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ON TRADE AND EMPLOYMENT

COMMITTEE V

ADMINISTRATION AND ORGANIZATION

Memorandum by the Secretariat

In accordance with the Chairman's instructions, the Secretariat has attempted to summarize and to classify in relation to the relevant Articles and paragraphs of the Suggested ITO Charter, the proposals made by various delegations in the course of the Committee's general discussion, at its second meeting, of items 7, 8a and 8b of the Provisional Agenda, relating respectively to the Secretariat, Relations with Other Organizations and International Responsibilities of Personnel.

Before listing the specific suggestions put forward, it might be noted that much of the discussion was concerned with the following broad propositions:-

1. That any detailed consideration of such questions as the organization of the Secretariat is premature and should be deferred until more is known of the structure and functions of the proposed Organization and the nature and extent of the responsibilities with which its staff is likely to be entrusted.

The view was also expressed, however, that no useful purpose would be served by such deferment and that whilst in some respects the position would have to be left open, there were many points on which fairly definite conclusions might be reached, even at this stage.

2. That, in general, provisions relating to the manner in which the Secretariat should be organized should be

as flexible as possible, particularly with reference to the number, status and powers of Deputy Directors-General, and that, as a corollary, the Director-General should be given all the authority and freedom of action needed for the carrying out of his responsibilities and for meeting "the uncertain requirements of the future."

Stemming from this proposition, there were a series of specific proposals relating to the appointment and powers of the Director-General and his deputies.

3. That in conformity with the stipulation contained in the United Nations Charter, there should be express provision for recruitment of Secretariat personnel on as wide a geographical basis as possible, subject to the paramount consideration of securing the highest standards of efficiency, competence and integrity.

The view was also expressed, however, that Article 72 of the Suggested Charter was in fact intended to give recognition to this principle.

4. That in the interest of economical and efficient administration and for the purpose of avoiding inconsistencies and perhaps conflicts at the policy level, it is of paramount importance to ensure that proper provision is made for the co-ordination of all the various international secretariats now being built up or in contemplation; and that, in the case of the ITO, it is necessary to ensure that such co-ordination is effected:

- (a) with other international organizations, including the United Nations, in order to avoid unnecessary duplication of administrative services and facilities;
and

(a) with the Economic and Social Council itself, in order to avoid unnecessary duplication of work on identical or closely related problems.

This proposition appeared to command general support. It did not, however, give rise to specific proposals involving amendment of the relevant provisions of the Suggested ITO Charter but was held to be a matter about which further information should be secured and to which further consideration should be given.

The following detailed suggestions relating to Articles 67 to 72 of the Suggested Charter were made during the Committee's initial discussion of items 7, 8a and 8b of the Provisional Agenda. The amendments proposed to Articles 67 and 69 (paragraph 2) were in most cases consequent on a desire to avoid any reference to a specific number of Deputy Directors-General. It is suggested, therefore, that they be dealt with jointly. Certain of the changes proposed in paragraph 1 of Article 69 and in paragraph 2 of Article 68 are of a similarly consequential nature. They are accordingly arranged in an order which it is hoped will best facilitate their further consideration.

Articles 67 and 69 (paragraph 2)

1. Proposed by the Delegates of Norway and Canada:

That the words "three or more Deputy Directors-General", in Article 67, and the whole of paragraph 2 of Article 69, be omitted.

This proposal was linked by the Delegate of Norway with proposal No. 6, below, and by the Delegate of Canada with proposal No. 4.

2. Proposed by the Delegate of France:

That the words "three or more" in Article 67 be amended to read "a certain number of".

3. Proposed by the Delegate of Belgium:

That the number of Deputy Directors-General provided for in Article 67 be either

(a) limited to two (one English speaking and one French speaking); or

(b) increased to four (to correspond to the number of Commissions envisaged).

Article 69 (paragraph 1)

4. Proposed by the Delegate of Canada:

That the Director-General should have power to appoint Deputy Directors-General to represent him on Commissions or for such other purposes as he may see fit.

This proposal was linked with proposal No. 1, above.

Alternatively it was:

5. Proposed by the Delegate of Canada:

That the words "and responsible to him" be added, after the provision for the appointment, by the Director-General, of Deputy Directors-General (in order to make it clear that the powers and responsibilities of the latter flow from the Director-General and not from the Charter itself).

Article 68 (paragraph 2)

6. Proposed by the Delegate of Norway:

That the words "and of the Commissions of the Organization" be added at the end of the first sentence.

This proposal was linked with proposal No. 1, above.

Article 69 (paragraph 1)

7. Proposed by the Delegate of India:

That appointments (of Deputy Directors-General) should be subject to the approval of the Executive Board.

Article 68 (paragraph 2)

8. Proposed by the Delegate of Canada:

That consideration should be given to the possibility of having the Director-General act as ex officio non-voting Chairman of the Executive Board.

This suggestion is linked with paragraph 2 of Article 59 which provides for the Executive Board annually to elect its Chairman.

9. Proposed by the Delegate of Canada:

That, in organizing his Secretariat, the Director-General should be required to have the closest regard to the importance of providing for effective co-ordination with the secretariats of the United Nations and other international organizations.

Article 68 (paragraph 1)

10. Proposed by the Delegate of Canada:

That the Conference should be authorized to delegate the power of appointment of the Director-General to the Executive Board, should it consider such delegation advisable.

11. Proposed by the Delegate of China:

That no decision regarding the Director-General's eligibility for re-appointment should be made until such time as his term of office has been fixed.

Article 70 (paragraph 1)

12. Proposed by the Delegates of China, India, Chile and Norway:

That a further sentence be added as follows: "Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible." (in conformity with Article 10, paragraph 3, of the United Nations Charter).

13. Proposed by the Delegate of the Netherlands:

That the appointment of the staff and the fixing of its terms and conditions of service, by the Director-General, should be in accordance with regulations approved by the Conference.

Article 71 (paragraph 1)

14. Proposed by the Delegate of Belgium:

That the Agreement to be concluded by the Director-General with the United Nations, should be subject to the approval of the Executive Board.

Article 72

15. Proposed by the Delegate of Australia:

That the word "may" in the second sentence should be changed to "shall". (The sentence in question has reference to appointment of personnel without regard to their nationality.)
