the other, proposed by the United States representative, that a decision on holding a conference should be postponed pending the receipt of the report requested from UNESCO. The United States proposal in part C was adopted by 6 votes to 5, with 4 abstentions. The joint draft resolution (E/L.102), with additional minor amendments, was adopted as a whole, at the Council's 411th meeting by 13 votes to 2.

In this resolution (318(XI)), the Council reaffirmed its "desire to promote the development of scientific research and discovery as an indispensable basis for the economic and social progress of mankind" and gave special consideration to the Committee's proposal for the establishment of an international computation centre. The United Nations Educational, Scientific and Cultural Organization was accordingly invited, in part B of the resolution, to propose a detailed plan for the setting up of such a centre, "including recommendations as to location, staffing, equipping and financing". As regards the other proposals made by the Committee, the Council in part A of the resolution considered that they should receive thorough technical examination before any final decisions were taken, and entrusted UNESCO, in co-operation with the United Nations and the appropriate specialized agencies, with the execution of the requested study. The study should include

- (a) "an appraisal ... of the outstanding problems of scientific research referred to in the report of the Committee";
- (b) "an evaluation of the ability of existing research centres to deal adequately with such problems and recommendations for measures which might be taken to expand such centres or to promote a greater degree of co-ordinated research" among them;
- (c) "a thorough analysis of the need for the establishment of specific regional or United Nations laboratories, and of the functions they might perform," including detailed plans for their staffing, location, equipment and operation; and
- (d) "an examination of the role of the other specialized agencies and other international organizations in assisting scientific research in their respective fields".

Finally, in part C of the resolution the Council decided to postpone a decision for convening the proposed conference of scientists until a later ses-

sion pending receipt of the report by UNESCO on the above questions.

### 3. Co-ordination of Cartographic Services

In pursuance of resolution 261(IX)<sup>224</sup> of the Economic and Social Council, the Secretary-General was engaged during 1950 in consulting Governments on the following questions:

(a) The calling of regional meetings on cartography, to be attended by representatives of Governments having a common interest in a specific region;

(b) The constitution of a panel of consultants in the various fields of cartography, whom the Secretariat may call on individually for counsel on specific problems;

(c) The publication of a United Nations cartographic bulletin.

Regarding the last item, the views of the specialized agencies and international scientific organizations in the field were also obtained. The bulletin was scheduled to appear in 1951.

In accordance with the decision of the General Assembly in 1949, the establishment of the United Nations cartographic office was to be carried out in 1951.

## S. RELATIONS WITH AND CO-ORDINATION OF THE SPECIALIZED AGENCIES

### 1. Consideration by the Economic and Social Council at Its Tenth and Eleventh Sessions

#### a. GENERAL CO-ORDINATION QUESTIONS

At its tenth session, the Economic and Social Council, at its 347th, 348th, 350th and 354th plenary meetings from 8 to 17 February 1950, considered general co-ordination questions and briefly reviewed the progress made since its previous session.

The first of the two documents before it, the sixth report of the Administrative Committee on Co-ordination (ACC) (E/1572) dealt mainly with the initial action taken to give effect to the decisions made at the ninth session of the Council (259(IX))<sup>225</sup> and the fourth session of the General Assembly (310(IV), 311(IV)),<sup>226</sup> and called attention, *inter alia*, to the problem of concentration of effort and resources, the setting up of the Technical Assistance Board and certain aspects of programme, administrative and budgetary, and regional co-ordination.

The second, a report by the Secretary-General on particular co-ordination matters (E/1573) reviewed the action taken on the following questions: the agreements between the United Nations and the specialized agencies; the headquarters arrangements with the World Health Organization; the decision of the Food and Agriculture Organization regarding its permanent headquarters; the calendar of conferences of specialized agencies; and inter-agency agreements.

The Council, at its 350th plenary meeting on 14 February, unanimously adopted, as resolution

284(X), a United States proposal (E/L.11), which read as follows:

The Economic and Social Council

Notes the sixth report of the Administrative Committee on Co-ordination,

Requests the Secretary-General to call to the attention of other organs of the United Nations the desirability of using, wherever possible, the annual reports of the specialized agencies to the Economic and Social Council rather than requesting special reports;

Requests the Secretary-General to call General Assembly resolution 309(IV) to the attention of the Administrative Committee on Co-ordination and to submit to the eleventh session of the Council any suggestions he or the Committee may wish to make on the matter; and

Recommends to Member Governments which are also members of the International Telecommunication Union that further consideration be given to the time at which meetings of the Administrative Council of the International Telecommunication Union are held.

At its eleventh session, the Council considered general co-ordination matters at the 59th-71st meetings of the Co-ordination Committee, 17-25 July and 4 August, and at its 405th plenary meeting, 9 August 1950. It gave close attention to General Assembly resolution 310(IV) in the light, more particularly, of the report on concentration of effort and resources of the United Nations and the specialized agencies (E/1683) which had been prepared by the Secretary-General in consultation with the heads of the specialized agencies in accordance with the resolution.

The report dealt primarily with programmes, organs and meetings, documentation and co-ordination of national action (see below, under sub-

<sup>224</sup> See Y.U.N., 1948-49, pp. 663-64.

<sup>225</sup> *Ibid.*, 1948-49, pp. 683-84.

<sup>226</sup> *Ibid.*, pp. 692-93, 699-700.

ject headings). It noted that aspects of the same problem had been dealt with in the seventh report (E/1682) of the Administrative Committee on Co-ordination (ACC). This report, in general, had considered the problem of concentration of effort and resources; technical assistance for economic development; programme co-ordination; regional co-ordination; administrative and budgetary co-ordination; inter-agency agreements and agreements between agencies and other inter-governmental organizations; and Trust and Non-Self-Governing Territories. The Council found itself in close agreement with the analysis of the problem and the concrete suggestions contained in the Secretary-General's report. By resolution 324 A (XI), unanimously adopted at the 405th plenary meeting on 9 August, it referred the report to the General Assembly. In the same resolution, the Council noted the progress made in the co-ordination of activities of the United Nations and the specialized agencies and approved the report, including the specific recommendations (E/1810) of its Co-ordination Committee (see below).

The Council considered that the ACC was proving increasingly effective as a device for facilitating co-ordination among the United Nations and the specialized agencies and that its seventh report (E/1682) showed noteworthy progress along the lines recommended by previous resolutions both of the Council and of the General Assembly.

The Council considered a number of aspects of the question of co-ordination in which improvements could be made on existing practice. It endorsed the view, put forward in the Secretary-General's report (E/1683), that the co-ordination of national action was of paramount importance to the concentration of international effort, and that consistency in briefings of national delegations for international conferences and the co-ordination of requests made by Governments to international agencies for technical advice and services were an indispensable prerequisite to the success of other measures designed to achieve co-ordinated action.

#### (1) Programme Co-ordination

On questions of programme co-ordination the Council, at its eleventh session, underlined the importance of co-ordinating programmes while they were still in the planning stage, and to this end, at its 405th plenary meeting on 9 August, it unanimously adopted resolution 324 B (XI) requesting the Secretary-General, through the ACC,

to make arrangements to ensure that all proposals which concern more than one organization should be the subject of inter-agency consultation prior to their adoption by the organ concerned, and that the results of this consultation should be put before the competent organs of the United Nations and specialized agencies when they were considering new projects. It further recommended that the United Nations, specialized agencies and States members thereof should insist on a deadline for the submission of new projects of at least six weeks prior to the opening of the conferences at which the substance of these projects was to be discussed.

The Co-ordination Committee of the Council made particular recommendations on two items of programme co-ordination, namely:

- (a) on the co-ordination of United Nations activities for the development of arid zones,<sup>27</sup> concerning which the Council unanimously adopted resolution 324 D (XI) urging closely co-ordinated action in defining and meeting the inter-related problems of the development of the arid zones;
- (b) on activities in the field of freedom of information, concerning which the Council on 9 August unanimously adopted resolution 331 B (XI) calling for an examination of the fields of responsibility of UNESCO and of the United Nations.

#### (2) Priorities

At its eleventh session, the Council gave careful consideration to the problem of establishing priorities, with particular reference to the request of the General Assembly in resolution 310(IV) that it review the Catalogue of Economic and Social Projects in terms of categories of priorities and report thereon to the fifth regular session of the Assembly. The Council agreed with the conclusion of the Co-ordination Committee that it was not possible at that time to meet this request fully in view of the difficulties both of defining priorities and of introducing any standard procedure for establishing them. The Council, however, endorsed the Committee's suggestion that the establishment of criteria, which might provide for the organs of the United Nations and the specialized agencies a common approach to the evaluation of priorities between programmes within a particular field of work and between projects within those programmes, might represent at this stage a more constructive and practical, if less direct, approach to the problem than an effort to review, in terms of categories of priorities, the manifold and diverse activities of the United Nations and the specialized agencies.

<sup>27</sup> See also p. 646.

The Co-ordination Committee had recommended that the criteria should be taken as a whole and subject to two overriding principles: (a) that international action would be justified only in cases where the desired results could not be achieved by unassisted national action with some degree of certainty and within a reasonable time; and (b) that the proposed action must be technically sound and adapted to its purpose. It suggested that the criteria for priorities should be: urgency, feasibility, scope, preparation and co-ordination, and results. In recommending that these criteria should be employed both by itself and by the specialized agencies, the Council agreed that their effectiveness would largely depend upon the extent to which Governments, through their representatives, were prepared to apply them to proposals submitted at the various international conferences. The Council also recognized that these criteria were of an experimental nature and that they would probably require further elaboration and development.

#### (3) Meetings of International Bodies

At its tenth session, in connexion with its plan for a balanced calendar of international meetings under which the annual conferences of the specialized agencies would, wherever possible, take place within the first six months of the year, the Council, on 14 February, in resolution 284(X), recommended that further consideration be given by the Governments of those members which are also members of the International Telecommunication Union to the time of meeting of the Administrative Council of ITU. At its eleventh session, the Council agreed with the opinion expressed by the Co-ordination Committee that the arrangements under which the annual conferences of most of the specialized agencies met during the first half of 1950 represented a substantial improvement over previous practice, but, unanimously adopted resolution 324 E (XI), urging that so far as possible these annual conferences should be arranged so as not to overlap.

The Council endorsed the conclusions contained in the Secretary-General's report on concentration of effort and resources (E/1683) and emphasized the importance of avoiding the establishment of new inter-governmental organizations and the convening of ad hoc conferences without due consideration of the adequacy of existing organizations and facilities. It recommended the wider use, where appropriate, of existing inter-governmental and non-governmental organizations for tasks within their recognized competence, and

urged further examination of the possibility of greater use of joint inter-agency committees.

The Council also discussed possible methods of avoiding duplication of debate between itself and its subsidiary organs, and agreed on the desirability of any re-organization of work which might lead to the Secretariat spending less of its time in servicing meetings and more of its time in carrying out substantive tasks.

#### (4) Documentation

At its tenth session the Council on 14 February (284(X)) requested the Secretary-General to call to the attention of other organs of the United Nations the desirability of using, wherever possible, the annual reports of the specialized agencies to the Council rather than requesting special reports.

At its eleventh session, the Council approved (324 A (XI)), in general, the recommendations contained in the Secretary-General's report (E/1683) on this subject, and in particular recommended that the Council, its subsidiary organs and the organs of the specialized agencies, before requesting further reports and studies from the Secretariat, should weigh very carefully the urgency and usefulness of such further reports. Among the other recommendations stressed were the need for limiting background material and categories of documents produced in several languages and the desirability of Governments assisting in the reduction of distribution lists and copies required by ensuring proper and rapid distribution of documents received among the Government departments and offices concerned. It further recommended that ACC should continue to examine the possibility of further co-ordinating sales of the publications of the specialized agencies with those of the United Nations so that these publications might be disseminated in the most efficient and economical manner.

The Council considered that the documents on co-ordination which were before it showed that a basis had now been laid for the economical use of the efforts and resources of the United Nations and the specialized agencies, and made various recommendations as to the nature of the documentation on co-ordination matters which should be prepared for its thirteenth session.

#### (5) Catalogue of Economic and Social Projects

The Council expressed its appreciation of the Catalogue as a comprehensive work of reference. It considered that Governments should be asked by the Secretary-General to submit, by 1 March

1951, their comments on its form, presentation and usefulness, and that, pending the receipt of these comments, a supplement to the current issue would adequately meet the needs of the Council at its thirteenth session. It adopted resolution 324 C (XI) to this effect, by 13 votes to none, with 2 abstentions.

(6) Regional Co-ordination

In connexion with problems of regional co-ordination, the Council had before it at its eleventh session a report by the Secretary-General on regional co-ordination of programmes of the United Nations and specialized agencies (E/1684). The Council noted that particular attention had been paid to co-ordination and co-operative arrangements between the regional economic commissions and several specialized agencies, which were considerably developed during the period under review. The Co-ordination Committee of the Council expressed the hope (E/1810) that the ACC would continue to report to the Council on the development of techniques for co-ordination and avoidance of duplication at the regional level.

(7) Administrative Co-ordination

At its eleventh session, the Council noted the section of the report of the ACC (E/1682), which dealt with administrative and budgetary co-ordination, and expressed general satisfaction with the progress made. It particularly urged further consideration of the possibilities of the use of common staffs and of the pooling of administrative services, and specifically recommended that the specialized agencies should make as full use as possible of the services of the United Nations Department of Public Information and its Information Centres throughout the world. The Council, while expressing the hope that the studies already undertaken under General Assembly resolution 311(IV) in regard to the methods of increasing the utilization of soft currencies by the United Nations and specialized agencies would lead to positive results, also considered that further studies should be made of the possibilities of granting to all member States the opportunity of paying an equitable proportion of their contribution to the budgets of the organizations concerned in soft currencies usable by those organizations.

(8) Agreements between the United Nations and the Specialized Agencies<sup>228</sup>

At its eleventh session the Council considered the reports of the Secretary-General (E/1741) and of the ACC on the question of agreements

between the United Nations and specialized agencies requested by the Council in resolution 284(X)<sup>229</sup> in connexion with General Assembly resolution 309(IV). The latter resolution asked the Council to report to the next session of the General Assembly on the possible revision of the agreements. The Council decided that it was unnecessary at this stage to recommend to the General Assembly any measures for the revision of the agreements, and recommended that, unless the matter was raised by the General Assembly, by the Council itself, by the Secretary-General or by one of the specialized agencies, it would be unnecessary for the Council to consider further the question of a possible revision of the agreements until more experience in their working had been obtained.

The Council considered the question of the negotiation of an agreement between the United Nations and the World Meteorological Organization (WMO). It noted that the Convention of WMO had come into force on 23 March 1950 and that the first quadrennial congress of WMO would take place at Paris on 15 March 1951. It agreed with the Secretary-General's suggestion that the negotiations between its Committee on Negotiations with Inter-Governmental Agencies and the negotiating representatives of WMO should take place in the latter part of March 1951 so that the draft agreement reached could be considered for approval by the WMO Congress before the end of its session and by the Council at its thirteenth session.

(9) Applications for Membership in UNESCO

The Council at its 347th, 348th and 354th plenary meetings on 8, 13 and 17 February considered the applications for membership in UNESCO of the Republic of Korea, the Republic of the United States of Indonesia and the Hashemite Kingdom of Jordan, transmitted by UNESCO to the Council in accordance with article II of the Agreement between the United Nations and that organization. It had before it three draft resolutions submitted by Australia (E/L.2), India (E/L.3) and Iran (E/L.10) concerning, respectively, the admission of the Republic of Korea, the Republic of the United States of Indonesia and the Hashemite Kingdom of Jordan. The Council unanimously adopted them at its 347th and 354th plenary meetings on 8 and 17 February 1950 as resolution 285(X), by which it informed

<sup>228</sup> For agreements in full force and effect at the end of 1950, see p. 66.

<sup>229</sup> See above, p. 639.

UNESCO that it had no objection to the admission of these States to the organization.

#### b. REPORTS OF THE SPECIALIZED AGENCIES

At its 352nd and 353rd plenary meetings on 16 February and 53rd-58th and 66th-68th meetings of its Co-ordination Committee, 11 to 24 July and at its 396th, 403rd and 405th plenary meetings from 20 July to 9 August 1950, the Council considered the following reports:

International Labour Organisation: Fourth report to the United Nations (E/1719) covering the period from March 1949 to March 1950.

Food and Agriculture Organization: Annual report to the United Nations (E/1676 & Add.1-4), including the report of the Director-General on the work of FAO, 1948/1949, the draft programme of work for 1950, the report of the fifth session of the Annual Conference of FAO, and the report of the Joint Food and Agriculture Organization—International Office of Epizootics Veterinary Committee.

International Bank for Reconstruction and Development: Fourth annual report of the Bank to the Board of Governors for the period 1 September 1948 to 20 August 1949, incorporating financial statements covering the fiscal year ended 30 June 1949 (E/1557). Financial statements as of 30 September 1949 (E/1557/Add.1), quarterly financial statements as of 31 December 1949 (E/1557/Add.2) and a statement of the principal activities since 1 September 1949 (E/1557/Add.3).

International Monetary Fund: Annual report of the Executive Directors of the Fund for the fiscal year ended 30 April 1949 (E/1556). Quarterly financial statement dated 31 July 1949 (E/1556/Add.1/Rev.1), quarterly financial statement as of 31 October 1949, and summary of activities of the Fund for the period 1 May 1949 to 1 February 1950. (E/1556/Add.2/Rev.1 & Add.3.)

International Civil Aviation Organization: Report of the Council to the fourth session of the Assembly of the organization on activities in 1949 and budget estimates, 1951 (E/1713 & Add.1).

Universal Postal Union: Annual report on the work of the Union in 1949 (E/1664).

International Telecommunication Union: Summary of the work of the general secretariat of the International Telecommunication Union during 1949 (E/1679).

United Nations Educational, Scientific and Cultural Organization: Second annual report of UNESCO to the United Nations on activities in 1949 and covering a programme of work for 1950 as approved by the fourth session of UNESCO's General Conference (E/1688). A supplementary report containing an outline of the decisions of the fifth session of the General Conference held in Florence between 22 May and 17 June 1950 (E/1688/Add.1).

World Health Organization: Annual report of the Director-General of the organization to the World Health Assembly and to the United Nations, 1949 (E/1677), the proposed programme and budget estimates for the financial year 1 January—31 December 1951 (E/1677/Add.1), and a copy of a resolution adopted by the Executive Board of WHO at its sixth session in June 1950 on the expenditure level for 1951 (E/1677/Add.2).

International Refugee Organization: Second annual report of the organization to the United Nations covering activities for 1949, and the programme for 1 January 1950-31 March 1951 (E/1675 & Corr.1/Rev.1).

#### (1) International Labour Organisation

The Council considered the fourth report of ILO to the United Nations (E/1719) at the 53rd and 54th meetings of its Co-ordination Committee on 11 and 12 July and at its 396th plenary meeting on 20 July 1950. A representative of ILO supplemented the information contained in the report.

In the course of the discussion, warm appreciation was generally expressed of the success of ILO in concentrating its efforts on urgent problems and in effective fields, in intensifying its operational programmes of practical assistance to Governments, and in co-ordinating its activities with the United Nations and other specialized agencies on various common problems. Certain members, among them Belgium and the United Kingdom, noted with special satisfaction the achievements of ILO in the fields of vocational guidance, unemployment, migration and the protection of trade union rights.

The representative of Pakistan expressed the hope that ILO would direct greater attention in the future to improving the conditions of agricultural workers. The United States representative felt that further effort should be made towards rendering ILO's budget more comparable with those of other international organizations. He and the representative of India also suggested that future reports might contain a chapter summarizing the situation with regard to the adoption and the ratification by Governments of various international labour conventions and recommendations.

The Co-ordination Committee on 12 July (E/1766) and the Council on 20 July (resolution 325(XI)) expressed appreciation of the report of ILO and requested the Secretary-General to transmit to that organization the records of its discussion on the report.

#### (2) Food and Agriculture Organization

The Council, at the 58th meeting of its Co-ordination Committee on 14 July and at its 396th plenary meeting on 20 July 1950, considered the annual report of FAO to the United Nations (E/1676 & Add.1-4) and heard a supplementary statement by the representative of that organization.

During the discussion, members expressed general satisfaction with the report of FAO, which gave a comprehensive picture of the organization's activities during the past year as well as its programme for 1950. The importance of its role under the expanded programme of technical assistance was generally recognized, and confidence was expressed that under this programme FAO's high technical competence would be translated into effective action for the benefit of economically under-developed countries. Certain members, among them India and Pakistan, saw the danger of increased mechanization of agriculture in an over-populated area, which might give rise to agricultural unemployment. Several members, including Canada and the United States, pointed out that the success of FAO's work was dependent on the fullest co-operation of the Governments of its members. The United States representative suggested that doubling the budget of FAO would produce less result than doubling the efforts of members to implement, in their own countries, the recommendations of the organization.

Among others, the representatives of Australia and the United States expressed satisfaction with FAO's activities in the commodity field and hoped that the Committee on Commodity Problems of the FAO Council could be allowed to play a more active part, working in close relation with the United Nations and specialized commodity bodies. Members were also generally satisfied with the co-operation in the field of agriculture between FAO and the Economic Commission for Europe, through their joint secretariat in Geneva.

Certain members, including India and the United Kingdom, commended FAO for having been able to restrict its expenditure to the limits of a foreseen income. The representative of the United States expressed the hope that it would endeavour to frame a concentrated and integrated programme and eliminate unrelated projects.

The Co-ordination Committee on 14 July (E/1779) and the Council, on 20 July 1950, unanimously adopted resolution 326(XI) expressing appreciation of the report and requesting the Secretary-General to transmit to the organization the records of the discussion thereon.

### (3) International Bank for Reconstruction and Development

The Council at its 353rd plenary meeting on 16 February 1950 considered the report of the Bank (E/1557 & Add.1-3) and heard a supple-

mentary statement by its President on behalf of the Bank.

In the course of the debate, certain members, among them India and Peru, urged the Bank to adopt a more liberal attitude in regard to extending loans to under-developed countries. The representative of the United Kingdom, however, defended it for having followed a cautious loan policy. The President of the Bank pointed out that the volume of loans had been limited by the lack of properly prepared projects rather than by the lack of funds, that these loans tended more and more to be granted for the purposes of economic development rather than for reconstruction, and that the technical assistance activities of the Bank in connexion with the planning and preparation of projects had become an important part of its programme.<sup>230</sup>

The Council at the same meeting adopted resolution 273(X) which took note of the report of the Bank.

### (4) International Monetary Fund

The Council considered the report of the Fund (E/1556, Add.1/Rev.1, Add.2/Rev.1 & Add.3) at its 352nd plenary meeting on 16 February 1950. The Managing Director, on behalf of the Fund, made a statement emphasizing the important points covered in the report and, at the request of Canada, made a supplementary statement on the effects of the currency devaluation by certain countries on the world economy.

The United Kingdom representative commended the Fund for its ability to undertake speedily and smoothly a complex operation of financial adjustment following the devaluation. Certain other representatives, among them the representative of Brazil, hoped that the Fund would devote more attention to the adverse effects of the devaluations on trade in countries which, for reasons of their economic structure, had not been able to take that measure.

Members generally acknowledged that the nature and scope of the Fund's activities had changed as a result of the profound changes in the world economic situation, and looked to the Fund to continue exerting its influence for establishment of sound monetary practices which would contribute to the restoration of stability in world trade and finance, and to international economic equilibrium.

The Council at the same meeting adopted resolution 274(X) which took note of the report of the Fund.

<sup>230</sup> See also pp. 438 S.

**(5) International Civil Aviation Organization**

The Council at the 54th and 55th meetings of its Co-ordination Committee on 12 July and at its 396th plenary meeting on 20 July 1950 considered the report (E/1713 & Add.1) of ICAO on its activities in 1949 and heard a supplementary statement by the representative of that organization.

General appreciation of ICAO's report was expressed both in regard to its form and its content. Chapter I, which contained a summary of outstanding events in the field of civil aviation during 1949, was found to be of particular interest. Members were particularly satisfied with the concrete achievements of ICAO on a relatively modest budget, and with its success in co-ordinating its work with that of other specialized agencies, especially in the transport and communications field.

With regard to administrative matters, members expressed satisfaction with the efforts of ICAO in promoting administrative and budgetary practices in common with the United Nations and the other specialized agencies. The representatives of Canada and India, however, expressed the hope that ICAO would take early steps to participate in the system of joint external audit of the United Nations.

The Co-ordination Committee on 12 July (E/1768) and the Council on 20 July (327(XI)) unanimously adopted a resolution expressing appreciation of the report and requesting the Secretary-General to transmit to the organization the record of the discussions thereon.

**(6) Universal Postal Union**

After having considered the annual report (E/1664) of UPU on its work in 1949, and having heard a supplementary statement by a representative of the organization, the Council, at the 55th meeting of the Co-ordination Committee on 12 July (E/1769) and at its 396th plenary meeting on 20 July 1950, unanimously adopted a resolution (329(XI)) expressing appreciation of the report of UPU and requesting the Secretary-General to transmit to the organization the records of its discussion.

**(7) International Telecommunication Union**

The Council, at the 68th meeting of its Co-ordination Committee on 24 July and at its 403rd plenary meeting on 9 August 1950 considered the report (E/1679) of ITU on the work of that organization in 1949. The Secretary-General of

ITU made a supplementary statement on behalf of that organization.

During the discussion, certain criticisms were made on the form and content of the report as well as on the work of the organization. The representatives of the United States and the United Kingdom pointed out that the report did not indicate the purposes of ITU as an integral part of international co-operative efforts in the interests of peace, or its accomplishments during the past year in relation to the difficulties it had encountered; nor did it contain sufficient information on the relations developed between ITU and other international organizations. They also expressed the hope that the next report of ITU would contain some information on developments in the field of telecommunications. The representatives of Australia, France and the United States further expressed the desire that the next report would contain information on the financial situation of the organization.

Reference was made to the difficulties encountered by ITU in the allocation of radio frequencies, which was dealt with separately under Council resolution 298 J (XI)<sup>231</sup> and to the date of the future sessions of the Administrative Council, on which recommendations had been made to members by the Council at its tenth session in resolution 284(X) (see above). The Secretary-General of ITU indicated that if, as was proposed, the annual sessions of the Administrative Council were henceforth held in the first half of the year, it should be possible to meet the recommendations made in this resolution and also give the information required by the Council.

The Co-ordination Committee (E/1804) unanimously adopted a draft resolution which was subsequently unanimously adopted by the Council on 9 August as resolution 328 (XI). By this resolution the Council took note of the report; invited ITU, in its next report, to include a general statement containing an appraisal of its work during the year, and an account of its relations with other international organizations and of steps taken under its Agreement of Relationships with the United Nations; and requested the Secretary-General to transmit to the organization the record of the discussions of the report.

**(8) United Nations Educational, Scientific and Cultural Organization**

The Council at the 66th and 67th meetings of its Co-ordination Committee on 21 July and at its

<sup>231</sup> See p. 487.

405th plenary meeting on 9 August 1950 considered the annual report (E/1688 & Add.1) of UNESCO to the United Nations and heard a statement by its Director-General.

During the debate, members expressed general satisfaction on the work of UNESCO during the past year. Two recent activities of the organization were especially praised, namely, the Brussels meeting of experts to improve history textbooks and the publication of the scientific report on the question of race. Considerable emphasis was laid by some members, among them Australia, India and Mexico, on the work of UNESCO's national commissions, which played an important part in the promotion of the organization's programmes at the national level.

Members expressed general appreciation of the progress made by UNESCO in systematizing its programmes and establishing priorities. In the meantime, they expressed the hope that the organization would achieve a greater concentration of effort to promote peace and security in the world, as well as to give special attention to assisting under-developed countries. The representative of Belgium stressed the need for UNESCO to stabilize its budget and to lower its administrative costs.

Members also commended the organization on the manner in which it had carried out the various requests of the Council and other main bodies of the United Nations, particularly in such activities as the teaching of the purposes and principles of the United Nations and the dissemination of information on the Universal Declaration of Human Rights. Attention was drawn, however, to the need for better co-ordination between the work of UNESCO and of other organizations in the field of freedom of information and in the problems of arid zones.<sup>232</sup>

The Co-ordination Committee (E/1800) on 21 July and the Council (331(XI)) on 9 August, by varying votes, adopted a resolution which consisted of three parts. Part A of the resolution expressed its appreciation of the report; commended the efforts of UNESCO to establish priorities in its work programmes; invited members of UNESCO to seek greater concentration of future programmes in terms of priorities of major projects designed to advance UNESCO's contribution to peace and security; expressed the hope that this concentration of effort would result in a reduction of the number of expert meetings and conferences held under the auspices of UNESCO in order to allow adequate preparations for such meetings and proper implementation of their findings and

recommendations, both nationally and internationally; requested UNESCO to continue to give special attention to under-developed countries in the improvement of their educational systems and to the promotion of effective methods of teaching international understanding; and requested the Secretary-General to transmit to the organization the records of the discussions on the report.

Part B of the resolution requested the Secretary-General to prepare for the Council, in collaboration with the Director-General of UNESCO, a report delimiting the respective activities of the United Nations and of UNESCO with a view to their co-ordination, in particular comparing the terms of reference and programme of the Sub-Commission on Freedom of Information and of the Press with the constitution and programme of UNESCO.

Part C of resolution 331(XI), which was submitted by the representatives of Chile, Iran, Mexico and Peru (E/L.86) at the 405th plenary meeting on 9 August and unanimously adopted with minor amendments, noted that the Agreement on the importation of educational, scientific and cultural materials adopted at the fifth session of the General Conference of UNESCO had been deposited with the Secretary-General of the United Nations, and drew the attention of member States to the practical importance of this agreement.

#### (9) World Health Organization

The Council considered the annual report (E/1677 & Add.1 & 2) submitted by WHO to the United Nations at the 57th meeting of its Co-ordination Committee on 13 July and at its 396th plenary meeting on 20 July 1950. The Director-General presented the report with a supplementary statement.

During the discussion members generally paid tribute to WHO for its contribution towards meeting some of the most critical health needs of the world and for its realistic and regional approach to the world health problems. Approval was particularly given to the achievement of the organization in its campaign against epidemic diseases, its advisory social services and its training and fellowship programme. The organization's capacity for co-operation with other international organizations—in particular, its co-operation with UNICEF in improving the health of children, with FAO on nutrition problems and combating malaria, and with UNESCO on the development

<sup>232</sup> See also p. 640.

of primary education—was also commented on favourably.

Several members expressed satisfaction with the performance of WHO in concentrating its resources and personnel on a limited number of priority fields. The representative of France, however, felt that further concentration of activities in greater depth on a narrower front would be desirable, and that the organization should plan its programme according to financial resources which were likely to be at its disposal.

The Co-ordination Committee (E/1780) and the Council (330(XI)) unanimously adopted a resolution expressing appreciation of the report and requesting the Secretary-General to transmit to the organization the records of its discussions.

#### (10) International Refugee Organization

The Council at the 55th and 56th meetings of its Co-ordination Committee on 12 and 13 July and its 396th plenary meeting on 20 July considered the second annual report (E/1675) of IRO. The Deputy Director-General made a supplementary statement bringing up to date the information contained in the report.

Members praised the achievements of IRO, which, within a limited time, had done so much to produce a constructive solution of the refugee problem, as well as its preparations for bringing its activities to an orderly close. Certain members, among them Australia, India, Canada, the United Kingdom and the United States, expressed particular satisfaction with the accelerated effort of the organization in the resettlement of refugees during the past year.

The Co-ordination Committee on 13 July (E/1770) and the Council on 20 July (332(XI)) unanimously adopted a resolution taking note of the report of IRO and expressing highest praise for the efficient manner in which the organization had performed the great humanitarian task entrusted to it. The resolution also appealed to the goodwill of Governments and asked them to assist IRO in achieving its task by the adoption of the broadest possible criteria for the admission of refugees. The Secretary-General was requested to transmit to the organization the record of the Council's discussions thereon.

#### c. INTER-GOVERNMENTAL ORGANIZATIONS

The Council, during its tenth and eleventh sessions, considered reports of the Secretary-General on the termination, absorption and integration of certain inter-governmental organizations and the establishment of relationships between certain

others with the United Nations or the specialized agencies (E/1574 & Add.1, E/1686, E/1735, E/1687). They were discussed at the tenth session at its 347th plenary meeting on 8 February and at the eleventh session at the 48th-52nd meetings of its Co-ordination Committee from 6-11 July and at its 396th plenary meeting on 20 July 1950. At its eleventh session the Council also considered sections of reports of FAO and UNESCO which dealt with this subject (E/1676/-Add.4; E/1688). At these sessions, the Council unanimously adopted resolutions 286(X) and 333 A-H (XI). Following is a summary of the action taken under these resolutions:

#### (1) POSSIBLE TERMINATION, ABSORPTION OR INTEGRATION

International Relief Union: The Council recommended (286(X)) to Members of the United Nations which are also members of the Union to take steps to terminate that organization.

International Commission for the Scientific Exploration of the Mediterranean Sea: The Council at its tenth session recommended to Members of the United Nations which are also members of the Commission to take steps to terminate that organization (286(X)). At its eleventh session, the Council (333 F (XI)) requested FAO to report on the progress of the negotiations being held on the termination.

International Penal and Penitentiary Commission: The Council, in resolution 333 H (XI), approved a draft plan prepared by the Secretary-General in consultation with IPPC as an acceptable basis for the integration of IPPC within the United Nations and decided to transmit this draft plan to the fifth session of the General Assembly (see below).

#### (2) CLOSER CO-ORDINATION WITH SPECIALIZED AGENCIES CONCERNED

International Office of Epizootics: The Council, after having noted a progress report submitted by FAO on its negotiations with the International Office of Epizootics (E/1676/Add.4), recommended (333 D (XI)) that Members of the United Nations which are members of both organizations should give further consideration to the possibility of establishing an international system satisfactory to the Governments concerned for the collection and dissemination of information and for the co-ordination of activities in the control of animal diseases, and expressed the hope that the next report of FAO to the Council would register definite results in this respect.

International Seed Testing Association: The Council noted with satisfaction (333 E (XI)) the action taken by the General Assembly of the Association suggesting to the countries participating in the work of that organization that they examine the possibilities of close co-operation between the Association and FAO, including the possibility of the Association eventually becoming a technical commission of FAO, and requested FAO to report to the thirteenth session of the Council on the progress in its negotiations with the Association.

International Union for the Protection of Rights of Authors and their Literary and Artistic Works: The Council noted with satisfaction (333 A (XI)) the

action taken by the Executive Board of UNESCO at its ninth session in instructing its Director-General to strengthen the existing working relations with the Union and to define the procedure to be followed in these relations by an exchange of letters with the Director of the Office of the Union. It requested UNESCO to include in its next report to the Council a further account of the developments in this regard.

### (3) CONSIDERATION POSTPONED PENDING FURTHER STUDY

Permanent Committee of International Congresses on Military Medicine and Pharmacy: The Council, after having noted the decision of the Executive Board of WHO to postpone consideration of the establishment of official relations with the Committee pending further clarification of the structural basis of the organization, decided (333 B (XI)) to postpone consideration of this matter until the thirteenth session of the Council. The Council requested WHO to report to the Council at its thirteenth session on the progress made, and further requested the Secretary-General to report to the same session on the feasibility of closer relations between the Committee and the Council for Co-ordination of International Congresses of Medical Sciences.

International Central Office for the Control of Liquor Traffic in Africa: The Council invited (333 G (XI)) the Belgian Government to consult with the parties to the Convention relating to liquor traffic in Africa signed at St. Germain-en-Laye on 10 September 1919 concerning the present value of this Office and their interest in maintaining it.

### (4) DISSOLUTION

International Co-ordination Committee for European Migratory Movements: The Council noted with satisfaction (333 C (XI)) the action taken by the members of the International Co-ordination Committee for European Migratory Movements leading to the dissolution of that organization, and the steps taken by the International Labour Organisation in taking over the functions formerly discharged by that Com-

### (5) INTEGRATION OF INTER-AMERICAN SPECIALIZED ORGANIZATIONS

The Council noted with satisfaction (286(X)) the progress made by the Organization of American States in integrating and simplifying the structure of Inter-American organizations with the United Nations and the specialized agencies. It requested the Secretary-General, in consultation with the Secretary-General of the Organization of American States, to provide the Council, as appropriate, with further information on this subject.

Of the above organizations, the case of IPPC was a subject of detailed discussion. The Council considered a report prepared by the Secretary-General in consultation with IPPC (E/1735 & Add.1) concerning the transfer of functions of IPPC to the United Nations pursuant to resolution 262 B (IX).<sup>233</sup> After considerable discussion, the Council resolved (333 H (XI)) to approve the draft plan contained in the above-mentioned report as an acceptable basis for the integration of

IPPC within the United Nations; to transmit the draft plan to the fifth session of the General Assembly; to express the hope that IPPC would give favourable consideration to the draft plan as early as possible and to recommend that, as soon as approval is given, the Secretary-General of the United Nations, in consultation with the Secretary-General of IPPC, make appropriate arrangements for the transfer of functions and assets on a mutually satisfactory date, prior to 31 December 1951. In the course of discussion the majority of members expressed general support of the objectives of integrating IPPC into the United Nations. While most members approved in general the draft plan<sup>234</sup> contained in the Secretary-General's report, certain reservations were made on the detailed points in that plan, including the financial implications of proposed bodies and meetings and the transfer of IPPC staff to the United Nations Secretariat.

## 2. Consideration by the General Assembly at Its fifth Session

The General Assembly considered the question of co-ordination between the United Nations and the specialized agencies at the 48th-51st meetings of the Joint Second and Third Committee and 253rd-255th and 260th meetings of its Fifth Committee, from 23 October to 4 November, and at its 314th plenary meeting on 1 December 1950.

It had before it the following reports: (1) Report of the Economic and Social Council (A/1345); (2) Report of the Advisory Committee on Administrative and Budgetary Questions (A/1441) on Administrative Budgets for the Specialized Agencies; and (3) Report of the Secretary-General (A/1352) on Administrative and Budgetary Co-ordination between the United Nations and the Specialized Agencies.

### a. GENERAL DEBATE

In the course of the general debate on co-ordination in the Joint Second and Third Committee and Fifth Committee, meeting jointly, satisfaction was expressed with the progress that had been made in co-ordinating the work of the international organizations and in promoting the concentration of effort and resources in accordance with resolution 310(IV) adopted by the General

<sup>233</sup> See Y.U.N., 1948-49, p. 618.

<sup>234</sup> For plan of integration, see below.

Assembly at its fourth session. In regard to priorities, a subject which had received especial emphasis in that resolution, appreciation was expressed of the work accomplished by the Economic and Social Council. The Council, as a first practical step towards achieving the ends which the General Assembly had in mind, had suggested various criteria by which priorities might be established within a given field and had recommended that these criteria should be applied by all bodies concerned.<sup>255</sup> However, some members, among them Australia and Brazil, still felt it desirable that early consideration should be given to the question of priorities between particular fields of activity and the proportion of international resources allotted to the work of each of the international organizations.

It was generally considered that caution should be shown in embarking on new projects, and several representatives, among them those of Australia and the United Kingdom, expressed concern at the continued expansion of agency budgets. They felt that an increasing number of members of agencies might be unable to meet their obligations and that, if the budgets became too large, some States might even have to withdraw from membership.

In the matter of administrative and budgetary co-ordination, it was agreed that considerable improvement had occurred since the fourth session of the General Assembly, though further development of uniform practices was urged. The use of common administrative services by agencies situated in the same area was advocated as a means of economizing both personnel and resources. The Committees were informed that the Administrative Committee on Co-ordination had already considered this and had arranged for a survey to be made.

The representatives of Australia, Canada, France and the United Kingdom, among others, drew the attention of the Committee to the increased resources available to the United Nations and to specialized agencies under the technical assistance plan. Since these funds were not incorporated in the regular budgets they commented favourably on the recommendation of the Advisory Committee on Administrative and Budgetary Questions that the agencies should be requested to include, as annexes to their annual reports, information on the manner in which these funds were being used.

With regard to the general problem of co-ordination, the representative of France warned against attempts to seek solutions of a purely

administrative or financial character. He felt that the aim should be to encourage all efforts that would promote the development of international action by ensuring not only the necessary co-ordination but also the maintenance of the impetus essential to the success of that action. The representative of the USSR felt that a greater degree of independence should be given to the agencies in order to reduce to a minimum the exercise of authority over them by the United Nations for which there was no provision in the Charter.

Some doubt was expressed during the discussion as to whether sufficient study had been given by the Economic and Social Council to the reports of the specialized agencies. Several members, among them those of Brazil, France, Mexico and the United Kingdom, emphasized that really effective co-ordination could only be achieved if there were a greater degree of national co-ordination to ensure that policies advocated by the delegation of a member State in one organization would be followed by that member's delegation attending the meetings of other organizations.

At the conclusion of the general debate, the Committees proceeded to a detailed discussion of the draft resolutions before them and amendments thereto. These are described under the headings following.

#### b. ADMINISTRATIVE BUDGETS OF THE SPECIALIZED AGENCIES

In reviewing administrative and budgetary co-ordination with the specialized agencies, the Committees considered the report of the Advisory Committee on Administrative and Budgetary Questions (A/1441) and the draft resolution contained therein. The Committees also had before them the report of the Secretary-General (A/1352) on the progress that had been made in co-ordination on administrative and financial questions.

##### (1) Sixth Report of the Advisory Committee for 1950

The Advisory Committee on Administrative and Budgetary Questions reported that it had examined on behalf of the General Assembly the administrative budgets of those specialized agencies which have formal agreements with the United Nations providing for the transmittal of their budgets for examination by the Assembly.

The following agencies had submitted their budgets or budgetary estimates for 1951 to the

<sup>255</sup> See above, p. 641.

United Nations: International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization, Food and Agriculture Organization, International Civil Aviation Organization, International Refugee Organization (for the supplementary period 1 July 1950-31 March 1951) and Universal Postal Union.

The budget estimates for 1951 of the International Telecommunication Union had not been available to the United Nations in time for consideration by the Advisory Committee. The Committee had therefore limited its review to the relevant parts of the annual report presented by ITU to the United Nations (E/1675), together with the amended budget for 1950.

The agreements concluded with the International Bank for Reconstruction and Development and the International Monetary Fund provide that "in the interpretation of paragraph 3 of Article 17 of the Charter, the United Nations will take into consideration that the Bank (Fund) does not rely for its annual budget upon contributions from its members, and that the appropriate authorities of the Bank (Fund) enjoy full autonomy in deciding the form and content of the budget". The budgets of these organizations were therefore not submitted to the United Nations for examination.

Following are the gross totals of the 1951 budgets or budget estimates,<sup>236</sup> together with the corresponding figures for the preceding fiscal year:

	1950	1951
ILO . . . . .	\$ 6,023,526	\$ 6,269,506
UNESCO . . . . .	8,010,000	8,210,000
FAO . . . . .	5,000,000	5,000,000*
ICAO . . . . .	2,670,552	2,727,273
WHO . . . . .	7,501,500	7,300,000
IRO . . . . .	4,500,000	2,506,893†
UPU . . . . .	322,964	291,305
	<hr/>	<hr/>
SUB-TOTAL (Special- ized agencies) . . . . .	34,028,542	32,304,977
United Nations . . . . .	49,641,773	45,450,800
	<hr/>	<hr/>
GRAND TOTAL . . . . .	\$83,670,315	\$77,755,777

\* Estimate. † For 1 June 1950-31 Mar. 1951.

Contributions from States members of ITU to its 1951 budget were expected to add a figure of about \$1,500,000 to the above total, while the operational budget of IRO had been approved at a figure of \$52,658,533 for the period 1 June 1950-31 March 1951.

Of the problems common to most or all of the agencies, the Advisory Committee stated that

perhaps the most important concerned the control of technical assistance funds and other extra-budgetary funds, as well as the form of presentation of the relevant estimates. At present, such funds are not incorporated in the annual budgets of the agencies and, except in the case of WHO, even the presentation of the estimates for technical assistance is entirely separate from the annual budgets.

As a result, the annual budgets do not reflect the whole of the activities of the organization for the year to which they refer, and a comprehensive appraisal can be made only by reference to a number of separate documents.

The Advisory Committee had therefore suggested that the specialized agencies should be requested to include, as information annexes to their annual budget documents, the estimates and plans for expenditure of any other funds which might be available for use during the year covered by the regular budget estimates.

As regards the control of technical assistance expenditures, the Advisory Committee noted that under Economic and Social Council resolution 222 A (IX) the Secretary-General of the United Nations and the executive heads of the organizations participating in the technical assistance programme "shall, after consultation, make appropriate arrangements for the audit of contributions and expenditures under this programme". The Committee recommended that, in addition, a consolidated audit report on the expenditures connected with the programme should be submitted for examination and approval to the General Assembly of the United Nations, and the appropriate audit reports to the general conferences of the specialized agencies.

A second problem to which the Advisory Committee directed attention concerned the collection of contributions, which appeared to be causing serious financial difficulties in most of the specialized agencies. Default or delay in the payment of contributions assessed against States members of the specialized agencies, it held, might result in a severe drain on the Working Capital Funds of those agencies, and hamper the execution of programmes approved in the budgets. The General Assembly might wish to invite the specialized agencies to give special consideration to this problem.

It was this problem which had led the General Assembly to recommend to each specialized agency

<sup>236</sup> For 1951 budget estimates finally accepted by the individual organizations, see under organizations concerned.

that it keep its expenditure each year from its regular budget within the amount of funds reasonably expected to be received in respect of that year (resolution 311 C (IV)). Furthermore, several agencies could never expect to receive the full amount of the assessments on their members, inasmuch as their scale of contributions includes States which have not joined, or have given notice of withdrawal from, the organization, as well as States which for other reasons are in arrears or have defaulted in their contributions. In so far as the latter group is concerned, the Committee had noted in the past that any plan of expenditure which was based on the assumption of non-payment of contributions might have undesirable effects. An examination of the 1951 estimates of those agencies which had found it necessary to adopt a plan of expenditure substantially below the approved budget raises some doubt concerning this technique of financial control. In such circumstances, the budget estimates become a theoretical target, and the Advisory Committee therefore suggested that the Secretary-General, in consultation with the administrative heads of the agencies and the Advisory Committee, might also study and report on alternative procedures for attaining the objectives of the General Assembly.

In addition, the Advisory Committee drew attention to the unsatisfactory position in regard to common administrative services for organizations situated in the same area. While efforts had been made to secure a measure of co-ordination in this field among the specialized agencies with headquarters in Geneva and the European Office of the United Nations, the results so far achieved were, in the opinion of the Committee, inadequate. It suggested that the Secretary-General of the United Nations and the administrative heads of the agencies concerned might consider the desirability of setting up in Geneva a joint management board to undertake a survey of existing administrative services and to determine the possibility of creating joint service units. Similar efforts in Paris, Bangkok, Cairo, New Delhi and Santiago de Chile should also prove fruitful.

The Advisory Committee suggested that consideration should also be given to the question of uniformity in the presentation of resolutions adopted by the main legislative bodies of the specialized agencies and the General Assembly of the United Nations, as a means of facilitating the review of budgets in relation to programmes both by the specialized agencies and by the General Assembly. This question might, in the opinion of the Committee, appropriately be studied by

the Consultative Committee on Administrative Questions. Further progress might also be made in developing a standard terminology and a common form of presentation of the budgets of the several agencies.

It was recognized that basic comparability of the estimates depended upon common financial regulations concerning the estimates, treatment of budgetary surpluses, treatment of revenue, and other matters. The Advisory Committee therefore hoped that the permanent financial regulations eventually adopted by the General Assembly would be favourably considered by each of the agencies.

The General Assembly had, at its third session, invited the specialized agencies to review their programmes of meetings with a view to reducing the number of formal meetings of governmental representatives and, in particular, to consider whether a full-scale conference is necessary. It would, in the opinion of the Advisory Committee, be desirable to call further attention to this matter.

The Joint Second and Third and Fifth Committees noted that progress had been made in the implementation of resolution 311 A (IV) adopted by the General Assembly at its fourth session. The Joint Panel of Auditors had been established, the United Nations Joint Staff Pension Board was holding its first meeting, and the organizations had taken some steps to increase the proportion of their expenditures made in soft currencies. A model set of financial regulations had been developed by the Administrative Committee on Co-ordination, and there had been a co-ordinated approach by the organizations in respect of the proposed salary and allowances scheme and in the development of a common pattern of staff regulations.

On the other hand, several members, among them Australia and Brazil, noted that much remained to be done. The Committees' attention was drawn to the fact that a least one large agency had not yet adhered to the Joint System of Audit, and that several agencies had not found it possible to join the Joint Staff Pension Scheme. The action which had so far been taken to give member States a degree of relief from contributions in hard currencies was still not as substantial as might be hoped, and it was suggested by the representatives of Canada, France and the United Kingdom that further attention should be given to effecting contractual procurement and printing in soft currency areas.

Attention was drawn by the representatives of Australia and Canada to the provisions of General Assembly resolution 311 B (IV) making the services of the United Nations Committee on Contributions available to the specialized agencies. This resolution had been adopted in the hope that such action would result in more uniformity in scales of assessments among the various organizations. It was noted that this service would be available to the World Meteorological Organization, which would be adopting a scale of assessments at its first congress, to be held in 1951.

A further step towards achieving a greater degree of common services was suggested by a joint Australian and Canadian draft resolution (A/C.2&3/L.20—A/C.5/L.53) making available to the agencies the services of the United Nations Investments Committee (see below, section c).

The representative of Australia commended those agencies which, in accordance with General Assembly resolution 311 C (IV), had planned their expenditure on the basis of their probable receipts. He noted that, in their reports, the Advisory Committee and the Secretary-General had pointed out that this meant the setting up of second budgets and would encourage defaults in payments. He did not agree with this although he recognized that the preparation of two budgets involved administrative difficulties. He felt that a more realistic method of assessing member States and collecting their contributions was the remedy for the budgetary difficulties of the agencies. It was somewhat unrealistic to assess countries which had formally declared that they were not members of an agency. Secondly, there was need for strict measures against defaulters. He drew the attention of the Committees to the fact that one agency had suspended the voting power of six of its members which had failed to discharge completely their financial obligations to the agency. Lastly, he stressed the need for economy in the budgets of the various international organizations.

The representative of France also stressed the importance of the agencies drawing up their programmes in accordance with receipts actually anticipated. Attention was drawn to the difficulties resulting from the fact that member States did not receive the annual accounts and the related audit reports of the specialized agencies in sufficient time to allow careful consideration prior to the meeting of the Assembly or Conference.

Several members suggested that it would be useful to have more information from the various organizations on the actual number of their staff and the distribution of their staff by grades.

The Committees expressed general support of the Advisory Committee's report and the draft resolution contained therein.

The representative of Canada, with a view to strengthening paragraph 1 of the draft resolution dealing with the stabilization of the budgets of the specialized agencies and emphasizing the desire of the Committees to avoid duplication of administrative expenses of the international organizations, proposed an amendment (A/C.2&3/L.24—A/C.5/L.51) to that effect to the draft resolution.

It was recognized that events in Korea had created additional demands on the United Nations and the specialized agencies which they would probably be unable to meet from their present resources. The representative of the United Kingdom therefore introduced an amendment (A/C.2&3/L.22—A/C.5/L.55) urging that every effort should be made in 1951 to meet the new demands by the deferment of less urgent projects. The Chairman of the Advisory Committee accepted these amendments and the Committees adopted the former in paragraph-by-paragraph vote and the latter unanimously. The draft resolution as proposed by the Advisory Committee was adopted unanimously, as amended, at the 49th meeting of the Committees on 23 October (A/1547) and at the 314th plenary meeting of the General Assembly as resolution 411(V). It read as follows:

The General Assembly,

Having received the sixth report of 1950 of the Advisory Committee on Administrative and Budgetary Questions on the budgets of the specialized agencies for 1951,

1. Urges the specialized agencies to intensify their efforts to stabilize their regular budgets by the elimination or deferment of less urgent projects;

2. Draws the attention of all States Members of the United Nations and of the specialized agencies to the necessity for prompt payment of contributions to assure the adequate financing of budgets approved by them;

3. Requests specialized agencies participating in the technical assistance programme to provide information concerning the estimates for expenditure of technical assistance funds, as well as other extra-budgetary funds, in their regular budget documents, and to agree to the transmittal to the General Assembly of the United Nations, for examination and approval, of the audit reports relating to expenditure of technical assistance funds allocated from the Special Account after approval of the appropriate audit reports by the general conferences of the specialized agencies;

4. Requests the specialized agencies to consider at an early date the adoption of common financial regulations and staff regulations modelled on those adopted by the General Assembly, so far as their constitutional arrangements will permit;

5. Requests the Secretary-General, in consultation with the heads of the specialized agencies, to pay particular attention, in 1951, to the further development of

satisfactory arrangements for the provision of common services, particularly in respect of regional and branch offices of the United Nations and specialized agencies, with a view to achieving greater efficiency and economy;

6. Requests the Secretary-General, after consultation with the heads of the specialized agencies and with the Advisory Committee on Administrative and Budgetary Questions, to report to the next regular session of the General Assembly in respect of progress made in achieving a common salary system, in developing common budgetary policies and a common form of budget, in increasing the utilization of soft currencies, in efficiencies and economies to be achieved through further development of common services, and in dealing with arrears in contributions;

7. Requests the specialized agencies and the United Nations to make every effort, during 1951, to meet as fully as possible demands for expert assistance in Korea and other operational programmes where the need is urgent, by deferment of less urgent projects.

#### c. INVESTMENTS COMMITTEE

In the course of the general discussion, an Australian and Canadian joint draft resolution (A/C.2&3/L.20—A/C.5/L.53) was introduced. This resolution proposed that the United Nations Investments Committee should be authorized to provide advice to a specialized agency at the request of that agency, and requested the Secretary-General to inform the specialized agencies that the Committee was available for that purpose.

The draft resolution was adopted by 46 votes to none, with 2 abstentions, at the 419th meeting of the Committees on 23 October (A/1547). The General Assembly, at its 314th plenary meeting on 1 December, unanimously adopted the proposed resolution as resolution 412(V), which read as follows:

The General Assembly,

Noting that certain specialized agencies may require advice on the nature and extent of investment of their funds,

1. Authorizes the United Nations Investments Committee to provide advice to a specialized agency at the request of that agency;

2. Requests the Secretary-General to inform the specialized agencies that the United Nations Investments Committee is available for this purpose.

#### d. CONCENTRATION OF EFFORT AND RESOURCES

A draft resolution (A/C.2&3/L.21—A/C.5/L.54) submitted by Australia formed the basis of discussion on this matter. The resolution was proposed with a view to the consideration of the present division of the available resources among the major fields of action of the United Nations. It called for the establishment of a fifteen-member committee to consider the programmes and bud-

gets of the specialized agencies and of the United Nations in the economic and social fields. It recommended that, pending the review of the report of this committee at the sixth session of the General Assembly, each specialized agency should keep its estimated expenditure from its regular budget for 1952 within the regular budget for 1951 approved by its conference.

In the general debate, several members, among them Brazil, China, Mexico, the USSR and the United Kingdom, expressed disagreement with the suggestion that another body should be created to undertake the functions which should properly be performed by the existing co-ordinating machinery. The representatives of Mexico, Netherlands and the United States jointly presented a draft amendment (A/C.2&3/L.29—A/C.5/L.67) proposing substantial changes to the Australian draft resolution. The joint amendment requested the Economic and Social Council to review, during 1951, the 1952 programmes of the United Nations and the specialized agencies, and requested the agencies themselves to review their own programmes, with the aid of the criteria for priorities established by the Council at its eleventh session. Before adopting new projects, the Council and the agencies would indicate which current projects might be deferred, modified or eliminated, to ensure that the economic and social work of the United Nations and the specialized agencies would be carried on most effectively.

In the course of the discussion, the representative of Brazil requested that the President of the Council should be asked to examine the possibility of convening the Co-ordination Committee some time before the opening of the Council sessions to enable the Committee to submit co-ordinated programmes of work to the Council. Various technical oral amendments were accepted by the representative of Australia and the sponsors of the joint amendment. The Australian representative accepted the joint amendment, but reserved the right to re-open the question at the next session of the General Assembly.

The Australian draft resolution, as amended, was adopted unanimously at the 51st meeting of the Committees on 4 November (A/1547) and at the Assembly's 314th plenary meeting on 1 December 1950, as resolution 413(V). It read as follows:

The General Assembly,

Recalling its responsibilities under Article 17, paragraph 3, and Article 58 of the Charter,

Recalling its resolution 310(IV) declaring that the resources devoted to the economic and social work of

the United Nations and the specialized agencies should be concentrated on tasks of primary importance.

Taking note of the work of the Economic and Social Council at its eleventh session in determining criteria for establishing priorities within the fields allotted to the various bodies composing and associated with the United Nations,

Recognizing that the successful carrying out of the economic and social work of the United Nations and the specialized agencies may be jeopardized by undertaking so many projects as to exceed the available technical, administrative and financial resources,

Recognizing that the extent of activity is determined by the programme decisions and by the budgetary appropriations of the United Nations and the specialized agencies,

Declaring that the resources placed at the disposal of the United Nations and the specialized agencies should be applied where they are most needed,

1. Requests each specialized agency to review its 1952 programme during 1951, using the criteria set forth in the report of the Co-ordination Committee as approved by the Economic and Social Council;

2. Requests the Economic and Social Council and the specialized agencies to indicate, when new projects are adopted, which current projects may be deferred, modified or eliminated to ensure that the economic and social work of the United Nations and the specialized agencies will be carried on most effectively;

3. Requests the Economic and Social Council:

(a) To review, during 1951, the 1952 programmes of the United Nations and the specialized agencies, using the criteria set forth in the report of the Co-ordination Committee as approved by the Economic and Social Council;

(b) To seek, in reviewing the programmes, the assistance of the Advisory Committee on Administrative and Budgetary Questions on the administrative and financial aspects of this matter;

(c) To report to the sixth session of the General Assembly on the results of these reviews;

4. Requests the Secretary-General, in co-operation with the administrative heads of the specialized agencies, to include in annex IV to the Secretary-General's budget estimates a summary schedule of the estimated costs of the projects provided for in the budgets of the United Nations and of the specialized agencies; and, further,

Having noted the steps taken and progress made by the Economic and Social Council, the Secretary-General, the Administrative Committee on Co-ordination and the specialized agencies,

5. Urges that the efforts which are being made to ensure the fullest co-ordination of the programmes and activities of the United Nations and the specialized agencies be vigorously pursued.

#### e. MEMBERSHIP IN SPECIALIZED AGENCIES

The representative of Israel introduced a draft resolution (A/C.2 & 3/L.25/Rev.1—A/C.5/L.58/Rev.1), expressing the hope that those members not participating at the present time in the work of the specialized agencies might resume full participation as soon as possible. In introducing the resolution, the Israeli representative referred to the seventh report of the Administra-

tive Committee on Co-ordination to the Council (E/1682)<sup>237</sup> which contained a statement reaffirming the validity of the principle of universality of membership. Two oral amendments were introduced, one by the representative of Mexico and one by the representative of Lebanon. The former would have the resolution refer to "international co-operation" as an important condition for successful action, rather than "universal participation". The latter would have the resolution call on all members to participate, not merely those who had ceased to take part. The representative of Israel accepted the amendments, and the draft resolution was adopted by 36 votes to none, with 9 abstentions, at the 50th meeting of the Committees on 25 October (A/1547). The General Assembly, at its 314th plenary meeting on 1 December 1950, adopted the proposal by 49 votes to none, with 5 abstentions, as resolution 414(V). It read as follows:

The General Assembly,

Considering the principle of international co-operation as an important condition for the full success of the activities of the specialized agencies,

Noting that some of the specialized agencies do not enjoy participation of all Member States in their work,

Expresses the hope that those Members not participating at the present time may find their way to assume or resume, as soon as possible, full participation in the specialized agencies.

#### f. TRANSFER OF FUNCTIONS OF THE INTERNATIONAL PENAL AND PENITENTIARY COMMISSION

The Committees had before them a report of the Secretary-General on the proposed integration of the functions of the International Penal and Penitentiary Commission (IPPC) within the United Nations (A/C.2 & 3/93—A/C.5/375), prepared under resolution 333 H (XI) of the Economic and Social Council.

In supporting the plan, which was subsequently adopted (see below), several representatives, including those of Denmark, the United States and the Union of South Africa, pointed out that interest in the question of the prevention of crime and the treatment of offenders was common both to the IPPC and to the Economic and Social Council and that the proposed integration would avoid duplication and concentrate the action which could be taken in that field.

The representative of Yugoslavia raised the question whether the proposed plan was in con-

<sup>237</sup> See above, p. 640.

formity with the practices of the United Nations, and suggested that it might be advisable to defer a final decision until further studies had been made. The question was also raised as to whether by the terms of the proposed transfer the IPPC was being treated in a privileged manner compared with other inter-governmental organizations. It was, however, the understanding of the Committees that arrangements proposed would be subject to review, in the light of experience, at any time by the appropriate organs of the United Nations.

Several members, among them Canada, Lebanon and Yugoslavia, asked for additional information, particularly concerning the financial implications of the plan, and the representative of Canada submitted a list of questions (A/C.2 & 3/L.26—A/C.5/L.59). In reply, the representative of the Secretary-General circulated a statement (A/C.2 & 3/L.28—A/C.5/L.65).

The draft resolution contained in the Secretary-General's report was adopted by the Committees at the 51st meeting on 4 November by 37 votes to 4, with 1 abstention (A/1547). The General Assembly, at its 314th plenary meeting, adopted the resolution as resolution 415(V) by 48 votes to 5, with 2 abstentions. It read as follows:

The General Assembly,

Noting resolutions 262 B (IX) and 333 H (XI) of the Economic and Social Council and the resolution adopted by the International Penal and Penitentiary Commission on 12 August 1950,

1. Approves the plan contained in the report prepared by the Secretary-General, in consultation with the International Penal and Penitentiary Commission, concerning the transfer of the functions of the Commission to the United Nations and which is annexed to the present resolution;

2. Notes the decision of the Commission with respect to its residual assets;

3. Expresses its appreciation to the Commission for donating its library and its archives to the United Nations on the conditions specified in the above-mentioned plan;

4. Notes that these arrangements do not involve the assumption by the United Nations of responsibility for any liabilities of the Commission;

5. Authorizes the Secretary-General of the United Nations, in consultation with the Secretary-General of the International Penal and Penitentiary Commission, to make arrangements for the transfer of the functions of the Commission and of its library and archives to the United Nations on a mutually satisfactory date prior to 31 December 1951;

6. Pays tribute to the accomplishments of the Commission, during the long period of its existence, in the field of the prevention of crime and the treatment of offenders.

## ANNEX

PLAN PREPARED BY THE SECRETARY-GENERAL OF THE UNITED NATIONS IN CONSULTATION WITH THE INTERNATIONAL PENAL AND PENITENTIARY COMMISSION:

(a) All Members of the United Nations, and all existing members of the International Penal and Penitentiary Commission (IPPC) which are not Members of the United Nations, and any other States designated by the Economic and Social Council, shall be invited by the Council to appoint one or more representatives of expert qualifications or experience, professional or scientific, in the field of the prevention of crime and the treatment of offenders. The experts so appointed shall act in the first instance as individual correspondents with the United Nations Department of Social Affairs.

(b) They shall also be called upon to meet together in appropriate groups (in the composition of which ethnical, legislative and customary affinities shall be taken into account) to consider questions of particular interest to such groups, as well as those which may be submitted by the participating governments, by the Economic and Social Council, the Social Commission or by the Secretary-General of the United Nations. The experts so appointed shall constitute "United Nations consultative groups" in the field of the prevention of crime and the treatment of offenders. The groups shall meet biennially, or more often if required. The first group set up shall be composed of the present members of the IPPC. Pending the establishment of other groups, new members may be added to the first group. As other groups are set up, any members of the first group may join such groups as is most appropriate. With respect to the composition of groups to study questions of special importance to the less-developed areas it might be practicable to utilize the procedure employed for United Nations seminars under General Assembly resolution 58(I). Findings of fact and recommendations as to policy approved by the experts appointed under (a) or by the expert group meeting under (b) shall be transmitted to the Secretary-General of the United Nations for publication, for communication in appropriate cases to the policy-making bodies, or such other action as he considers necessary.

(c) The Secretary-General shall invite each group to submit names from among its members to assist the Secretary-General in selecting a small international Ad Hoc Advisory Committee of Experts. The purpose of such a committee would be to advise the Secretary-General and the Social Commission in devising and formulating programmes for study on an international basis and policies for international action in the field of the prevention of crime and the treatment of offenders and also to advise on the co-ordination of the work of the United Nations consultative groups. It is hoped that such a committee will be able to meet annually at the Headquarters of the United Nations.

(d) The United Nations shall convene every five years an international congress similar to those previously organized by the IPPC. Resolutions adopted at such international congresses shall be communicated to the Secretary-General and, if necessary, to the policy-making bodies.

(e) The expenses of attendance of the international Ad Hoc Advisory Committee of Experts at meetings convened at the Headquarters of the United Nations will be borne by the United Nations. The expenses of

experts who participate in the biennial group meetings and in the quinquennial congresses will be borne by the respective governments. The United Nations will be financially responsible for furnishing the services required for the efficient organization of such meetings when held at the Headquarters or at the regional offices of the United Nations. When such meetings, on the invitation of a government, are held away from the Headquarters and the regional offices, the financial responsibility for the furnishing of similar services shall be otherwise met.

(f) The United Nations shall publish an international review which shall include the recommendations and the findings of the groups mentioned under (b) and the Committee mentioned under (c), as well as a legislative and administrative series on the prevention of crime and the treatment of offenders.

(g) The United Nations welcomes the transfer of the library of the IPPC to the Library of the United Nations in Geneva. Suitable measures will be taken to indicate that the volumes donated originated from the IPPC, by arranging for appropriate markers to be used, and the preservation of the library as an entity so far as practicable. The archives of the IPPC shall also be transferred to the archives of the United Nations and shall be available to delegations and to other interested parties.

(h) In view of the enlargement of the functions of the United Nations, and in order to maintain continuity in the work, the United Nations shall invite the services of two professional officers at present employed by the IPPC. One officer specialized in the field of the prevention of crime and the treatment of offenders shall be detached for duty at the United Nations Office at Geneva.

(i) While it is for the IPPC to decide as to the disposition of its residual assets, the United Nations would welcome a decision to transfer those assets to the United Nations. Such a decision would not, however, involve the assumption by the United Nations of responsibility for any liabilities of the IPPC. In the event of the transfer of the assets or proceeds realized, all such funds would become part of the general revenue of the United Nations unless the IPPC would prefer that they be added to the capital of the Library Endowment Fund. The resulting increase in the income of the Library Endowment Fund would make it possible for the United Nations Library to become one of the most complete and up-to-date libraries in the field of social defence. The setting aside of the residual assets of the IPPC in a

special fund in the United Nations is not desirable from the point of view of United Nations policy and practice, nor is such a fund necessary to ensure the continuation within the United Nations of the objectives and purposes described in article I of the constitutional regulations of the IPPC.

(j) The transfer shall take place at such time as may be agreed upon between the Secretary-General of the IPPC and the Secretary-General of the United Nations and, in any case, before the end of 1951.

#### g. AGREEMENTS BETWEEN THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The Committees took note of a paragraph in the report of the Economic and Social Council (A/1345) which contained the Council's recommendation that unless the matter was raised by the General Assembly, by the Council itself, by the Secretary-General or by one of the specialized agencies, it would be unnecessary for the Council to consider further the question of a possible revision of the agreements until more experience in their working had been obtained.

#### h. REPORT OF THE ECONOMIC AND SOCIAL COUNCIL: CHAPTER IX

Following the practice of previous sessions, the Committees decided to recommend to the General Assembly that it should "take note" of Chapter IX ("Questions of Co-ordination and Relations with Specialized Agencies") of the report of the Council (A/1345), on the understanding that this action would, in due course, be incorporated with similar action by other Committees to which parts of the report had been referred, in order to form a single resolution "taking note" of the report as a whole.

The report of the Economic and Social Council, as a whole, was noted by the General Assembly on 14 December 1950, as resolution 416(V).

## T. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS<sup>238</sup>

### 1. Review of Consultative Arrangements with Non-Governmental Organizations

On 16 February 1949 the Economic and Social Council requested (214 E (VIII)) the Secretary-General to prepare a report on the activities undertaken by the non-governmental organizations up to 1 June 1949 in implementation of the consultative arrangements made with them and on their work in support of the activities of the Council with special regard to those organizations

which were brought into consultative relationship not later than the sixth session of the Council. The Council by the same resolution directed the Council Committee on Non-Governmental Organizations, on the basis of the report of the Secretary-General, to make recommendations to the Council taking into account "(a) the use made by organizations of the facilities provided

<sup>238</sup> For rules for the calling of conferences of representatives of non-governmental organizations, see pp. 82-83.

for non-governmental organizations brought into consultative relationship; and (b) any improvements in the existing arrangements for consultation which the Committee may deem desirable".

The report of the Secretary-General (E/C.2/231, & Corr.1 & Add.1-4) included specific comments and suggestions of the non-governmental organizations on the consultative arrangements. The Committee also examined a document containing accounts of the structure, objects and activities of the non-governmental organizations in consultative status (E/C.2/224) and studied a number of papers submitted by the organizations. Representatives of fourteen organizations were heard by the Committee, which held hearings on this subject on 23 January and 8, 9 and 10 February 1950.

The Council considered the Committee's report (E/1619 & Corr.1 & 2 & Add.1 & 2) and heard the representatives of five category A organizations at the 362nd-365th plenary meetings, on 24 and 27 February 1950.

Much of the discussion in the Council centred upon the submission of items for the Council's provisional agenda and upon the limitations of length of documents to be circulated.

The NGO Committee had recommended unanimously that the right to submit items for the Council agenda be withdrawn entirely. But in submitting the Committee's report (E/1619 & Corr.1 & 2 & Add.1 & 2), the representative of the United States, who was the acting chairman, simultaneously offered a United States amendment (E/L.23) to this, retaining the right, but shifting to the NGO Committee responsibility for first screening the NGO proposals. At the same time he stated that the members of the NGO Committee believed that the agenda right had been abused for propaganda purposes, that items had been proposed to sow dissension among members rather than to promote the Council's work and that items had been offered without adequate documentation. However, the NGO's were so attached to the right that the United States now proposed its retention with regulations to prevent abuse.

The shift of NGO focus would require additional Secretariat staff facilities, which must be budgeted for, and the size of the NGO Committee, he considered, should be increased, though, he said, Committee members were equally divided on the latter point.

Further, after considering the problem resulting from the circulation of documents presenting an incorrect picture of conditions in Member States,

the Committee had concluded that any remedy proposed would constitute a censorship more objectionable than the ill it sought to cure. This was one reason why the Committee proposed a statutory provision that the Secretary-General consult with NGO's before circulating their communications.

Withdrawal of the right to submit agenda items was opposed by representatives of the five non-governmental organizations heard by the Council: the American Federation of Labor (AFL), the International Co-operative Alliance (ICA), the International Federation of Christian Trade Unions (IFCTU), the World Federation of Trade Unions (WFTU) and the World Federation of United Nations Associations (WFUNA). All except the WFTU said that the United States amendment was an acceptable compromise.

Among the views expressed by the organizations were: that withdrawal of the right to submit agenda items would be a weakening of the democratic process; that this right was now known throughout the world as one of the major privileges of responsible organizations and was of great significance; that to charge all NGO's with an abuse of the privilege was unfair. It was also stated that the NGO's were not responsible for dissensions between members of the Council, and that their work with the subsidiary organs of the Council had been underestimated. The limitation proposed by the Council NGO Committee of 2,000 words on written statements by NGO's was criticized as likely to lead to inadequate documentation and discourage the submission of views. The representative of the International Federation of Christian Trade Unions criticized the proposal that both majority and minority views of the components of a group of organizations should be presented. The representative of the World Federation of Trade Unions stated that the proposed change in the right of NGO's to submit agenda items was aimed at his organization, which had initiated this right and gained it against the opposition of the United States and United Kingdom. His organization, he said, had given indispensable support to the work of the Council and had popularized it throughout the world. Its growing membership (which was now 75,000,000 plus eleven associated trade union internationals), he stated, displeased reactionary Governments, which, also, disliked having their policies unmasked at the very heart of the United Nations.

All members of the Council who took part in the discussion agreed that the consultation between NGO's and the Council was beneficial on the

whole. Most felt, however, that the existing arrangements had not worked out as satisfactorily as had been hoped. The representative of Belgium believed that the fault was in the Charter which had not made the NGO's an organic part of the Council, as they were of the International Labour Organisation; the arrangement under which the rights granted to NGO's were not matched by corresponding obligations was, he stated, bound to lead to irresponsibility. Various representatives, including those of Mexico, India and Chile, considered that some abuse of the privilege of introducing agenda items did not justify its withdrawal.

Several representatives, including those of the United States, the United Kingdom, France, Canada, India and Australia, put forward the view that most of the NGO work should be on the preparatory working level, rather than directed to the Council. The representative of the United States considered that Council members could reasonably be expected to submit all the items which the Council could usefully discuss. The United Kingdom representative stated that the NGO's had neglected other channels of consultation, citing in this connexion a WFTU request to discuss before the Council the report of the Economic and Employment Commission although the organization had not been represented at the Commission's recent meetings. He proposed an amendment (E/L.24) to enable NGO's having the required special knowledge to participate fully in the NGO Committee's preparatory discussion of items for its report. The representative of Canada favoured the Agenda Committee, rather than the NGO Committee, for reviewing all questions relating to the Council's preliminary agenda. He also considered that the Secretary-General should be empowered to refer NGO items directly to the Council's functional commissions. The representative of India agreed that NGO's should deal first with the specialized agencies and the commissions; if successful with the specialized agencies, the NGO's would have no reason to appeal to the Council. He proposed an amendment (E/L.27) under which NGO's would be required to serve advance notice to commissions of their intention to propose agenda items to them, to give due attention to Secretariat comments, and to submit the items a certain time before the commission sessions. The representatives of France and Australia emphasized the value of NGO consultation at the working level.

The representative of Australia introduced an amendment (E/L.26), differentiating between na-

tional and international organizations, by which national organizations could be placed on the register only by vote of the Council or by its NGO Committee. The representative of Canada stated that it was important for the Council to know whether an agenda item was being proposed on an NGO representative's own initiative, at the behest of its executive board, or, which would be preferable, by the membership of the NGO in question.

At its 365th plenary meeting on 27 February the Council unanimously adopted draft resolution I recommended by the NGO Committee, taking note of the report of the Secretary-General (E/C231 & Corr.1 & Add.1-4) and of the NGO Committee (E/1619).

After adopting, for the most part unanimously, the amendments proposed by the United States, United Kingdom, India and Australia, the Council unanimously adopted the amended draft resolution II proposed by the Committee (E/1619) containing the draft statute on Arrangements for Consultations with Non-Governmental Organizations. It also unanimously adopted draft resolution III (E/1619/Add.1) repealing the previous arrangements, with the exception of resolution 214 C (VIII)<sup>239</sup> on international non-governmental organizations having members in Spain.

The NGO Committee reported that it had been evenly divided as to whether to recommend that the membership of the Committee should be retained at five or whether, as had been proposed by the United States, its numbers should be increased to seven. In the Council, certain representatives, including those of France and China, considered that the Committee would be better able to fulfil its technical task with the smaller membership; others, including the representatives of Australia, Mexico and Denmark, were in favour of increasing the membership to seven in view of the more important role assigned to the Committee. An Australian oral proposal to increase the members to seven was adopted by 13 votes to 2.

The main changes made by the Council in the arrangements for consultative status under resolution 288 B (X) may be summarized as follows:

(1) Increased emphasis was placed on consultation with the commissions in order that business coming from non-governmental organizations should reach the Council only after careful preliminary consideration in

<sup>239</sup> See p. 66, footnote 61.

a commission (or by a specialized agency) and after having been brought into proper relationship with other matters under consideration in the same field.

(2) An increased role in consultations, it was provided, should be played by the United Nations Secretariat:

(a) The Secretariat is encouraged to take the initiative in seeking advice from competent organizations;

(b) It is actively to assist the organizations to make the most effective use of the consultative arrangements. For example, consultation is to take place with the organizations before their written statements are circulated; an organization may accordingly be advised on the content of its statement and as to the body to which it could most appropriately be presented;

(c) The Secretary-General may request non-governmental organizations to prepare specific studies or papers, subject to the relevant financial regulations.

(3) The membership of the NGO Committee was increased from five to seven.<sup>240</sup>

(4) Changes were made regarding the submission of agenda items by NGO's:

(a) Category A organizations may, as before, propose items for the provisional agenda of the Council. These proposals are first submitted to the NGO Committee which considers the adequacy of the documentation, whether the item lends itself to early and constructive action, and the possibility that it might be more appropriately dealt with elsewhere (for example, by a commission or a specialized agency). A refusal of the Committee to request that the item be put on the provisional agenda is final.

(b) Category A organizations may also, as before, submit items for the provisional agenda of commissions. Under the new arrangements, however, the organizations before formally proposing an item are to give due consideration to any comments the Secretary-General may make, and inclusion of the item will require a two-thirds vote of the commission.

(5) Changes were also made regarding the written statements submitted by the organizations for circulation.

(a) Under the new arrangements, statements, when submitted to the Council, are limited to 2,000 words for category A organizations and 500 words for category B; both categories are, however, on an equal basis in regard to statements submitted to commissions, where the limit is 2,000 words. An organization may submit a summary of longer statements, and, under certain conditions, statements of greater length may be circulated in full. In all cases, it is provided, such statements must be relevant to the work of the body concerned and not obsolete. (Before the adoption of the revised arrangements, the statements of category A organizations were automatically circulated in full while those of category B were summarized by the Secretariat and were distributed in full only by request of a member of the Council.)

(6) Category C consultative status was abolished.

(7) A "register" was established, to be kept by the Secretary-General, of organizations not in full continuous consultative relationship (that is, in category A or B) but which might be consulted from time to time as appropriate by the Council, the commissions or the Secretariat. The register, it was provided, was to include organizations recommended by the Council or its NGO Committee: international organizations in consultative

or similar status with a specialized agency, when the organization is not in category A or B; and other international organizations which apply to the Secretary-General and which, in his opinion, have a significant contribution to make to the Council or one of its subsidiary organs. The register, it was envisaged, would be primarily concerned with organizations of a more specialized character for which forms of ad hoc consultation would be more appropriate than a continuing consultative status.

The provisions previously in force for attendance of observers at sessions of the Council, its commissions and committees, and for hearings by the Council, its commissions and committees, and by the NGO Committee, were incorporated in the statute, with only minor changes. It was provided in the rules of the functional commissions that, on the recommendation of the Secretary-General, and at the request of a commission or sub-commission, organizations on the register may also be heard by that body.

The revised arrangements incorporated many other past provisions with relatively minor or no changes including:

(a) criteria for eligibility to consultative relationship;

(b) the principles governing the nature of the consultative arrangements;

(c) the definitions of categories A and B;

(d) hearings of non-governmental organizations by the NGO Committee, even on matters not on the agenda of the Council;

(e) hearings of organizations in category A by the Council on the recommendations of the NGO Committee or in connexion with an agenda item proposed by an organization and accepted by the Council;

(f) hearings of non-governmental organizations by the commissions;

(g) facilities to be offered by the Secretary-General to the organizations such as supplying them with appropriate documents.

The revised arrangements did not, however, apply to the regional economic commissions as their arrangements for consultation were to be reviewed in 1951 as part of the general review of regional economic commissions.<sup>241</sup> It was also decided that Council resolution 214 C (VIII) on international non-governmental organizations having members in Spain would remain in force.<sup>242</sup>

At its 365th plenary meeting on 27 February, the Council also considered a note from the Secretary-General (E/1619/Add.2) on the financial implications of putting the arrangements into effect. It was pointed out by a representative of the Secretary-General that it would be impossible at that stage to foresee whether or not the addi-

<sup>240</sup> For election of members, see p. 84.

<sup>241</sup> See p. 76.

<sup>242</sup> See Y.U.N., 1948-49, p. 710.

tional expenditures involved could be covered by the existing budget. The Chairman of the NGO Committee and the representative of France considered that the new arrangements should be brought into operation immediately. The Council, however, by 11 votes to 2, with 1 abstention, adopted an Australian draft resolution (E/L.28) providing that in so far as the cost could not be absorbed within the existing budget, the implementation of the revised statute on arrangements should begin on 1 January 1951.

## 2. Admission into the United States of Representatives of Non-Governmental Organizations with Consultative Status

At the fifth session of the General Assembly, at the 118th meeting of the Second Committee on 2 October and the 273rd meeting of the Third Committee on 28 September, the question of the attendance of the representative of the World Federation of Trade Unions (WFTU) at the Assembly's fifth session was raised.

The representatives of Poland in the Third Committee and of Czechoslovakia in the Second Committee protested against the action of the United States authorities in detaining Georges Fischer, the WFTU representative, at the Immigration and Naturalization Service Detention Station, Ellis Island, New York, and then deporting him to France, despite the fact that he had obtained an entry visa from the United States Embassy in Paris to attend the sessions of the General Assembly. These representatives and the representative of the USSR stated that this was a violation of the Headquarters Agreement, which, they stated, specified that the United States authorities would not impose any impediments to transmit to or from the Headquarters district upon any persons authorized to participate in the work of the United Nations, including representatives of non-governmental organizations with consultative status.<sup>243</sup> In the opinion of the USSR representative, the result of United States intervention in such a question was to give a privileged position to organizations with headquarters in the United States. It was also stated that such action interfered with the work of the United Nations, since questions on the agenda of the two Committees had first been considered by the Economic and Social Council at the request of the WFTU.

The three representatives asked that the Secretary-General should be requested to approach

the United States authorities with a view to the revocation of the expulsion order against the WFTU representative, and that a report should be submitted on the question.

At the 121st meeting of the Second Committee on 11 October, the Chairman reported that he had forwarded the protests of Czechoslovakia, Poland and the USSR to the Secretary-General. He read a letter from the Secretary-General, in reply, stating that the Secretariat was giving every attention to the principle involved "namely the interest which non-governmental organizations with consultative status have in meetings of the General Assembly dealing with economic and social questions". Discussions on the legal questions involved, under the relevant clauses of the Headquarters Agreement, were taking place between the Secretariat and the United States Government.

The question was further considered by the Economic and Social Council at its resumed eleventh session, at the 421st, 428th, 429th, 432nd and 435th plenary meetings on 20, 28 and 30 October and 6 and 14 November, respectively. The Council discussed the question as "to whether Article IV, Section 11 (4), of the Headquarters Agreement should be interpreted as applying to the representatives of non-governmental organizations in consultative relationship who wished to attend public meetings of the General Assembly.

It was pointed out by the Assistant Secretary-General for Economic Affairs that in the view of the United States authorities the special clause in the Headquarters Agreement relating to non-governmental organizations referred exclusively to consultations between the Council and the non-governmental organizations under Article 71 of the Charter. Concerning Mr. Fischer's attendance at the current session of the Council, he reported that, following communications between the Secretariat and the WFTU, the Secretariat had been informed on 18 October that a visa had been requested in Paris for Mr. Fischer to attend the meetings of the Council, and this information had been communicated to the United States Mission.

During the discussions in the Council, several representatives, including those of France, Poland, Mexico and Australia, expressed a desire for fuller information on the question and on the working

<sup>243</sup> Art. IV Sec. 11 (4) of the Headquarters Agreement states: "The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of ... representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter . . ."

of the Headquarters Agreement, as well as a legal opinion on the legal position. A joint draft resolution, submitted by France, Mexico and Poland (E/L.118), with slight modifications suggested orally by Denmark and accepted by the sponsors, was adopted by the Council at its 428th plenary meeting on 28 October by 15 votes to none, with 3 abstentions. The representative of China opposed the clause in the resolution asking the Secretariat to give a legal opinion on the matter.

In the resolution (340(XI)), the Council asked the Secretary-General:

- (a) To publish immediately all documents relating to this matter for the use of the Council members;
- (b) To have prepared as soon as possible and before the end of this session of the Council, a report on the implications of the legislation and administrative measures recently adopted in the United States governing the admission of aliens with respect to the application of the Headquarters Agreement concerning the admission of experts or representatives of non-governmental organizations enjoying consultative status;
- (c) To have prepared as soon as possible and before the end of this session of the Council, a legal opinion on the difficulties encountered by the representative of the WFTU in attending this session of the Council.

At the 429th meeting of the Council on 31 October 1950, the President stated that he had been informed by the United States delegation that the United States Government had decided to grant a visa to the representative of WFTU for attendance at the Council session, and had sent the necessary instructions to the United States Embassy in Paris.

In accordance with Council resolution 340 A (XI), the Secretary-General issued a communication from the WFTU (E/1862), the text of cables which had been received from that organization together with the replies (E/1863) and a memorandum (E/L.123) prepared in response to paragraphs (b) and (c) of the Council's resolution. This document concluded by stating that "The Secretary-General has accordingly continued to take the view, in negotiating with the United States the question of the interpretation of Section 11 (4) of the Headquarters Agreement, that the Council has itself determined, under the authority of the Charter, that representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation are entitled to access to the United Nations Headquarters, on the initiative of the organization concerned, for consultation with the Secretariat—including attendance at General Assembly meetings dealing with matters in the economic and social fields".

During the Council's consideration of the memorandum, the United States representative said that his Government agreed on the right of representatives of non-governmental organizations to enter the United States to attend Council meetings, to consult with the Secretary-General by common agreement and to attend sessions of the General Assembly when invited by that body. He and the representative of France pointed out that the only question remaining was whether visas should be granted to representatives of non-governmental organizations so that they might attend sessions of the General Assembly without a specific invitation. Further, the United States representative said, the question of what authority was competent to issue such an invitation was under consideration. Both representatives were in favour of postponing further consideration of the question pending the current negotiations.

The USSR representative stated that the Headquarters Agreement did not specifically mention the Council or the General Assembly meetings and implied that representatives of non-governmental organizations had the right to attend any meeting at Headquarters. He urged that any further study of the question should be based on existing documents and resolutions, in particular Article 71 of the Charter and General Assembly resolution 49(I).<sup>244</sup>

On the proposal of the representative of India, the Council unanimously adopted resolution 340 B (XI) taking note of the Secretary-General memorandum and requesting him to submit a further report to the Council at its twelfth session on the conclusion of his negotiations with the United States Government regarding the application of the Headquarters Agreement.

### 3. Granting of Consultative Status

#### a. ORGANIZATIONS ADMITTED AT THE TENTH SESSION OF THE COUNCIL

On the basis of a report from the Council Committee on Non-Governmental Organizations (E/1643 & Corr.1) on applications for consultative relationship submitted by non-governmental organizations, the Council at its 372nd plenary meeting on 3 March 1950 unanimously decided

<sup>244</sup> This resolution recommended that the Economic and Social Council grant the WFTU the right to submit items for insertion in the Council's provisional agenda, and endorsed the principle that all non-governmental organizations in category A should receive equal treatment in respect of consultative arrangements.

to place in category A the International Confederation of Free Trade Unions.<sup>245</sup>

The Council at the same time (287(X)) decided by varying votes that the following organizations be placed in category B:

International Association of Independent Enterprises,  
Trades and Crafts  
International Federation of Newspaper Publishers (Proprietors) and Editors  
International Society for the Welfare for Cripples  
International Union for the Scientific Study of Population  
Nouvelles équipes internationales  
World Assembly of Youth  
Anti-Slavery Society (United Kingdom)  
Society of Comparative Legislation (France)

It requested the Secretary-General to place the following organizations on the register of non-governmental organizations to be established in accordance with Council resolution 288 B (X):<sup>246</sup>

Engineers Joint Council  
International Council of Commerce Employers  
International Federation of the Building Trade Employers  
International Music Council  
South American Petroleum Institute (pending consideration at the twelfth session of the Council of the views of the Economic Commission for Latin America)  
The following four organizations, formerly in category C, were placed on the register, pending the review of the organizations in consultative status at the eleventh session of the Council:  
International Federation of Secondary Teachers  
Lions International—International Association of Lions Clubs  
Rotary International  
World Organization of the Teaching Profession

The Council noted that the following organizations would automatically be on the register, since they were in consultative status or similar relationship with one or more of the specialized agencies:

International Youth Hostel Federation  
World Federation for Mental Health  
World Federation of Scientific Workers  
Young Christian Workers

Prior to the voting, representatives of India, United Kingdom, Chile, Belgium, France, Denmark and the United States expressed full support for the proposal to grant category A consultative status to the International Confederation of Free Trade Unions. Most of these representatives and the President also paid tribute to the valuable co-operation given by the American Federation of Labor in the past.

The Acting Chairman of the Council Committee on Non-Governmental Organizations explained, in answer to various questions, that the Committee recommended postponement of a de-

cision on the International Federation of Free Journalists, since a larger and more comprehensive international federation of journalists was in the process of formation. It also recommended that the applications of Caritas Internationalis and the Auxilium Catholicum Internationale should be postponed in order to ascertain the exact relationship existing between the two organizations and which of the two was the more representative.

He also explained that the Committee had recommended that action be postponed on the application of the International Union of Socialist Youth since that organization seemed to be affiliated with another organization already enjoying consultative status.

The Committee had recommended that the International Music Council be placed on the register, since it would in any case be placed on the register once it had been granted consultative status by UNESCO, which might be soon.

It was further explained that certain organizations formerly in category C, which had been abolished by resolution 288 B (X), should be placed on the register pending the general review of organizations in consultative relationship to take place at the eleventh session.

The representative of Denmark considered that the World Federation for Mental Health and the World Federation of Scientific Workers should be placed in category B rather than on the register, as was recommended by the NGO Committee, and he suggested that a decision be deferred to the eleventh session. He accepted an Indian proposal that these applications be reconsidered at the twelfth session. This proposal, when put to the vote, was rejected by 4 votes in favour to 6 against, with 4 abstentions.

## b. APPLICATIONS POSTPONED FOR LATER CONSIDERATION

On recommendation of the NGO Committee, the Economic and Social Council, at its 372nd plenary meeting on 3 March 1950, decided unanimously that the applications of the following organizations would be reconsidered at the twelfth session of the Council:

Arab Union  
Auxilium Catholicum Internationale  
Caritas Internationalis  
Engineers Joint Council  
Hansard Society  
International Conference on Large Electric Systems

<sup>245</sup> The American Federation of Labor, formerly in category A consultative status, withdrew from status as it is a member of the ICFTU.

<sup>246</sup> See pp. 658-59.

International Federation of Free Journalists  
 International Union of Socialist Youth  
 Young Christian Workers

The Council decided that the application of the South American Petroleum Institute would also be reconsidered at its twelfth session, when the Council would have the comments of the Economic Commission for Latin America.

In accordance with resolution 288 B (X), which provided that applications for consultative status received from non-governmental organizations would be considered only at the first session of the Council each year, no further grants of consultative status were made during 1950.

#### 4. Review of Consultative Status of Non-Governmental Organizations

##### a. ACTION TAKEN AT THE TENTH SESSION OF THE COUNCIL

The Women's International Democratic Federation, an organization in category B consultative status, had requested that it be placed in category A. On recommendation of the NGO Committee, the Council at its tenth session unanimously decided (287 B (X)) that it would remain in category B.

##### b. ACTION TAKEN AT THE ELEVENTH SESSION OF THE COUNCIL

The question of the review of non-governmental organizations in consultative status, which had been postponed from the tenth session, was considered by the Council during its eleventh session at its 395th plenary meeting on 20 July 1950. The Council considered the report of the NGO Committee (E/1697 & Add.1 & E/1775) and unanimously adopted resolution 334 A (XI). In this resolution, it decided:

(1) That the following organizations, formerly in category B, should be placed on the register of the Secretary-General:

Associated Countrywomen of the World  
 Boy Scouts International Bureau  
 Econometric Society  
 International Student Service  
 International Union of Producers and Distributors of Electric Power  
 World Power Conference  
 Service Civil International  
 World Association of Girl Guides and Girl Scouts  
 World Federation of Democratic Youth

(2) That the following organizations, formerly in category C, which had been placed on the register when category C was abolished, pending the review of the organizations in consultative status, should be placed in category B:

Lions International—International Association of Lions Clubs

Rotary International  
 World Organization of the Teaching Profession

(3) That the International Federation of Secondary Teachers, formerly in category C and placed on the register pending the review of organizations in consultative status, should remain on the register.

(4) That the International Association of Penal Law and the International Bureau for the Unification of Penal Law should remain in category B, but be jointly represented.

(5) That consultative status should be withdrawn from the following organizations:

International Association of Democratic Lawyers  
 International Organization of Journalists

#### 5. Handbook of Non-Governmental Organizations

On 3 March 1950 the Council considered the report of the Secretary-General (E/1635) and the report of the NGO Committee (E/1644, Part I) on the question of the publication of a non-governmental organizations handbook and decided to postpone this question until the eleventh session.

The Council on 20 July 1950 at its 395th plenary meeting considered the report of the NGO Committee (E/1776) and by resolution 334 B (XI), unanimously adopted, noted that the Union of International Associations had published a Yearbook of International Organizations, which included information regarding a comprehensive number of international non-governmental organizations, and that the Union was willing to take into account in future editions the suggestions offered and information made available by the United Nations. The Council expressed the hope that the Secretary-General would offer the Union as much information and co-operation as possible. In these circumstances it decided not to consider further, at that time, the publication of a handbook by the United Nations.

#### 6. Items Submitted by Non-Governmental Organizations in Category A

During 1950 the following items submitted by non-governmental organizations in category A were accepted by the Economic and Social Council:

##### Tenth Session

1. Study of the economic situation of Africa; reformulated to read: "Studies and data relating to the economic situation of Africa"—proposed by the World Federation of United Nations Associations (E/1555 & Add.1-3)

2. International reduction of working hours as a consequence of rising labour productivity (referred to the International Labour Organisation)—proposed by the American Federation of Labor (E/1564 & Corr.1)

3. Procedure for a study of world oil resources (deferred to the twelfth session)—proposed by the International Co-operative Alliance (E/1565, see also E/1366/Add.1)

4. Abolition of discriminatory measures of an economic and social character from which workers suffer on grounds of race or colour (referred to the International Labour Organisation)—proposed by the World Federation of Trade Unions (E/1563 & Corr.1 & 2 & Add.1 & 2)

Eleventh Session

None

## 7. Written Statements from Consultative Non-Governmental Organizations

In the period under review, 76 written statements from 28 non-governmental organizations were circulated as documents (E/C.2/263 & Add.1). The greater part of these communications were directed primarily to Commissions (in particular the Human Rights, Social, Status of Women and Transport and Communications Commissions), many were related to items on the Council's agenda, and some brought particular matters to the attention of the members of the Council.

In accordance with the recommendation of the Council Committee, the Secretary-General circulated lists (E/C.2/263 & Add.1) of the communications.

## 8. Hearings of Non-Governmental Organizations

The following organizations were heard by the Economic and Social Council at its tenth session under rule 80 of its rules of procedure (E/1606, II):

Organization	Subject
American Federation of Labor	Full employment Non-governmental organizations: review of consultative arrangements Survey of forced labour and measures for its abolition
International Chamber of Commerce	Economic development of under-developed countries Methods of financing economic development of under-developed countries General Assembly resolution 307 (IV) of 16 November 1949 on economic development and international economic and commercial policy

International Co-operative Alliance	Non-governmental organizations: review of consultative arrangements
International Federation of Christian Trade Unions	Survey of forced labour and measures for its abolition Non-governmental organizations: review of consultative arrangements
World Federation of Trade Unions	Report of the Economic and Employment Commission (fifth session) Survey of forced labour and measures for its abolition Non-governmental organizations: review of consultative arrangements Full employment
World Federation of United Nations Associations	Studies and data relating to the economic situation of Africa Report by the Secretary-General on the United Nations Scientific Conference on Conservation and Utilization of Resources Non-governmental organizations: review of consultative arrangements

The following organization was heard by the Economic Committee at the tenth session under rule 80:

Organization	Subject
World Federation of United Nations Associations	Economic Commission for Asia and the Far East: action arising out of resolutions of the fifth session of the Commission

The following organizations were heard by the Social Committee at the tenth session under rule 80:

Organization	Subject
American Federation of Labor	Trade union rights (freedom of association)
International Federation of Christian Trade Unions	Trade union rights (freedom of association)
World Federation of Trade Unions	Trade union rights (freedom of association)

The following organizations were heard by the Council Committee on Non-Governmental Organizations at the tenth session under rules 79, 80 and 81 (E/1606, I, III, IV and Add.1-2; E/1609):

Organization	Subject
American Federation of Labor	Full employment; survey of forced labour and measures for its abolition Trade union rights (freedom of association) Non-governmental organizations: review of consultative arrangements
Co-ordinating Board of Jewish Organizations	Observance of human rights

Organization	Subject
International Chamber of Commerce	Economic development of under-developed countries: (c) methods of financing development of under-developed countries: (d) General Assembly resolution 307(IV) of 16 November 1949 on economic development and international economic and commercial policy
International Co-operative Alliance	Non-governmental organizations: review of consultative arrangements
International Council of Women	Report of the United Nations International Children's Emergency Fund Non-governmental organizations: review of consultative arrangements
International Federation of Christian Trade Unions	Survey of forced labour and measures for its abolition Trade union rights (freedom of association) Non-governmental organizations: review of consultative arrangements
International Federation of University Women	Non-governmental organizations: review of consultative arrangements
International Union of Catholic Women's Leagues	Non-governmental organizations: review of consultative arrangements
International Union for Child Welfare	Report of the United Nations International Children's Emergency Fund Non-governmental organizations: review of consultative arrangements
National Association of Manufacturers	Report of the Economic and Employment Commission (fifth session)
Women's International League for Peace and Freedom	Non-governmental organizations: review of consultative arrangements
World Federation of Democratic Youth	Non-governmental organizations: review of consultative arrangements
World Federation of Trade Unions	Report of the Economic and Employment Commission (fifth commission) and full employment Survey of forced labour and measures for its abolition Trade union rights (freedom of association) Non-governmental organizations: review of consultative arrangements
World Federation of United Nations Associations	Economic Commission for Asia and the Far East: action arising out of resolutions of the fifth session of the Commission Report by the Secretary-General on the United Nations Scientific

Organization	Subject
	Conference on Conservation and Utilization of Resources Report of the United Nations International Children's Emergency Fund Non-governmental organizations: review of consultative arrangements
World Jewish Congress	Report of the Commission on Human Rights (fifth session); completion of the consideration of the report, begun at the ninth session Situation of Jews in Moslem lands

The following organizations were heard by the Economic and Social Council or its Committees at the eleventh session under rule 82 (E/1749 & Add.1):

Organization	Subject
International Chamber of Commerce	Methods of financing economic development of under-developed countries
International Confederation of Free Trade Unions	Full employment Technical assistance for economic development Report of the Commission on Human Rights
International Co-operative Alliance	Full employment Methods of financing economic development of under-developed countries
International Federation of Agricultural Producers	Full employment
World Federation of Trade Unions	Full employment

The following organizations were heard by the Council Committee on Non-Governmental Organizations during the eleventh session under rules 80 and 81 (E/1749 & Add.2):

Organization	Subject
Agudas Israel World Organization	Statement concerning the "situation of Jewish orphans, children of deported persons, at present in non-Jewish institutions"
Catholic International Union for Social Service	Technical assistance for economic development General Assembly resolution 331(IV): international collaboration Report of the Social Commission Refugees and stateless persons
Consultative Council of Jewish Organizations	Report of the Commission on Human Rights Refugees and stateless persons Report of IRO
Friends World Committee for Consultation	Report of the Commission on Human Rights
International Confederation of Free Trade Unions	Assistance for the civil population of Korea

Organization	Subject
International Council of Women	Long-range activities for children Teaching of the purposes and principles of the United Nations Question of NGO handbook
International League for the Rights of Man	Report of the Commission on Human Rights
International Union for Child Welfare	Report of the Commission on the Status of Women Long-range activities for children Refugees and stateless persons
International Union of Catholic Women's Leagues	Report of the Population Commission
Pax Romana — Intellectual Catholic Movement for Intellectual and Cultural Affairs	Report of the Commission on Human Rights
Pax Romana — Intellectual Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students	Refugees and stateless persons Report of WHO
World Federation of Democratic Youth	Non-governmental organizations: review of consultative arrangements
World Federation of Trade Unions	Non-governmental organizations: review of consultative arrangements Assistance for the civil population of Korea
World Jewish Congress	Report of the Commission on Human Rights

The following organizations were heard by the Council at the resumed eleventh session under rule 82 of its rules of procedure (E/1857):

Organization	Subject
World Federation of Trade Unions	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
International Confederation of Free Trade Unions	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea

The following organizations were heard by the Council Committee on Non-Governmental Organizations at the resumed eleventh session under rules 80 and 82 (E/1857):

Organization	Subject
World Federation of Trade Unions	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea

Organization	Subject
International Confederation of Free Trade Unions	Assistance for the civil population of Korea
Catholic International Union for Social Service	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
Commission of the Churches on International Affairs	Assistance for the civil population of Korea
Co-ordinating Board of Jewish Organizations	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
Friends World Committee for Consultation	Assistance for the civil population of Korea
International Council of Women	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
International League for the Rights of Man	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
International Union for Child Welfare	Assistance for the civil population of Korea
International Union of Catholic Women's Leagues	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea
World's Alliance of Young Men's Christian Associations	Assistance for the civil population of Korea
World's Young Women's Christian Association	Plans for relief and rehabilitation of Korea, and study of long-term measures to promote the economic development and social progress of Korea

Many non-governmental organizations were heard by the Commissions of the Council, in particular by the Commissions on Human Rights and the Status of Women, and the Social, the Transport and Communications Commissions and the Economic, Employment and Development Commission.

## 9. List of Non-Governmental Organizations with Consultative Status (as of 31 December 1950)

### ORGANIZATIONS IN CATEGORY A CONSULTATIVE STATUS

World Federation of Trade Unions  
International Co-operative Alliance

International Confederation of Free Trade Unions<sup>247</sup>  
 International Chamber of Commerce  
 International Federation of Agricultural Producers  
 International Federation of Christian Trade Unions  
 Inter-Parliamentary Union  
 International Organization of Employers  
 World Federation of United Nations Associations

## ORGANIZATIONS IN

## CATEGORY B CONSULTATIVE STATUS

Agudas Israel World Organization  
 All-India Women's Conference (India)  
 Anti-Slavery Society, The (United Kingdom)  
 Carnegie Endowment for International Peace (United States)  
 Catholic International Union for Social Service  
 Commission of the Churches on International Affairs  
 Consultative Council of Jewish Organizations  
 Co-ordinating Board of Jewish Organizations  
 Friends' World Committee for Consultation  
 Howard League for Penal Reform, The (United Kingdom)  
 Indian Council of World Affairs (India)  
 Inter-American Council of Commerce and Production  
 International Abolitionist Federation  
 International African Institute  
 International Alliance of Women—Equal Rights, Equal Responsibilities  
 International Association of Independent Enterprises, Trades and Crafts  
 International Association of Penal Law<sup>248</sup>  
 International Automobile Federation<sup>249</sup>  
 International Bureau for the Suppression of Traffic in Women and Children  
 International Bureau for the Unification of Penal Law<sup>250</sup>  
 International Carnage and Van Union (Regolamento Internazionale Carozze)<sup>251</sup>  
 International Committee of the Red Cross  
 International Committee of Schools of Social Work  
 International Committee of Scientific Management  
 International Conference of Social Work  
 International Co-operative Women's Guild  
 International Council of Women  
 International Criminal Police Commission  
 International Federation for Housing and Town Planning  
 International Federation of Business and Professional Women  
 International Federation of Friends of Young Women  
 International Federation of Newspaper Publishers (Proprietors) and Editors  
 International Federation of Unions of Employees in Public and Civil Services  
 International Federation of University Women  
 International Fiscal Association  
 International Institute of Administrative Sciences  
 International Institute of Public Finance  
 International Institute of Public Law  
 International Law Association  
 International League for the Rights of Man  
 International Organization for Standardization  
 International Road Transport Union  
 International Social Service  
 International Society of Criminology  
 International Society for the Welfare of Cripples  
 International Statistical Institute  
 International Temperance Union

International Touring Alliance<sup>252</sup>  
 International Transport Workers' Federation  
 International Union of Architects  
 International Union of Catholic Women's Leagues  
 International Union for Child Welfare  
 International Union of Family Organizations  
 International Union of Local Authorities  
 International Union of Official Travel Organizations  
 International Union of Railways<sup>253</sup>  
 International Union for the Scientific Study of Population  
 International Wagon Union (Regolamento Internazionale Veicoli)<sup>254</sup>  
 Liaison Committee of Women's International Organizations  
 Lions International—International Association of Lions Clubs  
 National Association of Manufacturers (United States)  
 Nouvelles Equipes Internationales  
 Pax Romana—International Catholic Movement for Intellectual and Cultural Affairs<sup>255</sup>  
 Pax Romana—International Movement of Catholic Students<sup>255</sup>  
 Rotary International  
 Salvation Army  
 Society of Comparative Legislation (France)  
 Women's International Democratic Federation  
 Women's International League for Peace and Freedom  
 World Assembly of Youth  
 World Engineering Conference  
 World Jewish Congress  
 World Movement of Mothers  
 World Organization of the Teaching Profession  
 World Union for Progressive Judaism  
 World's Alliance of Young Men's Christian Associations  
 World's Women's Christian Temperance Union  
 World's Young Women's Christian Association

The total number of organizations listed above is 87; of these nine are in category A and 78 in category B. All these organizations are international organizations except the seven organizations that are followed by the name of a State.

Over 100 additional organizations were placed on the register for ad hoc consultations, in accordance with paragraph 17 of Council resolution 288 B (X).

<sup>247</sup> The American Federation of Labor, which was previously in category A, withdrew from consultative status when the ICFTU, of which it is a member, was admitted.

<sup>248</sup> To be jointly represented with the International Bureau for the Unification of Penal Law.

<sup>249</sup> To be jointly represented with the International Touring Alliance.

<sup>250</sup> To be jointly represented with the International Association of Penal Law.

<sup>251</sup> To be jointly represented with the International Wagon Union.

<sup>252</sup> To be jointly represented with the International Automobile Federation.

<sup>253</sup> Admitted to consultative status on 11 Apr. 1950 by action of the Secretary-General, in accordance with Council resol. 214 D (VIII) (see E/C.2/253).

<sup>254</sup> To be jointly represented with the International Carriage and Van Union.

<sup>255</sup> Both Pax Romana Movements to be jointly represented.

## U. IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS

The General Assembly, by resolution 119(II) of 31 October 1947, recommended that in fulfilment of Article 64 of the Charter, the Secretary-General report annually to the Economic and Social Council (and that the latter report to the General Assembly) on steps taken by Members to give effect to the recommendations of the Council as well as to those of the Assembly on matters falling within the Council's competence.

The Economic and Social Council, at its ninth session,<sup>256</sup> established an ad hoc Committee (resolution 255(IX)), whose task, as outlined by this resolution, was to meet and report to the Council at its tenth session on the replies received from Governments in this connexion and to make certain procedural recommendations. The Committee held twelve meetings from 7 to 22 December 1949, and its report (E/1585 & Add.1) was examined by the Council at its tenth session.

The Council, in resolution 283(X), decided that it would follow the procedures recommended with a slight modification (see below), and amended resolution 210(VIII) which dealt with requests for information from Members in 1950. The Council requested the Secretary-General to discharge his functions in accordance with the recommendations of the Committee, and transmitted the Committee's report, together with the records of the discussion on this subject, to the General Assembly.

The principal recommendations and considerations of the Committee are given below.

The Committee considered that the primary concern of the United Nations, in studying the implementation of recommendations on economic matters, was to improve its methods of work and the effectiveness of its decisions. A regular study of this subject should help to show the extent to which recommendations were being carried out, and might also draw attention to resolutions requiring consideration because they had proved ineffective, or had become out of date.

The fact that Governments in different stages of economic and social development encountered different problems in trying to carry out recommendations was appreciated by the Committee, which stated that the objective in making the study was not to pillory Governments which had thus far been unable fully to carry out recommendations, or to report adequately upon them, but rather to assist them in reporting and carry-

ing out the recommendations of the United Nations.

The Committee noted that many of the replies which had been given by Governments seemed inadequate or unsatisfactory, often because the requests and recommendations were too many and not sufficiently precise. Further, some Governments found that they had not been given sufficient time, and could not spare skilled staff for preparing the replies. Furthermore, some of the resolutions of the Assembly and the Council were too vague in language to constitute guides for precise action, and others covered wide fields, making it difficult for Governments to report on their implementation. Declaratory statements, or exhortations, might have a place in the Council's work but their implementation needed different methods of study, such as detailed studies from time to time in particular fields of activity.

It was believed by the Committee that the Assembly and the Council should endeavour, so far as is consistent with the real needs of the United Nations, to reduce the number of resolutions adopted by them containing recommendations and requiring replies by Governments upon their implementation. It also felt that recommendations should be as clear and precise as possible, leaving no doubt as to exactly what action Members were expected to take. Furthermore, the Committee felt that the Secretary-General should not ask Governments for information which he received officially in other ways, or had received in response to earlier questions.

The Committee recommended that further reporting by Governments on recommendations on economic and social matters made by the Assembly or by the Council should follow a regular two-year cycle, beginning with the recommendations adopted in 1948 and 1949. Accordingly, the following time-table was recommended by the Committee:

The Secretary-General should, as at present, circulate to Governments all resolutions of the Assembly and of the Council as soon as possible after they have been adopted.

April 1950. The Secretary-General would circulate a list of recommendations involving reports on their implementation, adopted by the General Assembly and by the Economic and Social Council in 1948 and 1949, and invite Governments to state, by October 1951, what they have done to carry them out. This

<sup>256</sup> See Y.U.N., 1948-49, pp. 717-18.

list would be in a form similar to E/AC.31/1, with an index.

April 1951. The Secretary-General would circulate to Governments a note reminding them that answers are expected on the foregoing by October 1951.

October 1951. Replies would be received from Governments. The Secretary-General would thereafter circulate a report to the Council.

February 1952. The Council would consider the implementation of the foregoing resolutions and conventions. The Council would also consider which resolutions adopted in 1950 and 1951 would be sent to Governments for report.

Action in subsequent years would follow a similar pattern.

The Committee recognized that some resolutions might have to be treated differently, or more quickly, but these cases should be made clear in the resolution itself. The Committee also considered that, when the Secretary-General circulated to Governments, every two years, a list of recommendations with requests for information on their implementation, he should not include the following:

(a) Resolutions which are general statements of principle or make recommendations in such wide or general terms that they are not suitable for specific report.

(b) Resolutions asking for information which the Secretary-General or a specialized agency has since obtained or taken steps to obtain. These would include requests for specific information, such as statistics and regular reports, and for replies to specific questions.

(c) Resolutions which fall within the procedure of reporting to the General Assembly by some organ of the United Nations other than the Economic and Social Council (including, for this purpose, the International Children's Emergency Fund).

The report of the Committee also included, in appendix I, a list of recommendations which the Committee felt should not be included in further lists sent to Governments by the Secretary-General, because they represented general statements of principle, or were no longer relevant or in force, or because adequate information had already been obtained.

It was considered by the Committee that the Secretary-General should ask Governments to state in their replies:

(a) whether the recommendations were put into effect by provisions contained in the Constitution, or by legislative or administrative enactment;

(b) whether the action taken was governmental (and if so, whether central or local), or voluntary and non-governmental;

(c) in a case in which no action has been taken, for what reasons implementation has been found unnecessary or impossible.

In regard to treaties, conventions and protocols on economic and social matters, the Committee recommended that the Secretary-General should

ask Members which had not ratified or adhered to them what steps they had taken to do so.

With respect to the form of the Secretary-General's report to the Council, the Committee considered that the Secretary-General should:

(1) circulate the full texts of replies received from Governments immediately upon receipt;

(2) transmit to the Council a report containing: (a) a fully annotated list to serve as an index to all reports received that year, and indicating in what other context information had been supplied in addition to that appearing in the reports; (b) a factual statement regarding the extent to which Governments had not reported on the implementation of recommendations transmitted to them. The Committee further believed that the Secretary-General might, where possible and appropriate, give a fuller indication of Members' replies than that contained in document E/1325, but it stated that the Secretary-General should not have to evaluate the substance of the replies submitted to him.

The Committee also considered that a separate section of the report should be devoted to treaties, conventions and protocols, and that a separate section should contain a list of requests for specific information made during the two years under review, and should indicate those countries which had, or had not, supplied the desired material.

It was pointed out by the Committee that, if the Council decided that it was necessary to take action on any particular recommendation, it would have the following courses open to it:

(1) to call for fuller or additional reports;

(2) to revise or interpret a resolution adopted earlier;

(3) to recommend the revision of a convention or protocol adopted earlier;

(4) to place the question involved on the agenda of a subsequent session of the Council or of the General Assembly;

(5) to refer it to a specialized agency or to a functional or regional commission;

(6) to adopt some other means of studying the question involved, for example by referring it to an ad hoc committee or asking the Secretary-General to prepare a report.

The Committee considered that the Council should periodically select a particular field for more detailed study as to how far resolutions adopted have been carried out, and have proved adequate. The Council could, for instance, refer a recommendation to a specialized agency, a functional or regional commission, or a group of experts for study. The Council should also consider, every two years, the list of recommendations adopted, and should indicate which resolutions should not be circulated to Member Governments.

In accordance with the Committee's recommendation, the Council's report on implementation to the General Assembly will normally be part

of the annual report of the Council, and not a separate report under a special General Assembly agenda item, unless particular circumstances justify it.

The Committee discussed a proposal that the Council should establish an ad hoc committee to carry out the Council's functions as outlined in the paragraph above, empowered to meet between sessions of the Council, and with terms of reference similar to those of the Ad Hoc Committee on the Implementation of Recommendations on Economic and Social Matters established by resolution 255(IX).

This item was discussed at the 346th plenary meeting of the Council on 8 February 1950. At this meeting, the representatives of Australia, Belgium and France voiced the opinion that there was no need to establish an ad hoc committee of such a nature, for its functions could be fulfilled by the Co-ordination Committee of the Council or by one of the other committees during the Council's sessions.

It was pointed out by the representative of Australia that those in favour of the creation of the proposed committee had remarked that the success of the Ad Hoc Committee's work spoke for the establishment of a committee of the same kind. They had stressed that the question of implementation of resolutions was a purely technical one; an ad hoc committee meeting between sessions of the Council would be in a better position to deal with it than the Council itself. They had also pointed out that the creation of such a committee would greatly ease the Secretariat's task.

The main argument advanced against the creation of the proposed committee, the representative of Australia further stated, was that it would add to the already considerable number of subsidiary organs of the Council, thus leading to an undue dispersal of the Council's duties. Although opposed to the formation of such a committee, the Australian delegate did not believe that it was essential to take a decision on the matter at the current session, but that it would be more advisable to await the results of the application of the procedure advocated by the Ad Hoc Committee.

The representative of China suggested that decision on the creation of the proposed ad hoc committee should be deferred to a later session of the Council. This was so decided by the Council.

The Committee drew the attention of the Council to resolution 125(II) of the General Assembly on relations with and co-ordination of

specialized agencies and work programmes of the United Nations and specialized agencies, and considered that the Secretary-General should circulate this resolution again to all Governments and seek the most recent and detailed information. In an addendum to the report of the committee (E/1585/Add.2), the Secretary-General drew the attention of the Council to the fact that UNESCO had undertaken a study involving a detailed inquiry into the measures and machinery of Governments for co-ordinating national policies and international bodies. The Secretary-General wished to know whether, in view of such action by UNESCO, the Council still deemed it necessary again to circulate the text of resolution 125(II) of the General Assembly to all Member States or only to those not participating in the UNESCO study, or whether it would prefer to postpone any decision until the results of that study were available.

The Council discussed this item at its 346th and 347th plenary meetings on 8 February 1950. The representatives of Australia, Belgium, Denmark, France and India expressed the view during the discussion that resolution 125(II) should not be circulated again to Governments until the results of the UNESCO study were available. These representatives felt that UNESCO had gone somewhat beyond its field of competence in initiating the study in question, but they nevertheless appreciated the important work done by that organization.

The representative of the United States said he believed that the study in question was being carried out by experts and that the requests for information had not been formally addressed to Governments. He held the view that a study of such a nature should not deter the Council, which had the main responsibility for the implementation of the General Assembly's recommendation contained in resolution 125(II), from drawing the attention of Governments once again to that resolution and asking them for detailed and recent information.

The representative of Australia stated in concurrence that he did not think UNESCO was the competent organ to deal with the question of co-ordination as a whole, but rather that co-ordination was one of the Council's specific functions under the Charter. He therefore proposed that the Ad Hoc Committee's recommendation be adopted but that resolution 125(II) should not be circulated until April 1951, by which time the Secretary-General would have received the report from UNESCO and would be able to take

it into account when framing his request for information. In addition, Governments would be able to take account of the UNESCO report in making their replies.

He further suggested that the lack of clear agreement between UNESCO and the United Nations as to fields of work revealed by the initiation of that study should not be overlooked by the Council during its debate on co-ordination between the United Nations and the specialized agencies, and that the Administrative Committee on Co-ordination should, at that time, be asked to study action to prevent overlapping and conflict in requests to Governments for information on the part of the United Nations and specialized agencies, and report to the following session of the Council.

The proposal made by the representative of Australia was adopted by the Council at its 347th plenary meeting on 8 February.

The Committee further called the attention of the Council to its resolution 203(VIII) on teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States, and suggested that this resolution, which calls for annual reports, should be amended to require two-yearly reports, to fit in with the Council's cycle of action on implementation. Accordingly section B of resolution 283(X) amended resolution 203(VIII) to read as follows:

Recommends that Member States report every two years to the Secretary-General on the progress achieved in carrying out the above resolution.

The recommendation that the Council should consider whether it should recommend to the General Assembly an amendment of resolution 119(II) requiring the Secretary-General to report annually to the Council was made by the Committee. This matter is, therefore, brought to the attention of the General Assembly through resolution 283(X), which transmits the resolution, together with the report of the Ad Hoc Committee and the records of the discussions at the tenth session of the Council.

During the discussion at the 346th meeting of the Council on 8 February 1950, the attention of that body was also called to the fact that the Economic Commission for Asia and the Far East (ECAFE), in October 1949, had adopted a resolution requesting its secretariat to make an inquiry among the Governments of the members of the Commission to determine to what extent they had implemented the resolutions adopted by the Commission. The Council was informed by

the Assistant Secretary-General for Economic Affairs that the Secretary-General had asked the Secretary of ECAFE to postpone the implementation of the Commission's resolution until it had been informed of the Council's views on the matter.

The representatives of Australia, China, India and the United States were of the opinion that all inquiries of a general nature, such as that undertaken by ECAFE, should be undertaken by the Council itself, since a regional commission could ask governments for information on specific measures only. It was pointed out by the representative of the United States that ECAFE's resolution was not clear, since it did not state whether ECAFE's secretariat should send special questionnaires to the members of the Commission or whether it should make use of the replies sent to the Secretariat at Headquarters. The representative of India held the view that it was for the Secretariat of the United Nations to ask for information relating to the implementation of recommendations, it being only logical for that body to centralize the activities of subsidiary United Nations organs in that field.

The representative of Australia felt that it was clear from Article 64 of the Charter that the Council itself should come to an understanding with Member States and specialized agencies in regard to obtaining reports on steps taken to implement recommendations of the Economic and Social Council and the General Assembly on economic and social questions.

This question of possible overlapping in the study of implementation by the Council and by the regional economic commissions was, upon the suggestion of the representative of the United States, taken up in connexion with the discussion of the report of ECAFE at the 349th plenary meeting on 13 February 1950. At this meeting the Council unanimously adopted resolution 270(X) which requested the Secretary-General to transmit to ECAFE the records of its discussion at its tenth session on implementation, and to take all possible steps to obviate unnecessary duplication in requesting information from Governments. This resolution also invited the attention of ECAFE to the arrangements which had been approved by the Council for a continuing review of the implementation of recommendations on economic and social matters.

ECAFE, in its report (E/1710) to the Council at its eleventh session, pointed out that there was general agreement that the Commission's study

of implementation should be limited to those resolutions on which inquiries addressed to Governments might be expected to yield specific and useful information, and that the secretariat should act in close consultation with Headquarters.

A note by the Executive Secretary of the Commission (E/CN.11/244) called attention to the fact that the ECAFE resolution (E/CN.11/234) provided for a single report, in contrast to the continuing review contemplated by the Council in resolution 283(X). The Commission appointed an ad hoc Committee to consider the matter. That Committee scrutinized the resolutions that had been adopted by the Commission and listed them in three categories: (1) resolutions requiring an inquiry from the Governments of members and associate members; (2) resolutions on which information was required from the secretariat as to action taken; and (3) resolutions which, though containing ostensible recommendations to Members, did not warrant further inquiry.

The Committee recommended that the Executive Secretary should, as a matter of routine, report to each session of the Commission as to how far previous resolutions had been implemented. While appreciating the need for giving Governments adequate time to give information as to their implementation of resolutions, it considered, nevertheless, in view of the review to be undertaken in mid-1951 by the Council of the functions of the regional commissions, that a report on implementation should be made to the seventh session of the Commission so that a statement on the subject might be included in the next annual report to be submitted to the Council. The Commission adopted the report of the Committee, and it was, therefore, understood that the secretariat of ECAFE would make its own independent requests for information from Governments on the resolutions listed by the ad hoc Committee in category (1) for the specific purpose of the next annual report in view.