

UN-Secretariat matters A-S: UN-Secretariat matters A-S - 12

HS L 179:92



Dag Hammarskjöld's saml.

H. Q. Agreement 1953

15 April

ECOSOC, 15-th Session, 686 - 687 meeting

Official Records



CONTENTS

| | <i>Page</i> |
|---|-------------|
| Admission of the representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women, in accordance with the resolution adopted by the Commission (E/2386, E/2397 and E/L.493) | 83 |

President : Mr. Raymond SCHEYVEN (Belgium).

Present :

The representatives of the following countries: Argentina, Australia, Belgium, China, Cuba, Egypt, France, India, Philippines, Poland, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

The representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations.

Admission of the representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women, in accordance with the resolution adopted by the Commission (E/2386, E/2397 and E/L.493)

[Agenda item 34]

1. Mr. WADSWORTH (United States of America) stated that the Legal Department's memorandum (E/2397) showed that there was a difference of opinion between that Department and the United States Government about certain issues connected with the application of the Headquarters Agreement. The differences had not yet been fully discussed between the Secretariat and his Government. The fact that the United States Government had intimated its inability to issue visas to the representative of the Women's International Democratic Federation was an essentially juridical matter. Section 21 of the Headquarters Agreement provided adequate machinery for adjusting whatever differences arose between the United Nations and the host country in connexion with the interpretation and application of the Agreement.
2. His Government recognized the validity of the Agreement and of the Joint Resolution (Public Law 357) of the 80th Congress and would co-operate with the Secretary-General in whatever negotiations the latter might arrange to discuss the problem.
3. Little would be gained by embarking on a discussion of the matter in the Council at the moment and he therefore suggested that the negotiations, to which he had referred, should be started as soon as possible.
4. Mr. STERNER (Sweden) remarked that the memorandum had helped to clarify the issue. He did not consider himself competent to pass judgment on

all the legal aspects of the case, but the Legal Department had been right to conclude that the visa cases that were before the Council had not been handled in a manner consistent with the Headquarters Agreement.

5. As the United States representative had indicated the readiness of his Government to enter into negotiations at the earliest opportunity, it was very possible that the problem would be solved amicably and he therefore proposed that the Council should take no further action for the time being.

6. Mr. BORIS (France) stated that his delegation had always been deeply interested in matters relating to the Headquarters Agreement, particularly as France had been host to two sessions of the General Assembly and because Paris was the seat of UNESCO.

7. He considered the consultative status of the non-governmental organizations, sanctioned by Article 71 of the Charter, to be an essential part of the United Nations mechanism. Incidents of the kind under consideration could therefore arouse reasonable anxiety about the future position of the non-governmental organizations.

8. In the view of the United States representative's remarks, he would refrain for the time being from any lengthy comment on the legal aspect of the question. But a distinction should be made between the arguments presented by the Legal Department in its memorandum. In paragraph 9 it was stated that, had the provision in section 6 of the Joint Resolution been intended by the United States to constitute a reservation, it had never been made known to the General Assembly as such, and it had never been considered by the General Assembly nor accepted by it. The conclusion that the United States reservation was therefore untenable could easily be challenged. In the Sixth Committee, the majority of the representatives had held that a reservation to an agreement did not have to be mentioned explicitly and that it was enough for it to be admitted implicitly.

9. On the other hand, the French delegation considered that the Legal Department's argument concerning the interpretation and application of section 6 of the Joint Resolution was well taken, and should have been developed further.

10. It was difficult to attribute to the expression "the right of the United States to safeguard its own security" a definite and limited meaning which would justify any action, when the next phrase provided that the United States reserved the strictly-defined right completely to control the entrance of aliens into any territory of the United States other than the Headquarters district and its immediate vicinity. The French delegation considered that the text should be interpreted to mean that the second phrase explained the purport of the first.

11. He welcomed the fact that the United States Government, having recognized the existence of a difference of opinion, had spontaneously announced its agreement immediately to enter into negotiations with the Secretary-General to settle the dispute and, if necessary, to continue to apply the procedure laid down in section 21 of the Headquarters Agreement. It was pointless to pursue the discussion any further at the current juncture and he therefore supported the Swedish representative's suggestion.

12. Mr. JUNG (India) presumed that the representatives of the non-governmental organizations concerned intended to visit only the Headquarters district and its immediate vicinity. Accordingly, the United States Government was not legally entitled to refuse entry facilities to such representatives either under the Headquarters Agreement or even under the Joint Resolution.

13. The issue was much wider than might appear at first sight, as the privileges and immunities extended to representatives of non-governmental organizations were in that respect similar to those extended to members of delegations. Hence, if the Joint Resolution were interpreted as entitling the United States Government to refuse visas to representatives of non-governmental organizations, by the same logic the same right could be invoked in respect of delegations.

14. There was little purpose in going into the merits of the case at the moment, and he even doubted whether the Council was competent to do so. He was therefore pleased that the United States representative had made his initial statement. As section 21 of the Headquarters Agreement established the procedure for dealing with such disputes, the Council could do little more than recommend the Secretary-General to apply that procedure. He felt sure that the outcome of the conversations between the Secretary-General and the United States Government would be successful and that there would be no need to have recourse to further arbitration under section 21.

15. Mr. BIRECKI (Poland) remarked that the item had been placed on the agenda because of two facts: the United States Government's refusal to issue a visa to enable the representative of the Women's International Democratic Federation to participate in the recent session of the Commission on the Status of Women and a similar refusal in respect of the representative of the World Federation of Trade Unions who had wished to attend the Council's current session.

16. He would not dwell on the untenable assertion by the United States authorities that their attitude was based on security requirements, which was a pretext unworthy of serious consideration, particularly as Mrs. Luckock was a well-known international figure representing an organization which had been a champion of peace and which had participated in various aspects of the Council's work.

17. It had become customary for the Council to be notified of similar cases and each time different arguments had been put forward. In the past, representatives, who were fully entitled to come to Headquarters under Article 71 of the Charter, had been prevented from arriving or delayed allegedly for administrative reasons. The serious aspect of the matter

was the obvious and repeated attempt to influence the Council's work.

18. He supported the Indian representative's view that the interpretation placed upon the Headquarters Agreement by the United States Government might lead to a refusal to allow delegations the facilities necessary for attending United Nations meetings. At the resumed eleventh session of the Council, the Polish representative had pointed out (428th meeting), in connexion with a similar case, that, if the Council did not oppose such practices immediately, similar incidents would occur in the future. The Council had before it at the moment a case of the kind anticipated by the Polish delegation.

19. The Legal Department's memorandum set out the juridical aspects of the question in clear fashion. At the 561st meeting of the Council, the United States representative had explained that his Government had never challenged the right of representatives of non-governmental organizations to attend meetings provided that they applied for visas. It was normal for aliens seeking entry to apply for visas, but the United States representative's reference to that requirement was significant in the light of the refusals which had occurred in cases such as the one under discussion. The new argument, based on legal considerations, which had been adduced by the United States Government had been refuted by the Indian representative's remarks and the Legal Department's memorandum.

20. The Council must find ways and means of enabling the two representatives in question to attend meetings at Headquarters. In regard to the case of the representative of the Women's International Democratic Federation, it was regrettable that a Commission of the Council should have had to remind the Council of its duty.

21. Mr. FENAUX (Belgium) also welcomed the United States representative's statement. At the moment the only logical procedure was to request the Secretary-General to continue his negotiations with the Government of the host country. Only if there was genuine disagreement regarding the interpretation and application of the Headquarters Agreement, particularly of section 11, would it be advisable to submit the matter subsequently to an arbitration tribunal.

22. The memorandum raised certain legal points, which should be clarified if the United Nations was to operate efficiently and particularly if Article 71 of the Charter was to remain operative. It was not for the Council to go into the legal implications of the Headquarters Agreement and of the Joint Resolution but to ensure that the rights of persons enjoying consultative status were respected. He agreed with the other speakers who had suggested that the Council should await the outcome of the negotiations.

23. Mr. MATES (Yugoslavia) stated that he had his own opinion about the particular cases under discussion and about the value of the contributions which the two representatives concerned could make, but an issue of principle was involved which must be examined fairly and with due regard to the legal implications. The United States representative's statement pointed to a solution of the problem.

24. Without entering into the legal aspects in detail, he pointed out that the legal experts on his delegation

construed the Headquarters Agreement to mean that no entry restrictions could apply to the persons specified in section 11 of the Headquarters Agreement in respect of their access to the Headquarters district and the neighbouring vicinity. It was, however, neither necessary nor useful to discuss the subject any further in the Council. The United States Government and the Secretary-General should be able to reach agreement.

25. Mr. ARUTIUNIAN (Union of Soviet Socialist Republics) observed that notwithstanding the view expressed by several speakers that a debate on the substance of the item would be pointless, such a debate was in fact already under way. Moreover, by focussing the attention of the United States Government and public opinion on the fact that many delegations did not agree with the United States interpretation of the Headquarters Agreement, a debate could prove extremely useful.

26. While it was not the first time that the Council had had to discuss the problem of admission to its session of representatives of certain non-governmental organizations enjoying consultative status, the present situation differed fundamentally from past experience. In 1950, for example, the United States had delayed the granting of visas to WFTU representatives on the grounds of administrative irregularities in applying for them. The Council had considered the matter and adopted a resolution.¹ Shortly thereafter, the question had been satisfactorily settled and the representatives had been admitted. Now, when the same problem arose the United States, for the first time, was invoking considerations of security as grounds for refusal to grant the necessary visas. Obviously, the United States Government as any other government was fully entitled to take the security measures it deemed necessary. They should not, however, conflict with the international commitments assumed by that Government. The failure to permit entry of the representatives of the WFTU and the WIDF was clearly incompatible with the specific obligations assumed by the United States Government under the Headquarters Agreement.

27. Further, the explicit terms both of the Headquarters Agreement and of Public Law 357 of the 80th Congress to which reference had been made by the United States delegation, did not justify the refusal of visas to the two NGO representatives concerned. Section 11 of the Agreement provided that nothing should be done to interfere with the transit to or from the Headquarters district of Press personnel, experts, representatives of governments or representatives of non-governmental or inter-governmental organizations with consultative status under Article 71 of the Charter. Section 13 of the Agreement further specified that legislation bearing on the entry of aliens could not be applied so as to interfere with the privileges thus granted. In addition, Public Law 357 itself, which the United States had invoked in support of its position, unequivocally stated that the United States could safeguard its security and control the entrance of aliens into any part of its territory other than the Headquarters district and its immediate vicinity. Consequently, it hardly strengthened the case for refusing admission to duly accredited representatives entitled

to attend United Nations meetings and the United Nations should not endorse the obviously unjustified use of such a pretext.

28. He took issue with the French representative's contention that the United States reservation to the Headquarters Agreement, of which the General Assembly had not been informed, was implicit and retained its force, and that the Legal Department's conclusion on that point (E/2397) was debatable. That argument might hold in cases of a multilateral agreement with a large number of signatories, but could not apply to a bilateral instrument like the Headquarters Agreement to which neither party could make reservations in violation of basic provisions without the consent or acquiescence of the other party. As the reservation in Public Law 357, however, was rendered inapplicable by section 13 of the Headquarters Agreement, to which he had referred earlier, it could not in any case be invoked to bolster the argument.

29. Apart from those legal considerations, the Council should not neglect the broader implications of the issue. It must continue to make every effort to ensure attendance at its current session of the duly accredited representatives of two large democratic organizations, the WIDF and the WFTU, which had made significant contributions to its work. Both organizations were functioning effectively in dozens of countries and counted among their members millions of persons of different political, religious, racial and national groups. They should be permitted to enjoy the consultative status granted them in accordance with the Charter.

30. Mr. LANZA (Uruguay) said that his delegation had considered the issue without bias and studied the Legal Department's advisory opinion very carefully in its desire to reach a satisfactory solution. It had concluded that although the problem involved important principles, the Council might not be the most appropriate organ to deal with the immediate and future consequences of the application of the Headquarters Agreement.

31. Uruguay fully concurred in the conclusions of the Secretariat memorandum but preferred an amicable settlement brought about by direct consultations between the Secretary-General and the host country. It was therefore deeply gratified by the United States representative's offer to agree to such consultations in order to resolve a regrettable situation. Moreover, it had full confidence in the Secretary-General's ability properly to interpret the Headquarters Agreement and hoped that the basic principle underlying the whole question would be reaffirmed as a result of his negotiations.

32. Mr. TANGE (Australia) also expressed doubt that the Council was the proper place for a discussion on the implementation of an agreement signed by the Secretary-General with the approval of the Assembly, under which privileges had been conferred upon the United Nations as a whole. On the other hand, it was of fundamental importance to all Member States that any uncertainties regarding interpretation of the Headquarters Agreement should be dispelled by resort to the settlement machinery it provided. Once the difference of opinion between the Secretary-General and the United States had been resolved by negotiation or arbitration, all Members would be better informed

¹ See *Official Records of the Economic and Social Council Resumed Eleventh Session*, 428th meeting, and resolution 340 (XI).

of the legal rights of both parties under the Agreement. Australia favoured such negotiations.

33. Mr. EL-TANAMLI (Egypt) would refrain from discussing the legal aspects of the problem: he welcomed the Legal Department's impartial treatment of that important phase of it. On the other hand, the United States had shown its goodwill by agreeing to negotiate regarding admission of the non-governmental representatives concerned, a gesture which augured well for the satisfactory settlement so earnestly desired by all delegations.

34. He did not agree with the French representative's view regarding the nature of the United States reservation to the Headquarters Agreement. No such reservation had been made until after the Agreement had been concluded and endorsed by the General Assembly; no question of principle was therefore involved.

35. He would appreciate some explanation from the Legal Department concerning the transition from the stage of negotiation to that of arbitration under the settlement procedure provided in section 21 of the Agreement: was the Secretary-General to proceed automatically to the second stage should negotiations prove fruitless, or was he first to report to the Council or the Assembly?

36. Mr. STAVROPOULOS (Secretariat) replied that the terms of the Agreement did not prevent the Secretary-General from proceeding to the arbitration stage independently. Nevertheless, as there appeared to be varying interpretations of the procedure among Council members, and as the question had been brought before the Council, that body should normally instruct the Secretary-General and he should report to it.

37. Mr. LOPEZ (Philippines) strongly favoured the suggestion that the Secretary-General and the United States Government should immediately enter into negotiations and, if necessary, into arbitration, as provided under section 21 of the Headquarters Agreement. It was essential that the work of the United Nations and its organs should be allowed to proceed in an orderly manner consistent with the provisions of the Charter and of the Agreement and that no obstacles should arbitrarily be placed in their way.

38. He would prefer, in the event that negotiations should fail, that the parties should immediately proceed to arbitration without further reference to the Council. In due course, the Council might be informed of the progress or outcome of the settlement procedures so as to enable it to determine what further action, if any, it had to take or what action had to be taken by any other appropriate United Nations body. He hoped that a permanent solution would be found to the recurrent difficulty confronting the Council and its functional commissions.

39. Mr. PEREZ PEROZO (Venezuela) also supported the United States suggestion for negotiation between the parties to the Headquarters Agreement as a means of settlement of the difference between them, before resorting to more drastic procedures. If those negotiations proved fruitless, it should be left to the parties to proceed to arbitration without consulting the Council.

40. Mr. FENAUX (Belgium) wished to explain his delegation's position in the light of the question raised

by the Egyptian representative. His delegation believed that the matter could be settled by negotiation and hoped that such a settlement would be reached, but naturally if the negotiations failed there would be no other recourse but to turn to the procedure of arbitration provided for in section 21 of the Headquarters Agreement.

41. The PRESIDENT called upon the representative of the World Federation of Trade Unions who had asked to speak before the Council.

42. Miss KAHN (World Federation of Trade Unions) recalled that, when requesting a hearing on the item under discussion, her organization had expressed the desire to speak, not only on the specific point at issue, but also on the broader question of principle. Subsequent events had clarified the position and had shown that a very serious question of principle was in fact involved. It was not for her organization to go into the legal aspects of the case, but it was perfectly clear from the Headquarters Agreement that the representatives of non-governmental organizations should be granted unrestricted right of access to the Headquarters district in order to attend meetings of United Nations organs and thus to make their consultative status effective.

43. She referred briefly to the well-known cases in the past when representatives of her organization had been handicapped by delays in the granting of United States visas. The question now, however, had become far wider in its implications and affected the rights not only of the non-governmental organizations but also of delegations, the Secretariat and members of the Press and, in fact, all those who were entitled to access to the Headquarters district for the purpose of attending United Nations meetings under section 11 of the Headquarters Agreement. She emphasized that the difficulties encountered by WFTU representatives had arisen only in connexion with meetings at the permanent Headquarters. Representatives of WFTU had attended meetings of United Nations organs in many other parts of the world and every other government had always scrupulously respected the terms of the Headquarters Agreement. Among the countries in which United Nations meetings had been held with WFTU attendance since 1951 were Brazil, Burma, Chile, Cuba, France, Indonesia, Italy, Mexico, the Netherlands, Pakistan, Peru and Switzerland.

44. The WFTU had always done its best to fulfil its obligations under Article 71 of the Charter and it should be assured the right, in practice as well as in theory, to send representatives of its own choice to the meetings of the United Nations wherever they were held. She urged that, in considering the general implications of the question, the Council should not lose sight of the specific case at issue. Mr. Dessau was still awaiting a visa to enable him to attend the current session of the Council and he had also been designated to attend the session of the Social Commission which was due to start on 4 May. In conclusion, she expressed the hope that everything possible would be done to ensure the application of the Headquarters Agreement in future.

45. Mr. BIRECKI (Poland) said that it would be helpful if the Council were to give concrete expression to the views expressed practically unanimously by its

members. He therefore submitted a draft resolution (E/L.493) in which the Council, after referring to the resolution adopted by the Commission on the Status of Women and to the difficulties encountered by the representatives of the WIDF and the WFTU, would express its regret at the fact that the efforts made by its President and by the Secretary-General had not yet led to any positive results and would request the President of the Council and the Secretary-General to continue their efforts to settle the question and to report back to the Council on the results of the steps taken.

46. Mr. BARAN (Turkey) agreed with the representatives who had expressed the view that the Council was not competent to settle the dispute. He therefore supported the Swedish proposal and agreed that, should the negotiations fail, there would be no need to refer the matter back to the Council since the arbitration procedure would then follow automatically. He did not think there was any need for the draft resolution submitted by the Polish representative and he would therefore vote against it.

47. Mr. JUNG (India) felt that the Council should adopt some formal resolution since the question had been formally brought before it in the resolution adopted by the Commission on the Status of Women and the Council had held a debate on the question. Consequently, if the Council were to accept the Swedish proposal, he suggested that it should be supplemented by a request to the President to inform the Secretary-General of the trend of the discussions in the Council, and by a request to the Secretary-General to expedite the negotiations.

48. Mr. ARUTIUNIAN (Union of Soviet Socialist Republics) said that the Swedish and Polish proposals were in fact complementary. The purpose of both proposals was that continued efforts should be made to solve the problem. The Polish proposal simply added a reference to the resolution adopted by the Commission on the Status of Women and to the Council's attitude to that resolution. The Commission would certainly expect the Council to take some stand on the matter and the views expressed showed that the Council was sympathetic towards the Commission's resolution. There should therefore be no difficulty in accepting the Polish draft and he suggested that the Swedish and Polish representatives might try to prepare a joint text.

49. Mr. STERNER (Sweden) said that, although he was always in favour of attempts to achieve a compromise, he felt it would be best in the case at issue simply to maintain his original proposal, it being understood that the Secretary-General be advised of the wish of the Council that he avail himself of the opportunity offered by the United States to get the matter settled. He fully agreed with the Indian representative that the President should inform the Secretary-General of the general trend of the debate and that the Secretary-General should do his best to expedite the negotiations. However, he felt that the records of the discussions would suffice to indicate the Council's wishes in the matter and that it would therefore be best for the Council simply to decide to take no action.

50. Mr. JUNG (India) questioned the advisability of a specific decision by the Council to take no action. In his opinion, it would be better to adopt a very simple resolution along the lines of his previous suggestion.

51. Mr. BORIS (France) said that the Council appeared to be unanimous in its desire for a practical and speedy solution. A resolution would have been necessary if the United States representative had not himself spontaneously suggested that the matter should be settled by negotiations as provided for in section 21 of the Headquarters Agreement. He was confident that the negotiations would prove successful but, even if they were not, he saw no reason to refer the matter back to the Council before the institutions of the arbitration proceedings, which would then automatically follow. In the circumstances, there was no need for any action on the part of the Council and his delegation did not feel that there was any occasion to adopt a resolution. Consequently, if the Polish representative insisted on a vote, he would be obliged to vote against the draft resolution, even though he agreed with some of the points it contained. Thus, by insisting on a vote, the Polish representative would only harm the cause he wished to serve and the result of the vote would give a false impression of the Council's attitude. The procedure suggested by the Indian representative also seemed unnecessary since the President would in any case pass on the Council's views to the Secretary-General and the United States representative had himself shown a desire to expedite matters. He therefore urged the Council to follow the simple procedure suggested by the Swedish representative.

52. Mr. MEADE (United Kingdom) said that, after hearing the very helpful statement of the United States representative, he had not intended to intervene in the debate. However, he wished to endorse what had just been said by the representative of France and to express his support for the Swedish proposal.

53. Mr. LOPEZ (Philippines) shared the Indian representative's concern at the suggestion that the Council should specifically decide to take no action. He would prefer a text worded in the affirmative in which the Council would support the suggestion that the matter should be settled by negotiation as provided in section 21 of the Headquarters Agreement.

54. Mr. MATES (Yougoslavia) agreed in substance with the Swedish proposal but he did not agree with the form in which it had been submitted. It would be illogical for the Council to adopt a resolution deciding to take no action, because the resolution would itself represent action on the part of the Council. He therefore suggested that the purpose of the Swedish proposal could better be met by a decision simply to adjourn the debate. He was confident that the matter would shortly be settled by negotiation and emphasized that the Council should concentrate on achieving solutions rather than on adopting unnecessary resolutions.

55. The PRESIDENT suggested that he should adjourn the meeting in the hope that it would be possible to reach a unanimous decision on the procedure to be followed at the beginning of the afternoon meeting.

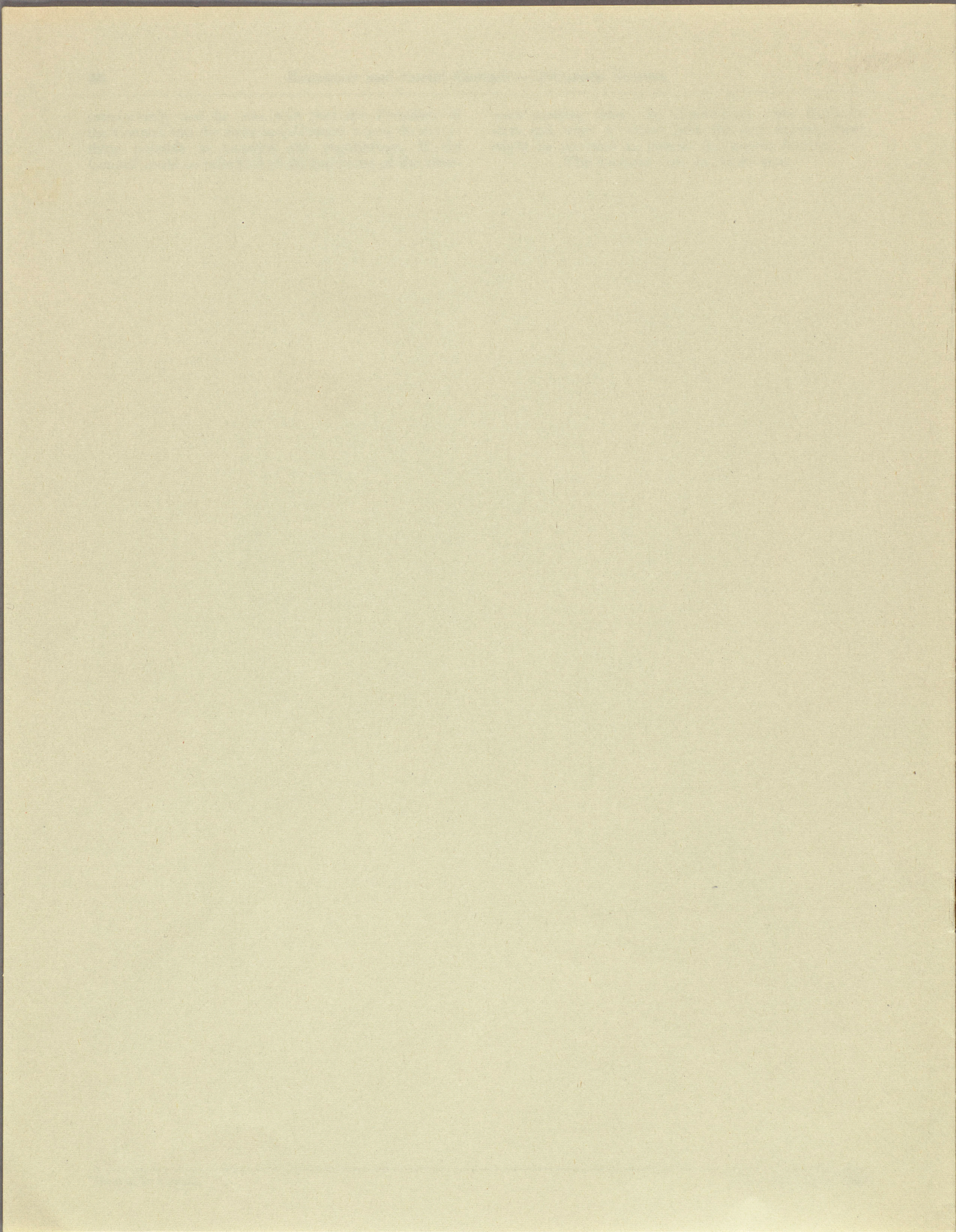
56. Mr. ARUTIUNIAN (Union of Soviet Socialist Republics) fully agreed to the President's suggestion. There was clearly a common desire to settle the matter

satisfactorily and he was sure that the President of the Council and the Secretary-General would do everything possible to expedite the negotiations. If the Council could be informed at the beginning of the after-

noon meeting when the negotiations were likely to start and when it would hear the first results, there might be no need to pursue the matter further.

The meeting rose at 12.40 p.m.







CONTENTS

| | Page |
|--|------|
| Admission of the representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women, in accordance with the resolution adopted by the Commission (E/2386, E/2397 and E/L.493) (continued)..... | 89 |
| Expanded Programme of Technical Assistance: report of the Technical Assistance Committee and General Assembly resolution 621 (VII) (E/2394 and E/2395) . | 89 |
| Report of the Transport and Communications Commission (sixth session): report of the Economic Committee (E/2363, E/2363/Add.1, E/2402 and E/L.492)..... | 95 |

President : Mr. Raymond SCHEYVEN (Belgium).

Present :

The representatives of the following countries: Argentina, Australia, Belgium, China, Cuba, Egypt, France, India, Philippines, Poland, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

Observer from the following country: Brazil.

The representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Bank for Reconstruction and Development, International Monetary Fund, World Health Organization.

Admission of the representative of the Women's International Democratic Federation for participation in the Commission on the Status of Women, in accordance with the resolution adopted by the Commission (E/2386, E/2397 and E/L.493) (continued)

[Agenda item 34]

1. Mr. JUNG (India) recalled that the United States representative had stated, at the previous meeting, that his Government was prepared to enter into negotiations with the Secretary-General to settle the point at issue as quickly as possible. In the circumstances, and as the majority of the Council had expressed the wish to have the matter settled in accordance with the Headquarters Agreement in order to enable the representatives of two non-governmental organizations to attend the current session, it would be better to discontinue the discussion for the time being. He therefore proposed formally that the Council should adjourn its discussion of the matter in order to create a favourable atmosphere for immediate negotiations.

2. Mr. BIRECKI (Poland) wished to explain the position of his delegation which had tabled a draft resolution (E/L.493) at the previous meeting.

3. In view of the feelings which the Indian representative had just expressed on behalf of the majority of the Council, his delegation would not press for a vote on its draft resolution. It hoped that the negotiations would begin without delay and would soon lead to a satisfactory result.

4. The PRESIDENT said that, as there was no objection, he considered the Indian delegation's motion of adjournment to be unanimously approved.

It was so decided.

Expanded Programme of Technical Assistance: report of the Technical Assistance Committee and General Assembly resolution 621 (VII) (E/2394 and E/2395)

[Agenda item 11]

5. Mr. DE SEYNES (France) (Chairman of the Technical Assistance Committee) remarked that he had little to add to the two reports before the Council.

6. The reports were the result of the work of the TAC Working Party and of the conclusions regarding the local expenses to be borne by governments and submitted by the Technical Assistance Board.

7. The question of the local costs to be borne by governments (E/2395) had often been placed on the agenda of the TAC. As the proposed solution had apparently been equally disliked by the groups of delegations which had adopted extreme positions, he tended to think that it contained the elements of an acceptable solution.

8. The second document submitted for the Council's consideration (E/2394) was primarily a report to precede the discussions which would be held at the forthcoming session of the TAC and at the Council's sixteenth session.

9. He wished to draw the attention of the members of the Council particularly to the statement of the Executive Chairman of the TAB. The statement (E/2394, paragraph 7) would certainly cause some concern in the Council. At that time the total estimated costs for 1953 of the submissions had apparently amounted to some \$43 million. The applications received had been considered valid and worthy of consideration by a group of consultants whom the Executive Chairman of the TAB had requested to review the programmes. As compared with requests totalling \$43 million, the assets for 1953 did not exceed a maximum of \$25 million.

10. The Committee accordingly reiterated a hope which had already been expressed, and stressed the desirability of studying the possibility of the long-term planning of technical assistance projects. The Committee had requested such a study from the Technical Assistance Board.

11. The Committee had also reaffirmed the hope that the TAC should meet earlier in order to enable the

- administrative services to know in time the amount on which they could count.
12. The substantial financial gap mentioned in the report of the TAC was obviously beyond the scope and possibilities of the Committee; that should be a matter of constant reflection for all governments, particularly for those which had not yet made a contribution to the Programme.
13. The reports before the Council contained the text of resolution A, adopted by the TAC, and of draft resolution B, which the Committee had decided to submit to the Council for its consideration.
14. Mr. WOULBROUN (Belgium) pointed out that TAC and its Working Party had carefully considered the questions in the two reports before the Council. He then gave the following outline of the current financial situation.
15. Expenditure during the first financial year of the Expanded Programme of Technical Assistance had been approximately \$6,500,000. The total amount of contributions offered for 1953 had amounted to \$21,278,000. In addition, the sum of \$25,300,000 corresponding approximately to the total pledges made by governments plus the balance from the previous financial year, was available for the projects to be initiated in 1953.
16. The financial problems were partly due to the rapid progress of the Programme and to the difficulties which the TAB was experiencing in drawing up plans of operation when it did not know exactly how much credit would be available to it because of the delay in pledging contributions.
17. If integrated development programmes were to be drawn up, it was important to ensure more co-ordinated action than in the past by the participating agencies and to relieve the cumbersome administrative machinery by trying to reduce administrative costs, which were extremely high in relation to the present budget. The resolutions adopted by TAC and the draft resolution submitted to the Council were intended to lessen some of those difficulties.
18. In connexion with local costs and recalling Mr. de Seynes' statements, he stressed that the Belgian delegation had directed its main efforts to facilitating the adoption of a compromise solution in TAC. It would have preferred to see the governments of the recipient countries contributing larger amounts towards local costs since that would have encouraged the flow of new contributions and would have reserved the limited sums at present available for the highest possible number of projects. The Belgian delegation wholeheartedly supported the new administrative provisions for the procedure of paying the cost of living of the experts.
19. Passing to the future financing of the programmes, he pointed out that, in order to avoid in 1954, some of the difficulties confronting it in 1953, the Council should draw up the estimated total of contributions for 1954 as soon as possible at its sixteenth session and adopt provisions for convening the fourth Technical Assistance Conference in October 1953, if possible, as proposed by TAC.
20. Many of the projects begun in 1953 would normally be continued in 1954, and if the objective fixed for 1954 were lower than that of 1953, the possibility of initiating an adequate number of new projects in 1954 would be seriously affected.
21. Although the objective of \$25 million fixed for 1953 had not been achieved owing to the balance from the previous financial year, it had been possible to plan projects up to a total of \$25,300,000.
22. The available balance at the end of 1953 would probably be very low. Accordingly, if an objective of \$25 million were fixed again for the fourth financial year, it would result in a reduction of the budget, even if that total were fully subscribed.
23. Consequently, if a sum equal to or exceeding the amount of \$25,300,000 were to be made available for the Programme, and especially if progress was to be ensured, a higher objective would have to be fixed.
24. Only when TAB had transmitted its plans for the 1954 programme to TAC would it be possible to study the matter more closely.
25. Nevertheless if the fourth Technical Assistance Conference was to be convened in October and if it was to be successful, it was important to give immediate consideration to the various aspects of the matter.
26. After paying a tribute to Mr. de Seynes, whose leadership of TAC had facilitated certain compromises under circumstances often of a difficult nature, he insisted that the Expanded Programme, which was still only an experiment, should be continued despite current difficulties and flaws which could not be remedied. It must never be forgotten that the experiment was the result of a joint effort by the United Nations and many specialized agencies and that everything should be done to ensure its success.
27. Mr. LOPEZ (Philippines) subscribed to the tribute paid to the Chairman of TAC by the Belgian representative. It was largely due to the personal initiative of Mr. de Seynes that the Working Party and TAC had been able to reach agreement on certain decisions. It should be emphasized that the solutions adopted were compromise solutions. Each of the delegations concerned had limited its demands and the remarkable co-operative effort had made it possible to establish a balance, which the existence of many different trends of opinion had made difficult. It was to be hoped that the governments and specialized agencies would act on similar principles and that the technical assistance operations would proceed in an atmosphere of goodwill and mutual confidence, which would contribute to the fulfilment of one of the noblest assignments of the United Nations.
28. Mr. BORIS (France) confined himself to a few comments on two specific points: costs in local currency and co-ordination of the activities of the organizations operating the Expanded Programme.
29. The first matter was delicate; it had been discussed many times. The French delegation had accepted a compromise for the sake of agreement, but the solution adopted seemed disappointing. For the first time, after two years of smooth operation, the Expanded Programme was in a critical situation. It had been necessary to abandon in turn several of the objectives established at the beginning. The funds available had just been cut by \$200,000 at a time when it might have been hoped that the moment of decisive recovery had come. The facts were known: requests for assistance totalling \$43 million had been submitted; to cover them, approximately \$25 million were available. The Chair-