

FUTURE PROSPECTS FOR THE U.A.I.

by Robert FENAUX, *Honorary*

Belgian Ambassador.

"A drive towards the ideal, a comprehension of what is real"
JAURES.

"Private international organizations are best able to express the relationships based on mutual interests, ideas and tastes among the social groups of various countries. They are the best evidence of the growing internationalization of contemporary life. These non-governmental organizations stimulate international co-operation and, through their work, have often paved the way for the creation of governmental organizations. They attest to the extremely rapid development of international contacts in the most widely varied field they are the outcome and expression of a genuine international opinion, especially in the Western democracies." Pierre GERBET. "The International Organizations."

"The work done by non-governmental organizations has, in many cases, preceded and stimulated that of the individual governments. It was inevitable that such co-operation between private bodies and government organizations should assume ever more complex forms and demand a periodical rethinking of working methods for purposes of improvement and constant development. It is not the first time in the course of the U.I.A.'s fifty years of existence that this has been done... I should once again like to state the great value which the United Nations Organization attaches to the work you are doing, day after day, in order to develop international comprehension and co-operation... The United Nations Organization needs your help, and relies on it absolutely." P.P. SPINELLI.

{Statement by the Director of the United Nations European Office, representing the Secretary-General at the conference of International Organizations which are corresponding organizations of the UAI, meeting in Brussels on 3rd September 1958.

"The UAI must be associated with the peace problem since it is a scientific research organization which studies the activities of all existing international bodies." Professor KOVALSKY (U.S.S.R.) Report to UNESCO.

Our century, in search of a civilization based on universal concepts, seems to display a dual feature of complexity and solidarity.

A complexity of things and a solidarity of people. Human activities develop on all sides in an increasingly shrunken and compact world. Information flies round the world at the speed of sound, and the appearance of the ultimate weapon has given every human being, white or black, rich or poor, religious-minded or agnostic, the same apprehensive perception of a single inexorable fate. Hence the signature, this year, of the treaty on the non-proliferation of nuclear armaments by ninety-two of the world's nations.

The old city walls may still be standing, but they are no longer the impregnable guardians of those closed communities of former days. Even the word "international", which so recently came into general use, has become obsolete. Contemporary dictionaries still define it as a neologism, and describe it as the concept of nation-to-nation relationships. The forerunners and founding fathers of internationalism, whose bold and generous initiatives have been depicted by Lange and Schou (*), forecast the excesses of our day and age, but were far from imagining either the speed or extent of those excesses...

Lange and Schou. *Histoire de l'Internationalisme*. 3 vols.

The age of solidarity

Paul Hymans, my old teacher, used to say back in 1901 in his penetrating way: "Nobody can live by himself alone... nobody can live for himself alone... The concept of solidarity will predominate this century. Those who do not understand it, or who try to escape its implications, will come to grief." But that far-sighted politician who, twenty years later, was to become the first president of the League of Nations, was at that time thinking of his country, Belgium, and the surrounding European nations.

For, only yesterday, Europe was *the* organized world, with its overseas ramifications: the American continent and the colonial empires in Asia and Africa. Those were the bourgeois days which Siegfried described so well in "The Soul of Nations": — "In all good faith, the 19th century believed itself to be nationalist and imperialist... in actual fact, though, it was internationalist and liberal." Yes, but in that privileged sense which meant that "the white race of the Western or European world had, under its direction, achieved a form of world unity reminiscent of the old Roman Empire. As soon as one left Europe one found oneself in the midst of a kind of international mercantile republic operating under the aegis of Britain, in which all whites, whoever they might be, did in fact enjoy the same rights... The climate was one of trade, and almost of free trade."

The golden age (in the financial sense as well) of a favoured race and class whose prosperity spread far and wide. Half a century of political and social upheavals have disrupted that world of middle-class citizens, satisfied with themselves and with others as Joubert said, and have moulded a new society. I am thinking of a concourse of earth-shaking circumstances: here the granting of universal suffrage, elsewhere a revolution of the masses, and everywhere mass demands for better living standards and prospects; on the international plane, the granting of independence to colonies, the temporary humbling of a divided Europe, the rise of the great super-powers, the United States and the USSR, the prodigious recovery of Japan, the smouldering, teeming land mass of China.

The World of Yesterday and Today

Today, international affairs have been thrown wide open to a universal future. No longer do all roads lead to Rome, where faith and morals are concerned, or to Paris for wit and literature, to London for diplomacy and business, to Berlin for military strength. The modern world has become emancipated from Europe of yore, but through force of circumstances still retains relationships based on mutual interest, which are important to our theme.

The present picture of the international organization of States reflects this transformation. The UN has established its headquarters in New York and its regional centres which radiate economic and social activity are to be found in Bangkok, Addis Ababa and in Santiago de Chile, even though Geneva has resumed the full scope of its international function.

The centre of gravity of the world capitalist system is to be found in the United States, where the Monetary Fund and the International Bank are located, but

specialized international co-operation bodies are to be found in Paris for education, science and culture; in Rome for food and agriculture. In Geneva again for Labour and Health, and in Vienna for atomic energy.

The USSR and its socialist system participate actively in world organization, but in the restrictive sense of "peaceful coexistence" which implies walls and aloofness and suspicion. Finally, Communist China is still kept out of the game even though there seems to be general agreement on the threat of such exclusion to collective security.

On the regional plane, America and Africa have charted their continental relationships at different levels, and the two halves of Europe — the Strasbourg half and the Moscow half — have formed themselves into communities. Organized regional alliances round off this intergovernmental diagram.

The International Associations

Another institutional order based on private initiative, whose bodies are marginal to the States, has covered the world with a vast network of non-governmental organizations. In an epigraph at the head of this article, we read that Mr. Spinelli, spokesman for the world intergovernmental organization, paid the non-governmental organizations the tribute due to their pioneer work in the field of co-operation which, in many fields, "preceded and stimulated that of the individual governments", on the national and international planes alike.

Here again, through the inherited and acquired workings of creative genius, we find that the network of international bodies is the densest of all in Europe: with the sole exception of New York, the great centres of these non-profit-making bodies are to be found in Paris, London, Brussels and Geneva. This is a tradition which perpetuates itself in the same way as it came into being: spontaneously, from the dominating principle of free enterprise®

On the great loom of spiritual and temporal values, there are men at work day and night, uninterruptedly weaving a serried web of solidarity. Some threads may break while others stand up to hard wear, but like Penelope's tapestry, the work knows no let nor pause. Human relationships are linked and interwoven in a brilliant tangle of societies, federations, leagues, alliances, syndicates, unions, co-operatives, chambers and clubs — all with the most varied aims — which bring ideas, interests or aspirations into close contact.

UNO and the NGO

The organization of States has noted and acknowledged the scope and importance of the non-government organization of international associations by granting them an advisory status. Article 72 of the United Nations Charter provides that "the Economic and Social Council may make all arrangements it deems useful in order to consult with the non-governmental organizations dealing with questions coming within its sphere of action". A Consultation procedure has been worked out — and recently amended — on the basis of criteria of importance. Having had the honour, during the Fifties, of presiding in New York over the United Nations Committee in charge of non-governmental organizations, I was able to adopt as my personal creed this new aspect, and such an essential one, of an international co-operation which is as yet far from complete.

Intergovernmental sessions, assemblies, councils, commissions and committees, are diplomatic conferences attended by representatives who are generally designated by their respective States or the authorities responsible to those States. I grasped the whole import of this prerogative of responsibilities when I witnessed at the time the actions of a large trades-union federation which tried to block the work of the government delegates. An intolerable pretension, and one which was, moreover, not tolerated, but the unfortunate outcome of which was possibly to get this advisory work, the essential sounding of international opinion, off to a bad start.

The Communist States and the NGO

In those days, the instructions given to Communist delegations were systematically opposed to wow-governmental organizations, most of which came from the Western world — more or less in the same way as Coolidge's pastor was against sin. In this case the sin was indeed original, in that the principle had arisen of *free* associations which could aim at escaping the hegemony of the various States, but not necessarily that of economic imperatives.

Since then, the Communist States have, if not revised their attitude towards non-governmental organizations, at least shown greater flexibility of approach. They have become more pragmatic, and their criticisms are directed less at the nature of those organizations than at the implementation and allocation of the advisory status.

On the basis of these calmer trends stemming from the standpoint of peaceful coexistence, some Russian authors find that the non-governmental organizations (at all events the most responsible of them, those in the "special category") make an important informational contribution to international affairs. This viewpoint was expressed in the magazine "Law and the Soviet State" by Mr. Mr. Morozov, Director of the Department of International Organizations at the Institute of World Economics and International Relations in Moscow. In the mind of this top-ranking Kremlin civil servant, there can no longer be any question of throwing a veil of silence over huge wow-governmental international enterprises that organize resounding congresses, negotiate with governments and legislative bodies, chart agreements, send out missions — all to such an extent that these enterprises do indeed appear to be the expression of an organized public opinion.

The NGO and the Law

Now, the NGO's are nothing and do not exist under international law, except insofar as the provisions of the Charter regulate their participation in the work of the United Nations, this being extended to embrace the UN's Specialized Agencies and the regional organization of States (¹). Mr. Morozov regrets this, and suggests "the concerted agreement of States" in order to grant the

(*) "The associations have no international legal status. Apart from the jurisdiction of the State on whose territory they are established (which sometimes grants them the benefit of special legislation) they are regarded as foreign legal entities and their activities run into multifarious difficulties". Pierre Gerbet, "Les Organisations Internationales", Presses Universitaires de France, page 55.

NGO's which obey the principles laid down in the United Nations Charter "a single legal capacity extending over the territory of all States in which those organizations have local sections".

This attitude on the part of a senior Soviet civil servant — and which, in Moscow, is never the expression of a purely personal conviction — seems to me to be important. Especially as it coincides with the attitudes adopted by various communistically-minded international associations which are beginning to take serious liberties with regard to the governments of the popular democracies. It is certainly the sign of a development favourable to the aims of international co-operation.

The Support of the Third World

While rejoicing at this new trend, I am also thinking about the extremely desirable support and participation of the Third World in non-governmental organizations, and in particular that of the young nations of Africa. The newly constituted States practically all pass through the trials of authoritarianism, usually the military variety. Free enterprise is unavoidably hindered. Consequently, the international associations — churches, trade unions, Chambers of Commerce or humanitarian bodies such as the Red Cross — encounter a deal of suspicion, for the very good reason that they bring with them an aura of Western interest. This suspicion can and should be dispelled by objective co-operation, for the non-governmental organizations are in a position to supply unparalleled moral and material aid to the developing countries.

Indispensable Co-ordination

But all those with practical experience of international organization know that it has a functional defect: that of watertight compartments, dispersal of efforts and means, overlapping of initiatives, duplication of work, and consequently, an urgent need for co-ordination. How many suggestions have been put forward with this in mind! I am speaking from personal experience, having one day been delegated by Unicef to Geneva in order to plead the case for the necessary co-ordination of that body's activities with those of the World Health Organisation, after years of annoying difficulties.

The recent Jackson report on the strengthening of the implementation mechanism, published by the United Nations Organisation, shows in this connection the great need to rationalize international activities, bearing in mind both the vast scope and diversity of the work to be done in the sphere of development, and the inadequate means available for doing it. The conclusions reached by Mr. Jackson are equally valid where private international organization is concerned, and, in passing be it said, it is a pity his investigation was not extended to cover this sector also.

We are now coming to the reason for the existence of the UAI, concerning which we have already learnt from Mr. Speeckaert's historical survey in the preceding pages, about its origins, course, development and expansion. The profusion of international and transnational activities can be compared to the traffic in a city. It needs to be regulated by a well-organized police force, to be signposted and directed.

The Task of the UAI

The UAI has been entrusted with that task *ad hoc*. An association of associations, the co-ordinator of other international organizations, the UAI might define its purpose in this fine aphorism of Rousseau's: "A splendid order in general which attests to the harmony of the various parts". A kind of international registrar and land surveyor's office, the UAI keeps a record of identities, an index of activities, a survey of knowledge on the trends of international organization, both governmental and non-governmental. It is the Board of the UAI which urges the creation of new international associations — or possibly discourages them. It is the UAI's verdict, its "dignus est intrare" in the Yearbook, which sets the seal of authenticity on each association.

"Who does what" in the field of human relations is possibly the great enigma of our day and age: the UAI's vocation is to answer that question, and it has armed itself with the necessary tools to do so. Its information is the fruit of a unique range of documentation which is constantly being added to.

But tradition and reputation entail obligations. So the UAI has decided, in order to meet the demands of the time, to update its store of knowledge by means of an integrated, computerized system. It will then always be able to present a complete, worldwide picture — overall, details and perspective — of all international and transnational achievements and projects. This way of adapting itself to 20th century requirements will endow it with powerful means of collecting and distributing information. Mr. Anthony Judge, who has devoted his expert attention to this work of modernization, describes the plan farther on.

UN Agreement

An informational centre, the UAI quite naturally became a publishing house of reference books and other works pertaining to international organization.

In 1950 the United Nations Economic and Social Council, on receipt of a proposal to publish a directory of non-governmental organizations, realised that this work was already being done by the UAI. Consequently, a resolution invited the Secretary General to extend "the broadest possible co-operation" to the Union with a view to the publication of a complete yearbook.

The Yearbook

Having thus been officially approved by the United Nations Organization as a documentation and information centre, the UAI was able to give its Yearbook the impressive appearance we know so well, and it has now become the world's bible for everything connected with the full range of international and transnational activities.

The undertaking is so vast that it has supplied the UAI with its means of existence and gives the impression that the association is, to all intents and purposes, a weighty tome. It comes out every two years, though plans are afoot for an annual publication with a version in French. Thirteen editions have already appeared, with information covering 4,300 organisations. And all this is rounded off by the voluminous record of international congresses: "International Congress Proceedings".

The UAI Magazine

But while the UAI justifies its existence through its documentation, information and publishing service, that is not the entire scope and limit of its work.

An idea of its other activities may be gained from perusing the collection of its monthly magazine "International Associations". The organic life of the international associations is reviewed from every angle in these pages. Thus, private activities in the international sphere, of comparatively recent date, have posed a whole mass of new problems of principle, of organization and executive personnel. The UAI collects all the surveys published on such problems, and quite often carries out its own surveys as well. Such research work is done systematically, and it might be asserted that the sum total of these published works are valid as laying down precedents, and even as jurisprudence, in this still confused sphere of action.

The UAI is helping in the establishment of a genuine private international civil service through its uninterrupted work of research and investigation, conferences, debates, seminars, publications and varied initiatives directed towards all problems whether these be legal, administrative, technical or of any other kind, so long as they are *common* to the non-governmental organizations.

The first seminar on private international organizational affairs was held last year in Turin under the aegis of the local International Centre, in the presence of representatives of numerous non-governmental organizations. This event aroused lively interest, and the subject appeared so rich and varied that the Italian authorities have offered to repeat the seminar and are even contemplating making an institution of it.

The Services rendered by the UAI

Through the competence it has acquired in international organizational affairs, both public and private, the UAI renders signal service to a large clientele composed of State or non-governmental international organizations, national administrative bodies, public offices, private enterprises or persons, particularly in the form of different kinds of contractual work.

The UAI is a body which maintains contacts and liaison with the entire international co-operation mechanism, public and private, and does so at all levels — worldwide, regional or national.

Co-operation has been established between the UAI and the FAO for more than ten years now. The Food and Agriculture Organization called on the services of the Union for a number of subjects on the agenda of its conferences on international organization, such as: the legal status of NGO's, the definition of the various types of statutory organizations and international meetings, the methods of distributing the results achieved by NGO's in their work, the organizational structure and operation of NGO's, executive training within NGO's, the organization of a complementary pension scheme for NGO's personnel.

The UAI Secretariat multiplies its contacts, receives innumerable visitors from all over the world, and its representatives are invariably present at important events bound up with the international movement. This ceaseless interchange of visits and initiatives has given the UAI an extremely *dynamic* experience of the work of the international associations.

Congresses

One of the UAFs many specialized activities pertains to congresses in the modern sense of that term: meetings of persons who debate subjects of mutual interest or common activities.

The UAI has launched a programme of meetings for the study of international congresses from every aspect: the sociological phenomenon, the administrative structure, the economic venture, and the instrument of human progress.

The UAI, which suggested the building of congress centres — including that of Brussels — has worked out a skilful technique regarding such international events, and this causes it to be consulted very frequently indeed. Now, international congresses seem to be assured of growing prosperity, judging by their steady increase which, from some 3,000 today, is likely to rise to about 30,000 by the end of the century.

When it is realized that a world congress of any size brings in about half a million dollars to the town which offers it hospitality, the economic importance of such an undertaking is easily grasped. As a result, new careers — such as those of organizational experts — have come to join the already traditional vocations of interpreters and translators.

The UAI has assumed the task of helping to train this conference personnel. The experience it has acquired in the field of international secretarial work enables it to assume the administrative direction of several organizations.

One of its current projects advocates the building or appropriation in Brussels of an International House which would Group the secretariats of various international organizations around a nucleus of common services. ^

The Creation of a Study Centre

Another project — conceived and pursued by Mr. Speeckaert — aims at creating a Museum-Study Centre on International Co-operation, to shelter the UAFs archives, its important reference library and its unequalled collection of documentation dating back many years. This study centre would be open to professors, research workers, students, trainees or international civil servants of all nationalities who are already approaching the Union for the material they need for their work, surveys and theses.

On the other hand, permanent and temporary exhibitions would shed light on the history of the international movement, its development and its work over the last 150 years, and the topical nature of international organization.

The Profit-Making NGO

And now a new path has opened up before the UAI; the transnational companies. The 2,600 or so associations which today gravitate in the orbit of international co-operation have disinterested non-profit-making objectives. But the business world, which has grown to planetary dimensions, also claims to set up an organization without frontiers. The International Chamber of Commerce held its congress last year in Istanbul, during which it foresaw the fast-developing concentration of world business, three-quarters of which would reduce the great centres of economic activity to about 300 towns. The UAI has been invited to prepare for the advent of these non-governmental organizations of a new kind, and work out the criteria governing their inclusion in its yearbook and directory.

Symposia, Seminars, World Congresses

The UAFs expansion with the help of new means should enable it to carry out, stage by stage, a vast plan which is essential to the future of non-governmental international organizations and which is undoubtedly of universal interest. Many problems common to all these organizations must be examined and solved from the legal, administrative or technical standpoint. The persons primarily concerned are the executives of those organizations: they should be called upon to meet in small groups for the preliminary work. Then the stage would be set for a genuine seminar on the present and future role of the organizations and their relationships within the new league of nations. Such a seminar might consist of about a hundred people selected from the most varied environments: statesmen or industrialists, trade union leaders, university professors, experts on international affairs, and also executives of inter-governmental organizations, national study centres dealing with international relations, or members of the great foundations. Finally, a World Congress of International Organizations would be called upon to pronounce on the conclusions of the seminar and to formulate recommendations.

A truly democratic procedure which would tend to associate competence with responsibility and the common weal with the individual interests of all parties concerned.

The Aim: Peace

At the term of these efforts, there is an act of peace in accordance with the aims of the United Nations Charter — an act of peace which the UAI was invited to perform by Unesco when the latter associated it with its "long-term plan of action in favour of the consolidation of world peace and the development of peaceful co-operation".

In this connection, Unesco consulted a group of experts whose work was summed up in a report by Professor Kovalsky (USSR). This report states: "The problem of peace cannot be dissociated from the UAI, a scientific research body which studies the activities of all the existing international organizations",

On the basis of this recommendation, Mr. Maheu, the Director General of Unesco, stated in his report to the Executive Council:

"The Union of International Associations announces the creation of a computerized information centre which could co-operate with Unesco by supplying the latter with data on the international, national and local organizations dealing with questions of interest to the Unesco plan for peace (e.g.: education directed towards international understanding, co-operation with youth, social science research, research for peace, informing the public, etc. For this purpose, the UAI might need some financial assistance from Unesco as well as other forms of support" ^(x).

And here, as Dumas might say, we are witnessing a body which generates and coordinates private international and transnational co-operation becoming integrated with the public intergovernmental movement by rendering the latter an invaluable service in the field of information and documentation.

A Stimulus to the Responsible Authorities

In his work on international organizations, Mr. Pierre Gerbet devotes an entire chapter to private international associations.

These organizations, says the author, which are constantly increasing in number, "constitute the best expression of the relationships based on interests, ideas or tastes between social groups of different countries. *It is they which best reflect the internationalization of contemporary life.* These non-governmental organizations exert a variable degree of influence on their governments, to an extent which is often difficult to determine but is by no means negligible. *They urge them towards international co-operation, and through their work, have often paved the way for similar governmental organizations*" ^(y)

And he sums up: "The dynamic, creative role of the non-governmental organizations, which have often blazed the trail for the States along the road to co-operation and have incited them to set up inter-governmental organizations (such as the International Association for the Legal Protection of Workers, which aroused the first inter-government talks which, in 1919, led to the inauguration of the International Labour Office) will undoubtedly contribute to the progress towards a gradual attenuation of government intervention in international organization and towards better liaison between individuals and the international community." ^(z)

This conclusion reached by a political philosopher, who regards the international associations as a kind of great human cry capable of influencing the consciences of the responsible statesmen and — better still — of urging them to action, is echoed in the fine survey by Mr. Alfred Sauvy on "public opinion".

^(x) UNESCO Executive Council: Eighty-third session — Point 4.1.1. of the provisional agenda. Doc. 83 E.4, page 5.

^(y) Pierre Gerbet: "Les Organisations Internationales", Presses Universitaires de France, page 42.

^(z) Pierre Gerbet: *op. cit.*

The eminent French sociologist has emphasized the increasingly evident fact that "there can be no democracy without information". Now, public opinion — whether spontaneous or dictated — "has often been gravely at fault in the course of contemporary history" and, if mistakes have been the rule rather than the exception, this must be ascribed to the paucity and inadequacy of information.

Everywhere and at all times the stress is laid on the moral and political necessity of complete and accurate information. Reasons of State, "might is right" or just simply "we have our reasons..." will be rejected to a growing extent until they come to be regarded quite rightly as intolerable, as public opinion comes to be more objectively informed.

Mortal danger can stem from a failure in communication at the tragic summit of an escalation. Hence the famous "hot line" between the two super-powers...

Mr. Sauvy quotes from a play in the repertory of the melodrama which is a striking picture of misunderstanding. A young deaf and dumb boy was left alone for a few moments among blind people who became alarmed at sounds they could not understand. The deaf and dumb boy, seeing their frantic gestures, felt obliged to defend himself, with the result that one of the blind men, armed with a knife, put out both his eyes...

The moral of this story is this: "That is what society is like. It can only live in relative harmony if the widest forms of communication are open between the various groups, and especially between potential antagonists. If those communications are properly established, then public opinion can play a powerful part in stabilizing the situation".

Oedipus and the Sphinx

Public opinion, communicating across the partitions and curtains of a growingly interdependent world, constitutes the serried network of all these organizations or associations of a non-governmental nature which are sometimes wrongly termed "international" for lack of a better word able to define and portray their new dimensions.⁽¹⁾

But the ransom demanded by the progress of science and the malicious developments of our day and age seem to multiply the enigmas at the same rate as mechanical and technical means are found to solve them. Like the Sphinx in the fable, they threaten to devour ignorant passers-by. The symbolic figure of Oedipus who successfully withstood that peril, seems to us to be a fairly good way of illustrating the destiny of the UAI.

⁽¹⁾ See farther on the article by Mr. Anthony Judge on an international data bank.

NON-GOVERNMENTAL ORGANIZATIONS AND THE WORK OF THE UNITED NATIONS ON THE QUESTION OF THE PROTECTION OF HUMAN RIGHTS

by Marc SCHREIBER,

Director of the Human Rights Division of the United Nations,

The irresistible development of international co-operation is one of the distinctive marks of our area, and arises out of an understanding — which the suffering due to two world wars has rendered even more imperative — of the vital solidarity uniting all members of the human community, whether peoples or individuals. The astonishing progress made by science and technology and their effects on the daily life of each one of us are forceful reminders of the need for this feeling of solidarity among human beings; it is indeed the only fertile source of effective solutions to contemporary problems, and especially where respect for basic human rights is concerned.

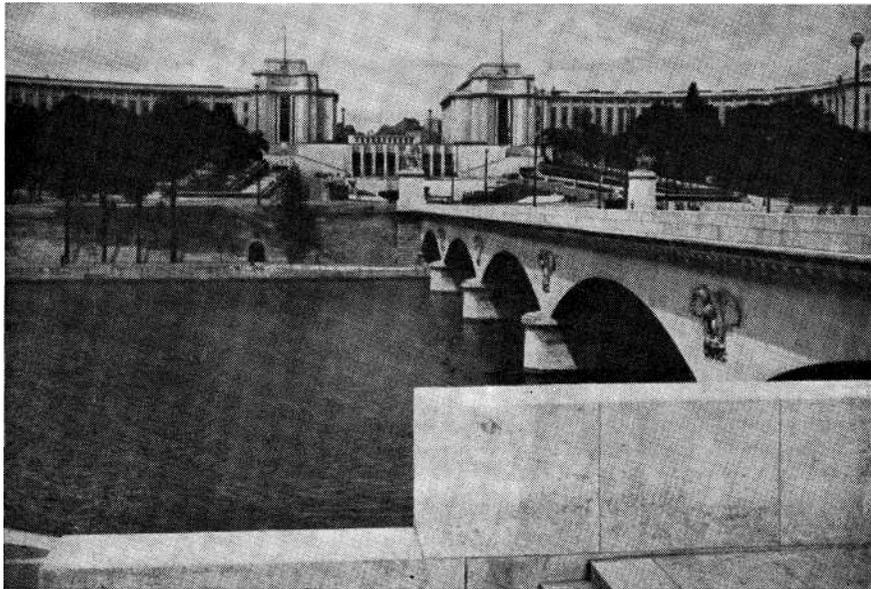
It is only normal that non-governmental organizations should follow this same evolutionary stream, for they are founded precisely on a basis of communal aspirations and interests and cover an almost unlimited field of human activity, working within a framework overlapping national frontiers. Their activity on an international scale preceded and even promoted inter-state organizations. Is it necessary to recall that the Union of International Associations, which was the first centre for information and co-ordination of non-governmental organizations, created in 1910, was a movement begun as a result of a Belgian initiative. Until the creation of the United Nations, however, this movement was of necessity obliged to act outside the limits of any international organization of a public value. Of course, certain relations developed between the non-governmental organizations and the League of Nations, but they always retained an unofficial *ad hoc* status, undefined by any constitutional text giving them a status which would have allowed them effective recognized action.

Soon after the Second World War, at the Conference of San Francisco in 1945, innovations in this domain were carried out, just as much as regards the objectives which were assigned to the new inter-state organization in the specific field of Human Rights, as regards the obligations which were to be undertaken by member states in this field, and also the part which the non-governmental organizations could play in the international action contemplated by the Conference.

Non-governmental organizations were not without a certain influence on the way in which these points were set down in the Charter of the United Nations. It was especially due to their influence that Article 56 was adopted; this article sets out an international obligation on the part of the States to promote universal respect for Human Rights and for the fundamental liberties of all, without distinction of race, sex, language or religion, through action carried out on a national scale, and upheld by the international community which was to be organized to this end. In addition, it is well known what an important part

was played, in the drawing up of those parts of the Charter dealing with Human Rights, by the representatives of about forty American organizations and associations which had been admitted to the Conference of San Francisco as "unofficial consultants" to the United States delegation. Chiefly by means of contacts with the United States delegation and with other delegations to the Conference, they contributed, it seems, to the adoption of Articles 68 and 71, which are the two articles which provide the basis for practical action on the part of the United Nations and for participation by non-governmental organizations in this field. Article 68 stipulates that the Economic and Social Council shall set up commissions whose chief aim shall be to ensure progress

The Chaillot Palace in Paris where the Declaration of the Rights of Man was signed in 1948



in Human Rights, and has achieved the creation of the Commission on Human Rights and that of the Commission on the Status of Women. As for article 71, which permitted the Economic and Social Council to take any useful measures for consulting non-governmental organizations dealing with questions which lay within its jurisdiction, it thus established the basis for the collaboration which was to be set up and developed in various forms. This article specifies that the said measures shall be applicable to international organizations and, if necessary, to national organizations after consultation with the Member State of the UN.

From 1946 onwards, as a result of demands from several non-governmental organizations desirous of obtaining for their representative participation in the work of the Economic and Social Council, and in pursuance of Article 71 of the

Charter, the General Assembly did in fact recommend that the Council should, as soon as possible, take all necessary steps to permit such NGO's, whether international, national or regional in character, on whose experience it might be deemed necessary to call, to collaborate with the Council as consultants. In 1946 a system was established to enable such consultations to take place. At first, its procedure was somewhat rudimentary in character, but it was properly codified in 1950 by the Council in Resolution 288 (X). Since then, in 1968, new dispositions have been set out under the terms of Resolution 1296 (XLIV) of the Council, and this is the code governing the situation at the present time.

The Council decided that it would be useful to develop consultations with NGO's to as great an extent as possible, and therefore in the resolution it defined in a detailed manner the principles to be applied in the establishment of such relations and the different methods to be followed, according to the category of organization. To this end, the Council makes a distinction between those organizations which deal with most of its activities (those vested with General Consultative Status in Category I), those organizations whose action and special competence are expressly limited to only a part of its field of activity (those vested with Special Consultative Status in Category II) and those organizations which may, on certain occasions, provide a useful contribution to the work of the Council or to some of its subsidiary bodies (these are not vested with Consultative Status, but their names are allowed to appear on a list). The number of NGO's which at present have been vested with Consultative Status is: for Category I, 16, for Category II, 116; and in addition, 40 NGO's are included in the list. Organizations to which Consultative Status has been given in the second category, because of their special usefulness for Human Rights, come under a special heading. It is stipulated that such organizations must have international activities of a general scope in the relevant fields, and not be limited to the interests of a certain group of persons, nor of one single nationality, nor to the situation of one single state nor of a small group of states. On the question of admission to consultative status in this category, it has recently been stressed that special consideration will be given to applications coming from organizations whose aim is to fight against colonialism, *apartheid*, racial intolerance and other manifest violations of Human Rights and fundamental liberties.

A detailed examination of the procedure for consultation laid down in Resolution 1296 (XLIV) and in that which preceded it, reveals that they provide the NGO's with an effective means for active — and, to a certain extent — direct participation in the work of the Council and of its subsidiary bodies, and especially in that of the Commission on Human Rights and in the Commission on the Status of Women. Thus, those organizations in Category I may, with certain reservations, propose the inclusion of questions in the draft agenda of the commissions. In addition, those organizations in categories I and II may, in matters which fall within their special field of competence, present written reports on the work of those bodies and they may also require to be heard by them.

The contribution of NGO's as consultants to the work of the subsidiary bodies of the Council may even take the form of true collaboration in studies undertaken on the initiative of such bodies. It is indeed laid down that, subject to

the applicable financial clauses, a commission may recommend that an organization which is especially competent in a certain field may undertake certain studies or enquiries, or prepare certain documents for this commission. Equally, it is possible for the Secretary-General to ask organizations to undertake special studies or to prepare special written reports. In practice, the Secretary-General frequently requests the help of the NGO's, following relevant resolutions on the part of the General Assembly or of the Council and of its commissions, in order to carry out studies which such bodies have requested him to undertake. To mention only a recent example, a large number of NGO's were associated with the preparation of the study undertaken in execution of Resolution Number 2450 (XXIII) of the General Assembly of December 19th 1968 on the problems raised by developments in science and technology (which are particularly well suited to this type of consultation) in connection with Human Rights.

It should in addition be noted that NGO's have the possibility of joining regularly in the system of examining the periodical reports, set up from 1956 onwards, and which functions at present under Resolution No. 1074 (XXIX) adopted by the Council in 1965. Under this system, Member States of the UN or of the Specialized Agencies are invited to submit reports following a three-year cycle; this covers in the first year, civil and political rights, in the second year, economic, social and cultural rights, and in the third year, freedom of information. Following the relevant resolutions of the Council, those NGO's which have consultative status are officially invited to submit information of an objective nature. A special committee of the Commission on Human Rights is entrusted with the study and evaluation of reports and other information received, and submits its observations, conclusions and recommendations on the subject to the Commission. It should be noted that, when information submitted by NGO's makes mention of Member States of the UN or of members of the specialized Agencies, such information is transmitted to the said Member States for any comments it may wish to make. The Secretary-General then communicates any remarks received from the NGO's, together with any comments which may have been made by the State in question, to the Commission on Human Rights and to that on the Status of Women, and also to the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

The mechanism for consultation briefly analysed above permits the NGO's to play no small part in the international promotion of Human Rights, within the institutional framework of the UN. The NGO's, however, and especially those which possess ample means for research and dissemination, should consider carefully whether, over the past years, they have made sufficient use of the means made available to them through the bodies of the United Nations, to carry out effectively the objectives laid down in the Charter of the United Nations and in the international instruments dealing with Human Rights.

It is scarcely necessary to recall the part they played in the drawing up of the Universal Declaration. Some of the authors of the Declaration have mentioned especially the value of the encouragement and help which the governmental delegations received from the representatives of the NGO's. Mr. Rene Cassin, former President and member of the Commission on Human Rights and former President of the European Court for Human Rights, rightly recalled, in a speech made in Paris during September 1968 to the International Conference of NGO's

on Human Rights, that the successive drafts of the Universal Declaration had been definitely improved thanks to the collaboration of the NGO's and their judicious remarks. Mention should also be made of the persevering action on the part of the NGO's during the work of the Commission on Human Rights and that of the General Assembly, which led in 1966 to the adoption of the two Human Rights Pacts and to the Optional Protocol. This Protocol provides individual persons who consider that they are victims of a violation of the rights set out in the Pact with the possibility of making statements to a Human Rights Commission, which then examines them and brings their case to the notice of the State in question for explanation or remarks.

Some NGO's are also invited as observers to other meetings held under the auspices of the UN, such as seminars organized in the course of the work of the consultative services and established under Resolution 926 (X) of the General Assembly. The Secretary-General invites those NGO's which are vested with consultative status and which have a special interest in the subject under discussion by the seminar to send representatives as observers. Many NGO's have thus been enabled to attend some thirty eight seminars which have been held up to date. In addition, the Economic and Social Council has the possibility of inviting the NGO's to join in conferences called by the Council in pursuance of paragraph 4 of Article 62 of the Charter and, through Resolution 479 (V) of the General Assembly, which was adopted in 1950, the Council may also arrange non-governmental conferences. It may be remembered that in this way two conferences of NGO's dealing with the elimination of prejudice and discrimination were called in 1955 and 1959.

When the General Assembly decided to hold the International Conference on Human Rights at Teheran in April and May of 1968, it also, by virtue of its Resolution No. 2339 (XXII) of 18th December 1967, invited those NGO's vested with consultative status and with a clear interest in the items on the agenda of the Conference to send observers. Many NGO's did in fact accept this invitation, including some NGO's which did not have consultative status, but which had been invited by the Commission preparing the conference by virtue of the decisions of the General Assembly.

Because of the limits laid down in the Charter to their participation in the work of the UN bodies, however, it is from the outside and in their own sphere of activity that the NGO's are able to give the greatest service to the objectives of the United Nations and to enable the achievement of positive results in the field of Human Rights. The part which they can play by persuasion and inspiration is here of considerable importance. Numerous important cases could be cited where official national bodies have been led to take steps, either on the direct initiative of NGO's or under the influence of their action. As regards the various forms of discrimination still in existence in many countries, for example, it is clear that the action which they took on their part was not without influence on the movement which developed at the United Nations, and which finally brought about the proclamation in 1964 of a Declaration on the elimination of all forms of racial discrimination, and the adoption, in 1965, of an International Convention on the elimination of all forms of racial discrimination, which came into force in January 1969. In the same connection, it has often been stressed how much the NGO's could and should contribute, through active support and through suitable campaigns, to the practical application of international

decrees on Human Rights which have been promulgated under the auspices of the United Nations. This possible aspect of their action is moreover connected with the part which they have never ceased to play as sources of information and education and which is the basis of all their work. It must be noted that those NGO's which have done a great deal towards the diffusion of the Universal Declaration and the spread of its principles are particularly well qualified, because of their specific ability, to give information about any progress achieved, or obstacles which have been encountered, in the course of its application. They are especially capable of drawing the attention of the public and of those in authority to any lacuna or imperfections in the codes in force, and also to any abuses and violations which need to be remedied. Conversely, it is the NGO's which are the best placed to witness the aspirations and reactions of public opinion, and thus become intelligent interpreters of the collective conscience.

Human Rights Year, which was celebrated in 1968, is probably the most striking and most significant illustration of the collaboration which can be set up between the United Nations and the NGO's in order to achieve those aims which are common to both. The General Assembly adopted a programme of specific measures and activities in which not only the specialized Agencies and inter-governmental regional organizations but also the non-governmental organizations were invited to join. This at once aroused a wave of considerable interest among the NGO's, and during that Year, as a result, there occurred an intensification of their efforts and initiatives in the sphere of Human Rights. It is only necessary to open the Information Bulletin on the International Year published between June 1967 and January 1969, by the Information Service of the UN and the Human Rights Division, or the reports of the Secretary-General to the General Assembly during the International Year, to realize what efforts were made by all the local, regional, national and international organizations, in their various spheres of activity, towards the achievement of the objectives and plans of the International Year. Altogether 164 national and international organizations, some of which group hundreds of thousands or even millions of members, in response to the demand made by the General Assembly, sent information to the Secretary-General on the work they had done during that Year; the figure speaks for itself. It is not without interest to note that the national non-governmental organizations gave their full support to the National Committees which, on the recommendation of the General Assembly in Resolution No. 2217 (XXI), had been created in several countries to co-ordinate any national manifestations and other activities taking place during the Year. In many cases these national committees had been set up officially by the governments with the participation of the NGO's. In some cases, the governments even handed over to the NGO's the entire responsibility for organizing the celebration of the Year. It is only right to emphasize special efforts made by the national committees, such as the Belgian committee, which associated in the work of planning and execution of many varying manifestations and publications, a large number of organizations, of Trades Union members, of employers, lawyers, women, young people and many others, each of which in its own way joined in making known the objectives of the International Year.

This International Year also gave the NGO's a chance to collaborate more closely with one another on an international scale. It will be remembered that an international *ad hoc* committee of NGO's for the International Year was

, pecially set up in 1966, with a committee in New York and another in Geneva, t established constant collaboration between the affiliated organizations on he one hand and the Secretary-General of the UN on the other, and thus enabled the stimulation and co-ordination of the activities of the NGO's on a national and international scale. Other committees of NGO's worked with Unesco, with the Council of Europe, and in other areas. The International Conference of NGO's on Human Rights which was called in September 1968 at the Headquarters of Unesco in Paris proved the value of this collaboration and co-ordination, both by the number of NGO's represented and also by the scope of their recommendations. These recommendations, it should be noted, support and confirm to a very great extent the trends of thought and the resolutions which were adopted by the International Conference at Teheran.

Perhaps the most important conclusion to be drawn from the Paris meeting, in the branch with which we are now dealing, is that the NGO's, inspired by the tangible results already obtained in the field of Human Rights, thanks to the international action which they have always enthusiastically supported, have expressed their desire to intensify their efforts to help the United Nations continue its work, by following the paths indicated at Teheran, new and untrodden though these frequently are. They also intend to see that the UN continues to work in the spirit which was laid down in the Charter for a more effective protection of the respect for Human Rights throughout the whole world.