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ORIGINAL: ENGLISH

SEVENTH SESSION

AGENDA COMMITTEE

SUMMARY RECORD OF THE PRELIMINARY MEETING

Held at Lake Success, New York
Wednesday, 26 May 1948, at 2.30 p.m.

Chairman: Mr. Charles MALIK (Lebanon)

Members: Mr. L. KAMINSKY (Byelorussian Soviet Socialist Republic)
Mr. H. SANTA CRUZ (Chile)
Miss WITTEVEEN (Netherlands)
Mr. W. B. SUTCH (New Zealand)

Secretariat: Mr. H. LAUGIER (Assistant Secretary-General for Social Affairs)
Mr. D. OWEN (Assistant Secretary-General for Economic Affairs)
Mr. G. DUMONTET (Secretary of the Committee)

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Mr. Sutch suggested that at the present meeting the Committee might make preliminary decisions on the questions of principle involved; the final decision, as well as the determination of the items to be placed in each category, should be postponed until the Committee met in Geneva just before the opening of the seventh session of the Council.

The CHAIRMAN called for comments on the New Zealand proposal. He pointed out that a single plenary debate on all items which were later to be referred to committees represented a drastic departure from the Council's usual procedure.

Mr. SANTA CRUZ (Chile) recalled that an analogous proposal made in the Agenda Committee during the previous session had been rejected by the majority. It had been felt that members of the Council could not be prevented from having a general discussion of each item before referring it to a committee. While he found the New Zealand suggestion interesting, he did not think it would be acceptable to the Council.

He agreed that it was necessary to adopt procedures which would expedite the work of the Council. Nevertheless, it was hardly possible for the Committee to decide which items should be dealt with entirely in plenary session, and which entirely in committee. Experience had shown that, at the beginning of each session of the Council, certain documents were not ready and not all delegations had definite views on each item. These views were frequently developed in the course of the general discussion. It was only during its session that the Council itself could decide how items should be treated. The Agenda Committee might perhaps recommend action with respect to certain items and ask the President of the Council to propose such action at appropriate times during the session.

The CHAIRMAN, in reply to a question by the Byelorussian representative, stated that the present meeting, an informal one, had been called for the purpose of having a preliminary discussion of the unusually heavy agenda for the next session. An exchange of views on the best method of expediting the Council's work would be helpful to the Committee. The

~~Chairman was then to state their intentions as to whether they preferred to reserve~~

of expediting the Council's work would be helpful to the Committee. The members were free to state their opinions or, if they preferred, to reserve their positions until July, when the Committee would make its final decisions.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) remarked that the practice established by the Council and applied during six sessions permitted certain conclusions to be drawn. Thus, it did not appear likely that the Council, which at its previous session had rejected the proposal to discuss several items jointly in plenary debate, would be prepared to accept such an innovation at its forthcoming session. Mr. Kaminsky held that preliminary discussion of each item in plenary session in fact expedited the Council's work, since committees, acting in the light of that discussion, were able to deal with each item more rapidly. Curtailment of plenary debate would merely result in lengthening discussions in the committees.

Mr. Kaminsky was consequently of the opinion that the Council should abide by its former well-regulated procedure, and should discuss each question separately, first in plenary session, then, if the Council thought necessary, in committee. He agreed that there might be items which could be dealt with entirely in plenary discussion, but did not think that the Committee could determine those items; such a decision was for the Council to take. The joint discussion of several questions in plenary session, as suggested by the New Zealand representative, was not acceptable. Such a method was too mechanical, too simplified, to be compatible with the seriousness of the Council's work or to produce positive results.

Even though the previous practice should be retained, there were, under the rules of procedure, various means which the President might use to expedite matters, such as limiting the time of speakers. Moreover, it

/might be

might be possible to have a joint discussion of two or three closely related questions; what these questions were, however, could not be decided at the present moment, as it was quite possible that additional items might be placed on the agenda.

As regards the number of committees which the Council should set up, the Byelorussian representative thought that five committees, as proposed, might be too many. He would prefer four committees, the Economic, the Social, the Committee on Coordination, already agreed upon, and a committee to deal with procedure and programmes of work. All four should be committees of the whole, so that all delegations would have the right to take part in their work and to vote, though it was conceivable that the procedural committee might have a more limited membership.

In the past, decisions of the Agenda Committee had resulted in little more than bringing certain problems to the Council's attention. Mr. Kaminsky expressed the hope that in the future they might be regarded as the decisions of an organ of the Council. In his view, the Committee was fully competent to make recommendations to the Council to drop or postpone certain items; he would be prepared to name such items at a later time.

Miss WITTEVEKEN (Netherlands) expressed herself strongly in favour of anything that might effectively facilitate the work of the Council. The procedure adopted by the General Assembly worked well in that organ; but there was the danger that, if the same procedure were suggested to the Council, the latter would spend several valuable days in debating its adoption.

In reply to a point raised by the representative of Chile, she remarked that a great deal depended on when the necessary documents were received by the various delegations. If documents were available well in advance of the opening of the session, delegations would receive instructions from their Governments before coming to the session.

/Mr. SANTA CRUZ

Mr. SANTA CRUZ (Chile) said that his own point of view had been very clearly explained by the Byelorussian representative.

He recalled that the size of the agenda for the Council's sixth session had also occasioned concern; nevertheless, owing to diligence and determination, that body had been able to complete its work within the allotted time. The important factors to consider were the energy and competence of the President -- and the Committee could feel secure on that score -- and the degree of enlightenment of the delegations, which was steadily increasing. If representatives were properly informed on every problem, the President could, in suggesting that certain items should be referred to committee or should be discussed jointly in plenary session, count on the full support of the Council. Leaving that duty to the President provided the only practical solution of the problem.

The Chilean representative further stated that one advantage of discussing items in plenary session was that Governments might wish to have their positions stated by the leaders of delegations, who would attend the plenary meetings of the Council, but would not necessarily attend committee meetings.

As regards the question of committees, four should suffice under normal circumstances. At its coming session, however, the Council would have to deal with a special problem, the Bill of Human Rights. If that item were referred to the Social Committee, the Committee would be over-loaded. It might be advisable to set up a special committee to deal with the question.

Mr. LAUGHER (Assistant Secretary-General) said that there was not only the Declaration on Human Rights, but the Covenant and possible implementation to be considered. Since several other items, such as the conference on the freedom of information and the reports of the Commission on Human Rights and the Commission on the Status of Women, could also be referred to such a committee, its establishment appeared advisable.

/Mr. KAMINSKY

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) replied that he understood the desire to set up a special committee to deal with the whole group of questions relating to human rights. Nevertheless, all these questions were of a broad social character, and fell directly within the province of the Social Committee. To set up another committee would mean that, in effect, two Social Committees would be sitting at the same time. There was a simpler solution. The questions could be referred to the Social Committee, which would, in the course of time, establish drafting or ad hoc sub-committees. In the long run, time would be gained by avoiding the introduction of a new procedure which might give rise to a lengthy debate in the Council.

The CHAIRMAN observed that the Committee was not in a position to decide at ^{the} present meeting what items might be disposed of completely in plenary session and what other items might be referred directly to committees. He agreed with the Byelorussian representative that such decisions should be taken by the Council in the course of its work. The members of the Committee might keep these two suggestions of the New Zealand representative in mind, and discuss them further at the following meeting. Decisions as regards joint discussion of several items in plenary session should be postponed until the same time, in view of the fact that certain objections to such an innovation had been raised. The Committee might, however, discuss further the number of committees which should be set up.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) said that, as the Committee was being asked to think things over before its following meeting in Geneva, he wished to raise another question for its consideration.

He recalled that at the previous session, as member of the Agenda Committee and as the representative of his country, he had suggested that the survey of forced labour and measures for its abolition (item 2 of the present agenda), proposed by the American Federation of Labor, might be

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dropped from the agenda. He had said on that occasion that the item should not be on the agenda of the Economic and Social Council because it had been placed there not with the intention of solving a social or economic problem of general interest, but with the definite political purpose of giving rise to hostile propaganda against a number of democratic States.

The Byelorussian delegation was still of the same opinion. It was the duty of responsible members of the Council to prevent the inclusion in its agenda of items which were of no practical value, infringed upon Article 2, *stet* paragraph 7 of the Charter, and had been introduced for political reasons.

Mr. Kaminsky reminded the Committee that forced labour was a problem which related to colonial territories, and therefore, if regarded objectively, could properly be considered by the Trusteeship Council. If the item were to be discussed in the Economic and Social Council, the colonial aspect would inevitably be brought up; an undesirable and fruitless discussion would follow. No positive results could be expected if the question were raised before the Council.

The CHAIRMAN pointed out that the question of a survey of forced labour and measures for its abolition had been placed on the agenda of the sixth session of the Economic and Social Council which had postponed consideration of the matter until the seventh session. It would not be possible for the Committee at the present time to delete that item from the agenda. The matter would be referred to again at the meeting of the Agenda Committee in Geneva, and he would then make every effort to have such a delicate question removed from the agenda.

Mr. SUTCH (New Zealand) asked for the Committee's views on the suggestions made in sub-paragraphs (b) and (c) of his letter and as to whether members were willing that certain questions should be postponed or removed from the agenda. In his opinion, the fact that the consideration of

/an item

an item had been postponed should not imply that this item cannot be deleted from the agenda of the following session.

Another point which members had not considered was the suggestion made under point (e) of his letter -- the setting up of a small ad hoc committee on procedural matters. Proposals had been put forward by the French delegation concerning rules of procedure, and he felt that such a question could be dealt with more appropriately by an ad hoc committee than by a committee of the whole.

The CHAIRMAN agreed that such an ad hoc committee would greatly facilitate the work of the Economic and Social Council. The Council could quickly reach agreement on which items of the agenda could be disposed of completely in plenary session and which could be dealt with by committees without prior consideration in plenary session. He felt that members should consider carefully, before the meeting of the Agenda Committee in July, the suggestions contained in the letter of the representative of New Zealand.

Mr. SANTA CRUZ (Chile) thanked the representative of New Zealand for the very useful suggestions contained in his letter. He, however, favoured the present procedure of discussing all problems in plenary session and, if they remained unsolved, of referring them to specific committees.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) hoped that the procedure followed at previous sessions of the Economic and Social Council would be followed at future ones. He doubted whether representatives would be prepared to refer direct to committees such items as Nos. 18 and 21 of the agenda which involved very important issues.

The CHAIRMAN felt that the preliminary meeting of the Agenda Committee had been very useful, and he stressed the importance of the seventh session of the Economic and Social Council.

/Summarizing

Summarizing the five basic issues which had arisen during the preliminary meeting of the Agenda Committee, he said the most important question which the Agenda Committee would have to decide at its meeting at Geneva in July was the practical ways and means of expediting the work of the Economic and Social Council without causing the quality, dignity and usefulness of the Council's work to suffer. He asked members to give that matter their most serious attention between the present time and the meeting of the Agenda Committee.

The Committee had generally agreed that the two principal Committees of the Economic and Social Council should be set up as soon as possible after the opening of the Council's seventh session, and he hoped they would be able to start their work during the first week. The question as to whether there should be a separate committee on Human Rights should be left to the Agenda Committee. He agreed, in general, that there should be a committee on procedure and one on coordination.

The Chairman asked the Secretariat to make every effort to see that all documents reached members of the Economic and Social Council in time for them to be thoroughly studied before the opening of the seventh session. He stressed the importance of delegations being composed of at least three or four members as the additional committees would involve extra work. Small countries should ensure that they were represented on committees and not leave the work to the Big Five.

Referring to the question of the deletion of items from the agenda of the Economic and Social Council, he agreed that certain items might be deleted but only as a last resort and if it were expedient to do so.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) considered that whether or not the Economic and Social Council had time to discuss a certain item on its agenda, if some members considered that item to be harmful and unnecessary, then it should be deleted. He wished to introduce a formal motion that the Secretariat should be requested to prepare,

/before

before 15-20 June, a paper giving its views on which questions could be postponed and which could be deleted and the reasons therefor. That document should be circulated to all members of the Economic and Social Council and discussed by the Agenda Committee at its meeting in Geneva.

He felt it was impossible at the present time to say that the principal committees of the Council should begin their work within two or three days of the opening of the session, and could not agree with such a procedure.

The CHAIRMAN agreed with the representative of the Byelorussian Soviet Socialist Republic that any item considered harmful should be deleted from the agenda. He felt that it might not be within the Committee's terms of reference to ask the Secretariat to prepare a document giving its views and reasons as to what items should be deleted, and hoped that the representative of the Byelorussian Soviet Socialist Republic would not press his motion.

In connection with the work of the committees, he pointed out that they would certainly not be set up until there was some work for them to do.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) considered that under rules 11 and 14 of the rules of procedure of the Economic and Social Council the Secretariat might be called upon to prepare such a document as he had suggested. He could not, therefore, withdraw his proposal.

Mr. SUTCH (New Zealand) said he did not wish the letter he had sent to the President of the Economic and Social Council to be circulated as a United Nations document, and considered that the summary record of the preliminary meeting of the Agenda Committee should be restricted.

/In order

In order that delegations might be composed of a sufficient number of representatives some indication should be given to governments of how many meetings would take place simultaneously, and how many committees there would be. There was some value in the suggestion that there would be four principal committees of the whole -- Economic, Social, Co-ordination and possibly Human Rights.

He felt that it was too much to ask the Secretary-General to give his views as to what items should be deleted from the agenda, but said it would be useful if he were to go through the items and inform governments as to the stage which had been reached in the preparation of documents covering each case.

The CHAIRMAN pointed out that, owing to administrative problems, it would not be possible to hold more than three meetings of committees simultaneously, and therefore delegations should be composed of at least three members.

Mr. LAUCHIER (Assistant Secretary-General) said the Secretariat could prepare such a document as had been proposed by the representative of New Zealand, but felt it could not take the responsibility of preparing the type of document requested by the representative of the Byelorussian Soviet Socialist Republic.

Mr. KAMINSKY (Byelorussian Soviet Socialist Republic) considered that, in so far as deletions from the agenda were concerned, the Secretariat should not refuse to take a stand on account of political implications or because of it wished to preserve its independence or neutral position. He could not, therefore, agree with the remarks of the Assistant Secretary-General. He was prepared, however, to modify his proposal and to accept the suggestion put forward by the representative of New Zealand.

/Mr. LAUCHIER

Mr. LAUGIER (Assistant Secretary-General) said that in order to prepare the type of document suggested by the representative of New Zealand, the Secretariat should be given full and detailed instructions as to the wishes of the Committee.

Mr. SMITH (New Zealand) said that the Secretariat would be required to state the facts of the position of questions but not asked to give any information which it felt it could not give. This information could be circulated to Governments as a Secretariat document.

After a brief discussion the Committee decided to appoint an informal Sub-Committee consisting of the representatives of the Byelorussian Soviet Socialist Republic and of New Zealand to prepare, in consultation with the Secretariat, a paper requesting certain information from the Secretary-General as to the documentation stage reached in connection with items on the agenda of the Economic and Social Council.

The CHAIRMAN said that he wished to see the document before it was circulated, and thanked the representative of New Zealand for his helpful contribution to the work of the Committee.

The meeting rose at 5 p.m.

AGENDA COMMITTEE OF THE ECONOMIC AND SOCIAL COUNCIL
PRELIMINARY MEETING OF WEDNESDAY, 26 MAY 1948

The following letter sent to the President of the Economic and Social Council by the Secretary General of the Permanent Delegation of New Zealand is circulated for information to the members of the Agenda Committee of the Council.

"25 May 1948"

Dear Dr. Malik:

It is my understanding that the Agenda Committee of the Economic and Social Council, with the unanimous agreement of all its members and after consultation with several other Members of the Council, has decided to hold a preliminary meeting on 26 May 1948.

I take it that the usefulness of this preliminary meeting is to permit an exchange of views on problems raised by the Seventh Session of the Economic and Social Council and its heavy agenda, in order that the Committee may find it possible, before its meeting scheduled for 15 and 16 July 1948 at Geneva, to consider in advance the various points on which it will have to make recommendations to the Council at that time.

With this in mind, I venture to suggest that in respect of the agenda of the Seventh Session, we might consider the following :

(a) have a single plenary discussion on all items which are not referred directly to committees or which are not dealt with individually and finally in plenary debate ; after this discussion refer to appropriate committees all items which prove to need detailed examination ;

(b) list items which can be disposed of completely in plenary session ;

(c) list items which obviously can be dealt with by committees without having to be considered in plenary ;

(d) list items which may be dropped or postponed ;

(e) consider setting up a small ad hoc committee on procedural items ;

(f) commence committee sittings as early as possible in the Session so that they can work while the general plenary debate is proceeding ;

(g) have an individual discussion on each item which is listed under (b).

It should be stressed that under the above arrangements Members of the Council, would have an opportunity for individual discussion in plenary session on each item after it has come back from committee.

With respect to the preliminary list of agenda items for the Seventh Session (Document E/787) the following division indicates a possible method of handling the agenda according to the above suggestions :

(a) Items which could be discussed in a single Plenary discussion and, if it is deemed necessary, referred to appropriate Committee :

- Item No. 2.- Survey of forced labour and measures for its abolition
Item proposed by the American Federation of Labor, postponed from the sixth session.
3. Implementation of economic and social recommendations
Item postponed from the sixth session.
 4. Report of the Secretary-General on the question of establishment of research laboratories of the United Nations
Item postponed from the sixth session.
 5. Report of the third session of the Economic and Employment Commission.
 6. Report of the Food and Agriculture Organization on the progress in co-ordination of studies of suitable measures to bring about an increasing food production.

7. Report of the third session of the Economic Commission for Europe.
8. Report of the third session of the Economic Commission for Asia and the Far East, including proposals concerning the appropriate methods of dealing with the problems of flood control.
9. Report of the first session of the Economic Commission for Latin America.
10. Report of the Ad Hoc Committee on the question of the factors bearing upon the establishment of an Economic Commission for the Middle East.
15. Report of the third session of the Social Commission.
- 15a. Migration
Reports of the Population and Social Commissions.
16. Report of the third session of the Commission on Human Rights, transmitting draft Bill of Human Rights.
17. Freedom of Information and of the Press
Report of the United Nations Conference on Freedom of Information,
Report of the Secretary-General on the supply of newsprint.
19. Trade Union Rights (Freedom of Association).
20. Report of the Secretary-General on the progress and prospect of repatriation, resettlement and immigration of refugees and displaced persons, including a specific account of the situation of children removed from their country of origin during the course of the war.
22. The Principle of equal pay for equal work for men and women workers.
23. Report of the third session of the Commission on Narcotic Drugs, transmitting
 - (i) draft protocol to bring under international control drugs not covered by the Convention of 1941, and
 - (ii) report of the Secretary-General on detailed plan for a Commission of Enquiry into the effects of the chewing of the coca leaf.Also, administrative arrangements between the Council and the Permanent Central Opium Board
24. Reports of the Executive Board of the International Children's Emergency Fund.
25. Report on the United Nations Appeal for Children.
27. Reports of specialized agencies.
30. Reports of the Committee on Negotiations with inter-governmental agencies.
31. Reports of the NGO Committee, including recommendations on communications received from the World Jewish Congress.

32. Report of the Secretary-General on implementation by ICAO of General Assembly Resolutions Nos. 39 (I) and 50 (I) concerning Franco Spain.

(b) Items which could be disposed of completely in Plenary session without being referred to Committees :

Item No. 1. Adoption of the Agenda
Report of the Agenda Committee.

11. United Nations Conference on the conservation and utilization of resources,
Progress report of the Secretary-General on arrangements for the conference.
12. Report of the second session of the Transport and Communication Commission.
13. Report of the third session of the Statistical Commission.
14. Report of the third session of the Population Commission.
36. Confirmation of Members of Commissions.
37. Election of one-third of members of eight functional Commissions.
38. Election of three members of the Economic Board for Palestine.
39. Election of members of Agenda Committee.
40. Report on the United Nations Trade and Employment Conference.
41. Report on the United Nations Maritime Conference.

(c) Items which could be dealt with by Committees without being considered in Plenary :

Item No. 18. Draft Convention on the Crime of Genocide.
Report of the Ad Hoc Committee.

21. Report of the second session of the Commission on the Status of Women (remainder of Report)
- 21a. Provisional questionnaire adopted by the Trusteeship Council under Article 88 of the Charter
Reports of Commissions.
26. Relations with and co-ordination of specialized agencies.
28. Work programmes of Commissions of the Council in 1949.
29. Calendar of economic and social meetings and conferences in 1949
34. Records of the Council
Report of the Secretary-General.

42. Draft rules for calling of international conferences.
43. Question of plan for the use of the central library at Geneva by the United Nations and specialized agencies.
45. Revision of Rules of Procedure.
46. Report of the Council to the General Assembly.

(d) Items which could be dropped or postponed :

Item No.

33. International facilities for the promotion of training in public administration,
Report of the Secretary-General.
35. Translation of the classics
Report of UNESCO.
44. Teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States,
Reports of the Secretary-General and of UNESCO, including measures of implementation.

Finally, I would suggest that the Agenda Committee consider recommending which items should be allocated to the respective Committees.

Yours sincerely,

W.B. Sutch

Secretary-General of
the Permanent delegation of New Zealand
to the United Nations