

PARIS, 30 June 1948

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

EXECUTIVE BOARD

Seventh Session (Extraordinary)

Summary Report of the First Meeting,
held at Unesco House, 19 Avenue Kléber, Paris 16e,
on Friday, 2 April 1948, at 10 a.m.

Present:

Chairman: Dr. E. Ronald WALKER (Australia)

Vice-Chairman: Professor Alf SOMMERFELT (Norway)

Members:

Professor Paolo CARNEIRO	(Brazil)
Professor CHEN YUAN	(China)
H.E. M. Victore DORE	(Canada)
Resat Nuri GUNTEKIN	(Turkey)
H.E. Dr. O. PARRA-PEREZ	(Venezuela)
Professor A. PHOTIADES	(Greece)
M. Roger SEYDOUX	(France)
Professor Louis VERNIERS	(Belgium)

Deputies:

M.H. BIRECKI (Poland)	for Professor Stanislaw Arnold
Dr. EL DIWANY (Egypt)	for H.E. Shafik Ghorbal Bay
Mr. David HARDMAN, M.P. (United Kingdom)	for Sir John Maud
Mr. Kenneth HOLLAND (United States of America)	for Dr. George Stoddard
Mr. P.N. KIRPAL (India)	for Sir Sarvepalli Radhakrishnan

Observers:

M. Louis GROS	(United Nations)
M. GREGOREZEWSKI	(World Health Organization)

Secretariat:

Dr. Julian HUXLEY,	Director-General
Mr. Walter H.C. LIVES,	Deputy Director-General
M. Jean THOMAS,	Assistant Director-General
Mr. S.G. GEBELT	(Secretary)

Item 1 - Opening of Session

The CHAIRMAN wished first to establish the quorum of the Executive Board. He quoted from the Standing Orders of the Board (Document EX/2 Rev.) concerning the designation of deputies by Members of the Board. He then ran through the composition of the Board as present that morning. M. Seydoux had been elected at the last session in replacement of Professor Auger. A telegram had been received from Professor Carrion, designating Dr. Paredes as his substitute, but the latter had not yet arrived. Letters had been received from Sir John Maud and Sir Sarvepalli Radhakrishnan, appointing Mr. Hardman and Mr. Kirpal as their respective substitutes, and their credentials were in order. Dr. Stoddard had designated Mr. Holland to replace him and, in his absence, Mr. Compton. Professor Arnold had hoped to be present, but a letter from the Polish Ambassador explained that Professor Arnold was unable to attend as he was leading an important cultural delegation in another country. He designated M. Birecki as his substitute. H.E. Shafik Ghorbal Bey would probably not arrive until the following day, as his plane had been delayed and the Chairman was sure the Board would welcome Dr. El Diwany as his deputy until he arrived. Dr. Opocensky and Dr. Martinez Basz were absent and no news had been received from them regarding substitutes. All other members of the Board were present.

Professor PHOTIADES asked whether, in designating a substitute, a telegram was sufficient or whether the communication should be in the form of a letter signed by the member himself.

The CHAIRMAN replied that the Rules of Procedure did not set out the form which the communication should take but merely stated that a member should inform the Board why he was unable to attend himself and designating a substitute, giving the reasons for his choice. So far the Board had accepted credentials in the form of a telegram or message from an embassy, but the Chairman felt that the procedure needed tightening up and he intended to send a formal letter to all members, requesting them to make such communications in letter form. The Rules of Procedure provided that the quorum of the Board should consist of six fully accredited members and a total number of ten persons. At the present time there were nine accredited members and a total number of more than ten persons; the quorum was therefore established.

Item 2 - Adoption of Agenda

The CHAIRMAN observed that the Agenda consisted of items left over from the last meeting and also the question of the implementation of the General Conference's resolution on relations with Germany and Japan. He understood that the Director-General would like to add certain items.

The SECRETARY announced that four documents had been distributed that morning: (1) 7EX/7 - Proposed Contract with the International Committee on Modern Literary History; (2) 7EX/8 - Availability of Appropriations; (3) 7EX/9 - Establishment of a Staff Housing and Welfare Fund; (4) 7EX/11 - Banking Arrangements of the Organization. The Director-General wished

these points to be added as supplementary items of the Agenda. Under Item 8 - Personnel Questions, the Director-General wished to hold consultations with the Board concerning certain high appointments.

The CHAIRMAN proposed that the items should be added provisionally at the end of the Agenda and discussed if time permitted. Agreed. As regards the order of the other items, he suggested that the Board should be guided by the opportunity which members had had of reading the documents. They had not yet had an opportunity of reading the document concerning item 4 (Action to be taken in accordance with General Conference Resolutions on Unesco's programme in Germany and Japan) and he therefore proposed that the item should be taken first on the Agenda of the afternoon session.

Mr. HOLLAND asked that the morning session should adjourn sufficiently early to enable members to study the documents. He recalled that the present meeting was an emergency one called especially to study this question and, if necessary, other items would have to be sacrificed. It was agreed that the meeting should adjourn at 12 Noon.

Item 3 - Approval of the Minutes of the Sixth Session of the Executive Board.

The CHAIRMAN suggested that, as the corrected version of the Minutes had not been distributed, their approval should be held over until the next ordinary session of the Board.

Professor CARNEIRO had two points to raise regarding paragraph VI (2) and paragraph X (2) of document EX/3.

The CHAIRMAN proposed that they should be added at the end of the Agenda. Seconded by Professor PHOTIADES. Agreed.

It was agreed that the Secretariat should be requested to distribute the corrected Minutes of the 6th Session and that their approval should be on the Agenda of the next meeting. Members were requested to send in their corrections of the Minutes of the present session promptly, in order for them to be ready for approval by the next session of the Board.

Item 5 - Relations with Member States.

(a) Review of negotiations with the Government of France.

Reporting on his negotiations with the Government of France the DIRECTOR-GENERAL said that since the last meeting of the Board, conversations had been continued with a view to establishing an agreement with the French Ministry of Finance and Food Ministry. M. Seydoux had made a proposal in a letter dated 10 March 1948, but it was felt that this could not be considered satisfactory as the quantities of material for the restaurant and co-operative proposed therein were insufficient. The French Government was willing to authorize Unesco to import 300 tons of goods, but, at the same time, it intended to suppress the "bon déblocage", which would mean a decrease of 95 tons

of goods. Further, the French Government would not allow the importation of certain goods which it considered as luxuries, such as fruit juice, and it limited the import of cigarettes to four packets a week per person which it was considered was too small a quantity. The Director-General therefore felt obliged to continue negotiations and hoped the Board would support him by passing the resolution on page 2 of Document 6 EX/14.

M. SEYDOUX said the French authorities would continue their endeavours to obtain satisfaction for Unesco, but drew attention to the fact that there was not a great divergence between the total quantity of 350 tons requested by Unesco and the 296 tons offered by the French Government. As regards the question of principle, he recalled that negotiations were still being carried on, on the basis of the old agreement between Unesco and the French Government, which spoke only of courtesy and not of established rights, and he pointed out that the American Government did not give to the United Nations personnel the concessions requested by Unesco from the French Government. For example, a Frenchman on the United Nations staff could not obtain French cigarettes or wine duty-free in the United States. As regards the quantity of cigarettes, he wished to point out that a great effort had been made by the French Government; as the tax on cigarettes was high, the granting of four packets per week plus two packets for wives involved a loss of several millions of francs. He wondered whether, except as regards products difficult to obtain in France, the French Government could go much further in making concessions. The Director-General's resolution in document 6 EX/14 mentioned clothing, and he wondered whether he would still wish to negotiate in this connection, considering that textiles were once again unrationed in France and prices had been lowered.

The DIRECTOR-GENERAL did not wish to go into details, but explained that in accordance with the resolution of the General Conference (Document 6 EX/14 paragraph 1 (b)), the Secretariat felt it was obliged to lay down what it considered necessary for the welfare of the staff in Paris, and he therefore hoped that the Board would pass his resolution, thus strengthening his hand in negotiations which had always been very friendly, but which he wished to conclude.

The CHAIRMAN thought that if the Director-General was unable to bring his negotiations with the French Government to a successful conclusion, he should report to the Finance Committee which was competent to deal with a question so intimately connected with that of salaries and allowances. As regards the Director-General's resolution, he agreed that it was important to place on record the Board's gratitude to the French Government and he was in favour of the adoption of the resolution with a slight amendment. He wished the words "the Organization" to be replaced by "he" in the third line from the end, as it was the Director-General's responsibility to negotiate for facilities, including duty-free imports, and not that of the General Conference or of the Board, which had never entered into such details.

Professor CARNEIRO seconded the Chairman's proposal and would approve the resolution on condition that it stopped at the words ".... health and comfort of the staff" in the last line but one. He

feared that the details given thereafter would tie the Director-General's hands and he wished him to have complete freedom in his negotiations.

The CHAIRMAN thought this was an important point; the Director-General was responsible for the welfare of the staff and, although the Conference had expressed general views, many changes had taken place in France since the Mexico Conference and it was for the Director-General, in the light of these changes, to decide what particular privileges he wished to obtain for the staff. The Chairman therefore supported Professor Carneiro's proposal.

M. SEYDOUX thought the Director-General's explanation seemed clear and he hoped a satisfactory solution would soon be reached, but if this was not so, he agreed with Professor PHOTIADES that the matter should be referred to the Finance Committee. He proposed that a vote be taken immediately.

Mr. HOLLAND seconded the resolution as amended by the proposals of the Chairman and Professor Carneiro, and wished to state that after the time he had spent in Paris, at the Headquarters of the Organization, he felt that the Director-General should continue his efforts to ameliorate the conditions of the staff, as the situation in France at the present time was still extremely difficult.

Adopted.

Item 5 (b) Review of negotiations undertaken by the Director-General with a view to continuing the work of Unrra in China.

The DIRECTOR-GENERAL explained that after consultation with Unrra and the Comptroller and Scientific Section of Unesco, an agreement had been signed on 19 January 1948 and M. Privost had taken over the administration of the Programme and was attached to Unesco's Field Science Co-operation Station in China.

Dr. CHEN YUAN pointed out a mistake in Document 6 EX/2 which omitted to state that the agreement was not only between Unesco and Unrra, but also with the Chinese Government. The DIRECTOR-GENERAL thanked him for pointing out the mistake and assured him that it would be corrected.

Mr. HARDMAN remarked that this was an excellent piece of machinery and wondered if the same thing could not be done in other countries. The DIRECTOR-GENERAL replied that the matter had been raised in Mexico and it had been discovered that there were no other countries in which such material was available for transfer from Unrra to Unesco.

There were no objections to the Agreement, of which the Board took note.

Item 6 - Relations with International Non-Governmental Organizations

Relations with the International Bureau of Education.

The DIRECTOR-GENERAL had nothing further to report on the subject, and hoped that the resolution on page 2 of Document 6EX/20 would be approved. Dr. CHEN YUAN proposed the adoption of the resolution and was seconded by Mr. HOLLAND. The resolution was adopted.

Item 7 - Financial Questions.

Report of the Finance Committee. Document 6EX/23.

Mr. HARDMAN moved the approval of the report. Seconded by M. DORE. Approved.

Item 8 - Personnel Questions.

- (a) Creation of an Appeals Board in conformity with Staff Regulation No. 29.
- (b) Appointment of the Chairman of the Appeals Board.

The CHAIRMAN explained Document EX/4 which members had not yet had time to read. The General Conference had decided that an Appeals Board should be established on the same lines as that of the United Nations. The Director-General had submitted a proposal on the subject at the Board's previous meeting and the Chairman had asked that members should receive information regarding the model on which it was to be based. Having received that information, it would be for the Board to decide whether the Director-General's proposal was satisfactory and how far the Organization of the United Nations Appeals Board should be followed in detail. He proposed that the matter should stand over until members had had time to study the document. If the Board approved the regulations of the Appeals Board, it would then have to select a chairman for it.

At the suggestion of the DIRECTOR-GENERAL the Deputy Director-General was asked to make a short statement on the proposal.

The DEPUTY DIRECTOR-GENERAL explained that Document EX/4 was an attempt to give a precise description of an Appeals Board similar to that of the United Nations, in conformity with the resolution of the General Conference. As regards the election of a Chairman, it was for the Executive Board to decide whom to select. Under the terms of the resolution passed by the Second Session of the General Conference, there was no opportunity for a member of the staff to appeal outside Unesco and the final decision rested with the Director-General. The Appeals Board would provide a body to which a member could appeal, but the Director-General was still free to decide whether he would abide by the decision of the Appeals Board.

In his opinion, therefore, someone from outside the Organization should be included on the Appeals Board and it would be wise for its

Chairman not to be a member of the Executive Board. He suggested that someone might be chosen from the United Nations Agencies, although this would involve difficulty of transportation. Alternatively, someone locally available might be selected, for example, a member of the Conseil d'Etat of the French Government, who would possess the necessary judicial and administrative experience. The problem of selecting the chairman was largely a question of availability and he proposed that the Board follow a recommendation of the Director-General to delegate to the Chairman of the Executive Board, in consultation with the Director-General, or to some other committee, the power of selecting a chairman as soon as the Appeals Board had been established by the Executive Board.

As it had been decided that the meeting should adjourn at 12 noon, the CHAIRMAN proposed that the question should be further discussed at a later meeting. He announced that the Board would meet at 3 p.m. to discuss item 4 of the Agenda.

(The meeting rose at noon)

PARIS, 30 June 1948

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATIONEXECUTIVE BOARDSeventh Session (Extraordinary)

Summary Report of the Second Meeting
held at Unesco House, 19 Avenue Kleber, Paris 16^e
on Friday, 2 April 1948 at 3 p.m.

Present:

- Chairman: Dr. E. Ronald WALKER (Australia)
- Vice-Chairman: Professor Alf SOMMERFELT (Norway)
- Members: Professor Paolo CAENEIRO (Brazil)
Professor CHEN YUAN (China)
H. E. M. Victor DORE (Canada)
Resat Nuri GUNTEKIN (Turkey)
H.E. Dr. C. PARRA PEREZ (Venezuela)
Professor A. PHOTIADES (Greece)
M. Roger SEYDOUX (France)
Professor Louis VERNIERS (Belgium)
- Deputies: M. H. BIRECKI (Poland) for Professor Stanislaw
Arnold
Dr. EL DIWANY (Egypt) for H.E. Shafik Ghorbal Bey
Mr. David Hardman, M.P. (United Kingdom) for
Sir John Meud
Mr. Kenneth HOLLAND (United States of America)
for Dr. George D. Stoddard
Mr. P.N. KIRPAL (India) for Sir Sarvepalli
Radhakrishnan
- Observers: M. Louis GROS (United Nations)
M. GREGORZEWski (World Health Organization)
- Secretariat: Dr. Julian HUXLEY (Director-General)
Mr. W.H.C. LIVES (Deputy Director-General)
M. Jean THOMAS (Assistant Director-General)
Mr. S.G. GEBELT (Secretary)

Item 4 of the Agenda: Action to be taken in accordance with General Conference Resolutions on Unesco's programme in Germany and Japan.
(Documents 7EX/5 and Supplement, 7EX/12 and Sir John Maud's communication of 30 March 1948)

The CHAIRMAN reminded the meeting that at its last session the Board had instructed the Director-General and the Chairman of the Executive Board to prepare a joint report on the negotiations commenced with the Allied authorities in Germany.

The DIRECTOR-GENERAL explained that Document 7EX/5 was to some extent an historical statement, whereas Document 7EX/5 (Supplement) submitted for the Board's approval concrete suggestions on behalf of the Secretariat and of the three Western zone commanders, who were the only ones with whom the Deputy Director-General had succeeded in establishing personal contact during his recent visit to Germany.

The DEPUTY DIRECTOR-GENERAL recalled that the British and French replies to his letter of 28 January had arrived shortly after the Executive Board's last session, and that the object of his mission was to have, with the various Zone Commanders in Germany, personal interviews, to be arranged by Dr. J.W.R. Thompson who was in charge of liaison between Unesco and the Allied Occupation Authorities. As explained in the Supplement to Document 7EX/5, the Deputy Director-General had been able to make direct contact with General Noiret (France), General Lucius D. Clay (United States of America), and General Sir Brian Robertson (United Kingdom). He regretted that although all appropriate means had been employed, it had been impossible to secure an appointment with the Commander of the Soviet Zone.

As a result of these contacts he could say:

- (1) that the Commanders of the three Western zones had the greatest confidence in Dr. Thompson's work and in his personal qualities;
- (2) that they had made it clear that they were most anxious to provide means for Unesco to work in their respective zones;
- (3) that they had full authority to decide, in accordance with the Potsdam Agreement, how far Unesco's work could be pursued in their zones;
- (4) that educational, scientific and cultural institutions in Germany were in a critical situation, if they were to contribute to the re-education of the country;
- (5) that assistance from outside was essential for training a body of teachers who believed in international co-operation, and for re-educating youth and the generations to come;
- (6) that it was important to begin establishing communication between the people in each zone and the rest of the world. At present, exchanges of persons were almost entirely confined to exchanges between the zones and the home country of the occupying Power, but it was hoped to extend these exchanges to other countries, and

in this Unesco could help;

- (7) that, finally, means of communication exist between the zones and certain international organizations such as the Economic Commission for Europe, the International Labour Organization, and the Food and Agriculture Organization.

After seeing the three Zone Commanders, the Deputy Director-General saw some of their assistants who were in charge more particularly of educational questions and he had formed, so far as Unesco was concerned, two conclusions:

1. Peace was the real issue in the German problem for there were millions of people there who could become a real force either for peace or for war.
2. Unesco's rôle was to promote peace through international understanding and it should move ahead in Germany since there are at present three groups of critical relationships: East and West, Eastern Europe and the Western World, and the occupied zones and the rest of the world. If Unesco is to contribute to peace effectively it must concentrate adequate activities upon each of these three.

The time for embarking, with the necessary safeguards, on a re-education of the German people was running short. More than two years had already passed and the potential threat continues, a threat not only to peace but to all the educational, scientific and cultural institutions. For Unesco the hour for a positive contribution had arrived.

Summing up, the Deputy Director-General thought that the Secretariat had faithfully carried out the instructions given to it by the General Conference, and that the three Western zones of occupation had shown their willingness to co-operate with Unesco in this urgent task. The limited programme proposed in Document TEX/5 (Supplement) fell absolutely within Unesco's mission; if there were differences between the proposals made in the case of each zone, it was because each of the zones had its own objectives and its own methods. The Board might rest assured that the proposals would be applied most circumspectly. In this way Unesco could make a positive contribution to build a peaceful world.

The CHAIRMAN thanked the Deputy Director-General for his valuable statement and was pleased to find that it confirmed his own impressions. The people in charge of education in Germany were conscious of the magnitude of their task and were anxious to obtain assistance from any quarter and especially from an international non-political organization such as Unesco.

Professor CARNEIRO said that the Board was face to face with the most terrible drama of our time - that of a great people who had produced countless geniuses but, as a result of a collective madness, had devised and set up concentration camps and brutally attacked peaceful nations. The picture presented by France, Belgium, the United Kingdom and Poland, and the martyrdom of Czechoslovakia, Russia and Greece bore witness to the

savagery of war, which led to the destruction of civilization and of human life. Such was the result of a carefully cultivated philosophy and policy of aggression. Moreover, it was a contagious disease, the germs of which had spread far and wide. In order to re-educate Germany the world must first be concerned to re-educate itself. For this reason the council of free and independent men who constituted the Executive Board must deal with Germany, that great political and moral invalid, and study how the curative methods at their disposal - education, science and culture - could be applied. The essential problem was not the urgency or the difficulty of applying these remedies, and it must not be forgotten that the greater the number of doctors, the greater the danger for the patient. The Board must therefore humbly recognize the paucity of the means at its disposal, and Professor Carneiro exhorted it to see in the question of Germany a problem whose moral gravity exceeded anything that Unesco had hitherto encountered.

They must show zeal but temper it with prudence. Their appeal must, in the first place, be directed to the German people itself; they must, so to speak, gain the confidence of the sick person to secure his conscious collaboration with the doctor. This was a delicate problem if ever there was one, and he sought grounds, not for compromise, but for understanding. As their object must be to integrate Germany into the great traditions of humanity, the feeble means at their disposal to achieve so difficult a task might seem discouraging to some; Unesco had only just come into being; its staff of specialists in social questions was still few in numbers, and they might well ask themselves if its machinery (education, mass-media) would be adequate for it to tackle all the subtle problems which would arise.

Over the question of Fundamental Education, Unesco had called experts together, had produced a notable book, had created round the problem a current of opinion favourable for its solution, and had mobilized the specialists of the whole world. Over the Hylean Amazon Institute - a much simpler problem - Unesco had called a meeting of experts in situ, and had held a meeting in Mexico and yet another in Peru. In both cases it was only after the most careful preparation that the decision had been taken to embark on the problem on the site. The case of Germany was much more difficult, by reason of the passions to which it gave rise and of the long-standing political and moral problems inherent in it; thus, though Unesco could not refuse to undertake the task, that task must be done by stages. The Executive Board must associate itself with the Director-General's task, the more so as it was the only element of continuity in the Organization; indeed, the Mexico resolution required this. The documentation so far collected was not entirely satisfactory, the explanation being that the only approach to the German problem was by long and patient work under the aegis of the Executive Board which body would co-ordinate the proposed research plan and would submit to the Beirut Conference a programme designed to light up the darkest corners of the German spirit.

To begin with he thought that in 1948 Unesco's work must be concentrated on those items presenting the fewest obstacles and having the fewest possibilities of clashes and disagreement. For instance, it would definitely be premature at present to carry out exchanges of persons; he

himself knew the German mind by experience and the reactions of French circles; and he thought that Unesco would do more harm than good by seeking to send German professors and students to French Universities.

He would like to present a text which he hoped could serve as a basis for discussion and furnish grounds for understanding. The Members of the Board might well be divided as to the technical solutions but he thought they would agree on the following text:

"The Executive Board resolves:

- (a) to set up a committee of five of its members with the task of guiding and co-ordinating such enquiries and experiments as may be put in hand in Germany in 1948, and to submit a plan for future action to the Beirut Conference;
- (b) to authorize the Director-General, in agreement with the Allied authorities in each zone:
 1. to distribute Unesco's documents and publications to interested groups in Germany and to publicize the Organization's objects through the press, radio and the cinema;
 2. to assist by all possible means the exchange of publications and of scientific educational and cultural works between Germany and other countries;
 3. to consider the possibility of setting up international study centres which shall have the benefit of the experience gained by Unesco or by other countries, and to aid the setting up of such centres where possible;
 4. to take the necessary steps to ensure effective liaison with the Occupation authorities in each zone".

M. BIRECKI fully appreciated the report on the negotiations undertaken with the Allied authorities in Germany and the proposals of the Secretariat. Equally he saw the force of Professor Carneiro's appeal for dispassionate consideration of the question. However, he could not avoid a certain feeling of anxiety when he thought of the interpretation which would surely be put on any activity of Unesco in Germany. Unesco had to consider a scheme of education in Germany and he agreed with the Deputy Director-General and Professor Carneiro that investigations of this type were of the greatest value. Nevertheless, they must not overlook the fact that there was a "Unesco" problem: the Secretariat's proposal might be based on the resolution of the Mexico Conference, but amounted to so free an interpretation of it that one might well ask whether the proposed action was to be taken on the strength of the Mexico Resolution or whether it was an entirely new undertaking. At the present time anything connected with Germany was open to misunderstanding and Unesco should avoid anything savouring of rashness. At the last meeting of the Executive Board he himself had already enquired whether the Secretariat's proposals were not straining the spirit of the Mexico Resolution; today, after the closest study of the documents, he could assert that the delegations which passed the Resolution had in mind only

the inter-Allied Council in Berlin. The only proof he required was the text of Press Communiqué EE.38, dated 5 November 1947 on "Executive Board Recommendation regarding Allied Occupied Germany" (which stated that the Board recommended "that the Conference establish a working party to consider the possibility of useful activities by Unesco in this field in collaboration with the Allied Control Authority and to address any recommendation to the appropriate commission"), and Document 20/104, dated 15 November 1947, of which Item 7 read:

"Following the above, a representative of the Director-General proceeded to Germany to discuss informally various tentative suggestions with officers of the Allied Control Council. These were delivered on 27 October to Colonel G.B. Glain of the French Element of the Allied Control Council and were discussed by the Information Committee in Berlin on 29 October, but no final decision was reached. During the same week, the Co-ordinating Committee of the Allied Control Council ruled that all negotiations between the Allied Control Council and any international organization would be considered directly by the Co-ordinating Committee and not by its subsidiary bodies, the Information Committee and the Political Directorate."

In the circumstances the refusal of the Inter-Allied Council was a new factor unforeseen by the General Conference; and any action by Unesco at present might lend support to the view that Unesco had become an instrument seeking to divide Germany; the proposal was to co-operate with each zone separately and thus to serve both Germany and Unesco. The main problem to his mind was that of Germany and Nazism and he wondered whether Unesco was not going to help certain occupation authorities instead of contributing to the accomplishment of its own objects; accordingly, he proposed that they leave it at that until the next General Conference which could state its views on the matter plainly.

However, after Professor Carneiro's eloquent speech, he thought he could accept the proposed text subject to two amendments:

(1) In para. (a) to omit the words "and experiments"; for the moment investigations carried out, not only by the Allied Authorities, but by Unesco itself, would be sufficient;

(2) In para. (b) sub-para. 4, to insert after the words "to ensure" the word "unofficially".

The CHAIRMAN wanted to make it clear that the portion of a Resolution quoted in the Press Communiqué referred to by M. Birecki, was inaccurate; the authorized text was contained in Document Cons.Exec./46Sess./SR 7, pages 5 and 6, and read:

"That Document 20/87 be not transmitted to the Conference but that the Director-General prepare a brief report for the Conference covering the following points:

1. The Secretariat has taken preliminary steps to establish contact with the Allied Control Authorities and has given some consideration to the problems involved;

2. The Executive Board has not received any concrete proposals which it would feel able, at this stage, to submit to the Conference;
3. The Executive Board recommends that the Conference establish a Working Party to consider the possibility of useful activities by Unesco in this field, in collaboration with the Allied Control Authorities, and to address any recommendations to the Appropriate Commission".

Dr. PARRA-PERREZ also had the highest praise for Professor Carneiro's high-minded statement with which he agreed wholeheartedly. He felt there was little he could add to it as it represented the limit of what the Executive Board could do at the present time. It was in no way a compromise but a formula showing the understanding and unity of the Board on that problem.

Professor PHOTLADES expressed his emotion at Professor Carneiro's speech and asked the Board to remember Unesco's youth which prevented it from being too ambitious. The General Conference decisions were precise and had been very ably expressed by Professor Carneiro. He wished to express his thanks to M. Birecki for his adoption of Professor Carneiro's suggestion and to state that, in his opinion, the day's debates had been characterized by the most high-minded atmosphere he had observed since the inception of Unesco.

Mr. HARDMAN congratulated the Deputy Director-General on his very clear report which contained the main points the Board should keep in mind in connection with this problem. He thought it necessary to stress that the three competent zone commanders had called on Unesco for immediate action and that it must strike everyone that the Mexico Conference had given a clear-cut resolution which it was the business of the Executive Board to translate into action. M. Birecki had said that such an action might be against Unesco's interest. However, in Mexico, it had been stressed that in 1948 Unesco would be able to meet emergencies and now was the time to prove it. With the backing of the three zone commanders and armed with the Mexico decision, Unesco could accomplish very useful work whose postponement could be detrimental. He was against passing the responsibility to a sub-committee and felt that it would be a dereliction of duty not to act now. He was also against deleting the words "possible experiments" as this would take all the substance out of the programme.

Mr. HOLLAND thought that the need for Unesco's surveys and action in Germany was abundantly clear. The Mexico Conference had been definite on this subject. The Secretariat's report made this need equally clear and Unesco could not avoid the responsibility. The Nazis had been diabolically clever in poisoning minds; they did not limit themselves to surveys and possible experiments but went all out by all available means. Unesco must use these same tools - press, radio, films, exchange of persons and schools - constructively and efficiently. The Secretariat's document gave the considered judgment of the three zone commanders and of the experts attached to them. A great deal of work and study by other experts had gone into these plans. Professor Carneiro's

proposal, excellent as it was, left out several projects that the zone commanders thought essential, among others, that concerning German youth to which Unesco must pay particular attention. The exchange of persons had already been taking place on a limited scale. The present proposal would make this activity more international. No one would insist that German professors or students should be accepted by unwilling countries; carefully selected people would be accepted by some countries and he personally would hate Unesco to hinder that type of exchange instead of assisting and promoting it. The American zone commander had insisted on the necessity of revising text books and Unesco must find a solution of this problem. Professor Carneiro's proposal also left out the possibility of inviting carefully selected German nationals to Expert conferences abroad from which they would return with new ideas. Accordingly the speaker wanted to see Document TEX/5 adopted and thought it an extremely modest programme. In his opinion Unesco could do no less than to carry out this limited plan and then go to Beirut with a detailed programme based on the surveys made.

M. SEYDOUX associated himself with what Dr. Parra-Perez and Professor Photiades had said about Professor Carneiro's very moving appeal. He sympathized, however, with M. Birecki's remarks as he had had analogous hesitations as to surveys and experiments. Nevertheless he thought it possible to retain the words "possible experiments" (which were to be found in the Mexico Resolution), by adding "as enumerated in paragraphs 1, 2 and 3". The necessity for liaison was obvious. Its form and whether Unesco's representative was official or unofficial were secondary questions. He was very interested by Mr. Holland's remarks concerning German youth and agreed with him. The distribution of documents and exchange of publications as well as the creation of study centres etc., would be directed towards the youth of a country and this should give satisfaction to Mr. Holland. As regards the exchange of persons, he agreed that it might be difficult to ask German professors or scholars to seminars and held the view that Unesco should avoid premature action and friction which might sap friendship and confidence. Mr. Hardman had said that the zone commanders, having given their agreement, it would be difficult to defer action but it must be remembered that the Executive Board had the power to interpret the Conference Resolution which had delegated to the Board the right to approve any contemplated action. Unesco had little money or time to start educational experiments at the present time, rather unfavourable on account of the approaching summer holidays. He wished to suggest that the proposed committee should not include nationals of any Occupying Power, but be made up of people from more remote countries and thought that Germany's confidence toward Unesco would be all the greater in that way.

Mr. Victor DORE regretted that he had had to be absent from the Mexico Conference but he felt he had no right to remain silent, during the discussion of this most important problem. He added his praise for Professor Carneiro's wisdom and eloquence and also gave it unstintingly to the Chairman, the Director-General and the Deputy Director-General for their whole approach to the question and for the information they had collected on it. He also agreed that it was time for Unesco to take action, but it must make sure of success by carefully weighing the means at its disposal. Drawing on his experience as Chairman of the Board for one year, he saw the impossibility for the entire Board to guide this action. The idea of a

committee of five was an excellent one and he felt inclined to agree with M. Seydoux as to its composition.

Professor VERNIERS noted that both Mr. Hardman and Mr. Holland feared that delay might be detrimental to Unesco; he agreed and was for immediate action. Professor Carneiro's proposal did not exclude it but simply advocated prudence. However, it lacked what the zone commanders had particularly asked for, that is, first priority for the preparation of teachers and text books. Accordingly, he wished to suggest (1) the addition in paragraph 1 of the words "especially to educators and professors" after "distribution," and (2) that paragraph 4 should be replaced by another text stressing the necessity for Unesco to ask the Occupying Powers for paper because many old and unsatisfactory books (particularly history books) were still being used in Germany for lack of printing materials.

Professor SOMMERFELT was very interested in Professor Carneiro's proposal. He wished it could secure unanimity and was therefore in favour of M. Seydoux's and Professor Verniers' additions. As regards the exchange of persons, he foresaw considerable difficulties in countries such as Czechoslovakia or Norway.

Professor PHOTIADES then suggested a short adjournment to give the Members of the Board an opportunity to exchange their views.

The CHAIRMAN summarized briefly the debate which had taken place. Ten members of the Board had spoken and it was clear that the Board was prepared to go ahead with the work and wished that it could be carried out in the whole of Germany. In accordance with his constitutional duty the Director-General had submitted a plan and the Board had before it Professor Carneiro's motion as well as another which Mr. Hardman would presently move formally. Eight members had agreed with the first motion if it was modified in certain respects whereas Mr. Hardman and Mr. Holland thought it too restricted. The Board must now decide on the setting up of machinery, in the shape of a Committee, to direct and co-ordinate Unesco's activity, and also on the activities to which it would give its approval. The Director-General had been careful to make it clear to the zone commanders that the final decision lay with the Executive Board. There seemed to be a basic field for unanimity and it was possible to make certain additions to that field.

The DIRECTOR-GENERAL agreed with M. Seydoux that the political aspects of the question were in the Board's hands. He himself was only concerned with the Secretariat's work and Unesco's prestige.

He wished to remind the Board that any surveys and/or experiments were studies on which to base the report to be submitted to the Beirut Conference. The Conference would then decide whether less, more or something different should be done. Speaking as a scientist, and in reply to M. Seydoux, he pointed out that experiments very often came before surveys. He warmly welcomed Professor Carneiro's proposal of setting up an ad hoc Committee and thought M. Seydoux's suggestion to exclude from it the Occupying Powers was excellent. The zone commanders were supreme in educational, scientific and cultural matters and had the services of first-rate experts; hence Unesco's aim was modest. It was not to tell the Occupying Authorities what to do but to show them how

Unesco's aims could be used by them to re-educate the German people. He wished to stress again that the zone commanders represented Governments which were members of Unesco. Professor Carneiro's proposed resolution, paragraph 1, contained nothing new: some documents had already gone out and Unesco's publications had been asked for. He agreed with paragraph 2, but the exchange of persons, the political aspects of which he did not wish to discuss, was already going on in the British Zone unilaterally and Unesco could make it more international. France, for instance, was taking technicians and scientists to work in Germany while the preparation of teachers and professors could only be achieved by bringing them out to study Democratic methods. He expressed the hope that Unesco would be able to obtain the maximum amount of information on the movements of graduate students and higher workers. He agreed with Mr. Holland as regards the Youth camps for which the zone commanders had asked for advisers, a point not covered by Professor Carneiro's resolution. As regards text-books Unesco had a unique opportunity to start de novo with new, internationally accepted ones. If it proved possible to frame such a book more particularly on history it could well be an example to the whole World. Paragraph 3 of Professor Carneiro's proposal - the international study centres - was already covered in the programme sent to the zone commanders but they had not chosen that item and it was mentioned only in the French reply under 3a. Paragraph 4 was the continuation of work already being done. He would be very disappointed if the proposal was accepted without additions and so would the zone commanders and their helpers be as well as the "good" or democratically-minded Germans whose presence at specialized meetings, such as those concerned with scientific abstracts, would be of great value to scientific research everywhere. He agreed with Mr. Hardman that Unesco would be open to ironic criticism if its scale of action was too small. He had always found boldness and speed paying characteristics and hoped with MM. Hardman and Holland for the prompt action in accordance with the zone commanders' wishes which would prove the first step towards bringing Germany into the community of Nations. As Dr. Thompson had just pointed out to him, if the Board accepted Professor Carneiro's proposal in its present form, a new consultation with the zone commanders would be necessary and it might well be weeks and even months before action could be undertaken. The zone commanders had taken Unesco's offer seriously and the primary question was to settle whether or not Unesco would work in Germany this year. What this work would consist of could be decided later.

Mr. HARDMAN made the following four points: (1) it was obvious that Professor Carneiro's resolution could be the basis of an agreement after it had received additions to make it strong, impressive and satisfactory to the zone commanders. Therefore he would withdraw the resolution he had prepared; (2) the stage to adjourn to prepare such amendments had been reached; (3) the United Kingdom was of the opinion that the Programme Committee was the proper machinery to guide and co-ordinate the work; (4) he was definitely opposed to M. Seydoux's suggestion as regards excluding the Occupying Powers from any Committee which might be set up.

Professor PHOTLADES regretted that politics seemed to be intruding into a discussion which should be free of them and wished to remind the members that they were representatives of the General Conference and not of Allied Powers.

Dr. EL DINEY thought Professor Carneiro's proposal was not very different from the zone commanders wishes.

The DIRECTOR-GENERAL pointed out that many of their requests were not included in it.

Professor SOMMERFELT asked that a sub-committee should draw up the amendment and not the Secretariat.

The CHAIRMAN asked MM. Kirpal and Chen Yuan to help him to draft them, and the Board agreed with this procedure.

M. BIRECKI agreed with Mr. Hardman that speed was essential but it must be equal in all projects to avoid the appearance of a political aspect. Comparing various Unesco activities unequal speed might be observed. For example the slowness of the help to the devastated areas might also be the cause of ironical criticism. Many field workers had gone to those areas, inquiries had been made and books printed but, in Poland at any rate, help for the radio, the press and education had not yet come. It had been said that the zonal commanders would be disappointed by delay: Polish professors were also sensitive and also expected speed but did not get it. He was of the opinion that Professor Carneiro's text could be voted with M. Seydoux's addition but did not press the matter and would wait for the draft amendments.

The Meeting rose at 7 p.m.

PARIS, 30 June 1948

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

EXECUTIVE BOARD

Seventh Session (Extraordinary)

Summary Report of the Third Meeting
held at Unesco House, 19 Avenue Kléber, Paris 16e
on Saturday, 3 April 1948 at 3 p.m.

Present:

Chairman: Dr. E. Ronald WALKER (Australia)

Vice-Chairman: Professor Alf SOMMERFELT (Norway)

Members: Professor Paulo de BERREDO CARNEIRO (Brazil)
Professor CHEN Yuan (China)
H.E. M. Victor DORE (Canada)
H.E. Shafik GHORBAL Bey (Egypt)
Resat Nuri GUNTEKIN (Turkey)
H.E. Dr. C. PARRA-PEREZ (Venezuela)
Professor A. PHOTLADES (Greece)
M. Roger SEYDOUX (France)
Professor Louis VERNIERS (Belgium)

Deputies: M. H. BIPECKI (Poland) for Professor
Stanislaw Arnold
Mr. David HARDMAN M.P. (United Kingdom) for
Sir John Maud
Mr. Kenneth HOLLAND (United States of America)
for Dr. George Stoddard
Mr. P.N. KIRPAL (India) for Sir Sarvepalli
Radhakrishnan

Observer: M. Louis GROS (United Nations)

Secretariat: Dr. Julian HUXLEY (Director-General)
Mr. Walter H.C. LAVES (Deputy Director-General)
M. Jean THOMAS (Assistant Director-General)
Mr. S.G. GEBELT (Secretary)

ACTION BY UNESCO IN GERMANY (Continuation)

The CHAIRMAN announced that a small committee, consisting of Professor Chen Yuan, Mr. Kirpal and himself, had prepared a new draft resolution which had been discussed that morning with some members of the Board;

"The Executive Board:

(a) instructs the Director-General in agreement with, and in co-operation with, the occupying authorities in the different zones:

- (1) to distribute to interested groups in Germany the documents, publications and other materials of Unesco, and to make known the aims of the Organization by all appropriate means;
- (2) to facilitate the exchange of publications and of scientific, educational and cultural works between Germany and other countries (cf. 1.9);
- (3) if requested by the occupying authority, to co-operate in the revision of German textbooks and the survey of relative problems (cf. 3.9);
- (4) to survey the problems involved in the exchange of persons between Germany and other countries in accordance with Unesco's objectives (cf. 2.1) and to promote experimental exchanges with such Member States as may express willingness to co-operate in such experiments;
- (5) to invite the respective occupying authorities to designate representatives or observers at suitable meetings called by Unesco in 1948.

(b) designates the Programme Committee of the Board to supervise the carrying out of the above-mentioned surveys and experiments, to report progress to each session of the Board and to assist the Board in preparing a plan of future action for submission to the Third General Conference."

The Chairman remarked that the proposal made by Professor Carneiro the previous day for a special Committee of Five had been omitted from the new draft, as the work suggested for this Committee could very well be entrusted to the Programme Committee, which might be

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increased by two new members, Professor Chen Yuan and Dr. Arnold or his deputy.

M. BIREUKI asked whether the membership of the Programme Committee would be increased for the consideration of all questions or only for those relating to Germany and Japan

The CHAIRMAN explained that the membership would be increased for the consideration of all questions.

Mr. HARDMAN and Professor CARNEIRO supported the Chairman's proposal that the membership of the Programme Committee should be increased.

The CHAIRMAN added that the new draft resolution was based on Professor Carneiro's proposal and, in paragraphs 3, 4 and 5, on various points raised by other members of the Board; it was not intended to be any more than a basis for discussion.

Professor VEENIERS mentioned that the previous day he had suggested that the words "and especially to groups of educators" should be added after the words "interested groups" in paragraph (1).

The CHAIRMAN observed that the drafting committee had considered that the statement should be in general terms, and that, furthermore, paragraph (3) dealt more particularly with educational questions.

The DIRECTOR-GENERAL thought it necessary to keep the draft in general terms, as precedence could not be given to any particular group; if groups of educators were mentioned, it would also be necessary to

mention youth movements etc.

Professor VERNIERS reminded the meeting that the reports dealing with the American and British zones laid great stress on work to be done by Unesco with educators.

M. SEYDOUX thought that, to take account of the Director-General's point, the words "to interested groups in Germany and especially to associations of educators", might be used.

Professor CARNEIRO enquired whether the term "associations" was not too restrictive and whether there were at present any "associations of educators" in Germany. After Professor VERNIERS had suggested the wording "to all those concerned in Germany, and especially to educators", M. SEYDOUX proposed the phrase "to interested groups in Germany, and especially to educators", i.e. to groups of educators as well as to individuals.

M. BIRECKI felt that the new draft was very far from the text which had been used as a basis for discussion the previous day.

The importance of the special committee was diminished, both as regards the position given to it in the draft (it was transposed from the beginning to the end) and as regards the rôle assigned to it (in the draft under discussion it was merely to supervise the Secretariat); difficult problems were involved in Unesco's activities in the field of information in Germany and these activities should be not only supervised but "guided and co-ordinated".

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With regard to paragraph (3), which was obviously inspired by Professor Verniers, the words "if requested by the occupying authority" led M. Birecki to fear that Unesco might become too much involved in such work; it should not be forgotten that there had already been some revision of textbooks in Germany and, by undertaking work in that field, Unesco would run the risk of merely giving sanction to mistakes which had already been made, for many of the textbooks at present in use left much to be desired in their treatment of certain nations. Furthermore, Unesco would have no control over the extent to which the Organization's advice might be accepted or over the use to which it might be put, and would be unable to form an opinion until the books were printed; in other words, the Organization would lay itself open to criticism and achieve nothing more. It would be preferable for Unesco to prepare a textbook on world history for the use of the German people. For these reasons, although he agreed that the Organization should co-operate with educators in Germany, M. Birecki felt compelled to reject paragraph (3).

The second half of paragraph (4) repeated a proposal against which M. Birecki had already protested; the occupying authorities had already brought about exchanges of persons and they had never previously asked Unesco's advice on this matter; in these circumstances why should Unesco sanction the choice made by the occupying authorities on "certain" criteria? In fact some persons who had been selected were open to question; would there be any cause for surprise, when it was learnt in Poland that a country had invited a German scientist who had distinguished himself by the part he played in destroying Polish cultural centres, if

Polish opinion turned against the country giving the invitation? If the exchanges were to be made under Unesco's auspices, Unesco would be blamed, although the Organization would not be responsible; it was therefore preferable that Unesco should take no action but should leave the full responsibility for the choice of persons to the States concerned. The same remark applied to paragraph (5), as the observers selected by the occupying authorities were sometimes very unfortunate choices.

M. Birecki ended by saying that since the new draft was merely a summary of points which had already been rejected, he proposed that the meeting should revert to Professor Carneiro's original text.

M. SEYDOUX remarked that the previous day there had been a fairly large majority in favour of Professor Carneiro's draft, but opinion had not been unanimous; it was for that reason that a new draft had been prepared as a basis for discussion and it had been hoped that unanimous agreement on this draft would be obtained in the Board. So far as he was concerned, M. Seydoux had noted several points on which such agreement was not impossible:

(1) as regards the special committee, merged in an enlarged Programme Committee as suggested by the Chairman, the reference to that committee could easily be placed at the beginning of the resolution;

(2) as regards the revision of school textbooks, it must be admitted that at the present time this was a theoretical rather than a practical issue; the Director-General had said that he would soon have an assistant to carry out a survey on this subject but this person was not yet in office, far less in action;

(3) as regards exchanges of persons, if it were possible to modify the last part of paragraph (4), everyone would be able to agree to the first part;

(4) paragraph (b) should be redrafted as a whole. It was not for the occupying authorities to issue invitations (those authorities were not sovereign states, but closely subordinated to their respective governments), but for Unesco, acting in agreement with the governments and occupying authorities.

Agreement could certainly be achieved on a third draft, and M. Seydoux therefore proposed that the meeting should adjourn to allow three or four members of the Board, representing the most diverse opinions, to meet and prepare a third draft resolution.

Mr. KIRPAL seconded this proposal.

Dr. PARRA-PEÑEZ mentioned that, before leaving the previous day, he had expressed full approval of Professor Carneiro's draft. At the private meeting in the morning he had approved the second draft, under the impression that these were not new proposals but that they merely supplemented Professor Carneiro's text in the light of the discussions which had taken place after he had left. As he now realized that there were divergences of opinion, he supported M. Seydoux's suggestion, since it was desirable to obtain unanimous agreement on such an important question.

The CHAIRMAN pointed out that, although the previous day there had been a majority in favour of Professor Carneiro's draft, practically everyone had some criticisms to make of the activities in Germany proposed

for 1948. The second draft resolution was not a proposal from the Secretariat but a new draft of the text submitted by Professor Carneiro, taking account of certain points which had been discussed in the Board; this second draft had been submitted to the Board for a decision on what degree of unanimity could be achieved on all the points included - in other words, how extensive were the activities which Unesco could undertake in Germany in the coming year with the financial and other means at the Organization's disposal.

Professor PHOTIADES had so far refrained from discussing the substance of the question in order to make drafting easier. In order to obtain agreement on the principles to be observed and the measures to be taken, he proposed that a Drafting Committee consisting of M. Birecki, Mr. Holland, Mr. Hardman, M. Seydoux and Professor Carneiro, should meet during the period of adjournment which had already been proposed.

Mr. HARDMAN remarked that the Board was at exactly the same point as it had been the previous evening.

Professor VERNIERS agreed. The text under consideration was based directly on Professor Carneiro's draft; the essential principles were unchanged; it included a few supplementary points which had been raised during the discussions. Agreement should therefore be possible if the new draft were considered item by item. Paragraph (b) could easily become paragraph (a) again, provided that the word "following" was substituted for "above-mentioned"; as regards present paragraph (a) which would thus become paragraph (b), there was complete agreement on sub-paragraphs (1) and (2) and there would be agreement on paragraph (3)

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if the words "if requested by the occupying authority" were omitted; paragraphs (4) and (5) could be discussed in a sub-committee.

The CHAIRMAN proposed that the Board should discuss and vote on each paragraph separately and then take a vote on the revised text as a whole.

Mr. HARDMAN considered that it would be a waste of time to adjourn the meeting and urged M. Birecki to agree to begin discussion of the separate paragraphs of the draft immediately, as suggested by Professor Verniers and the Chairman.

As he was anxious that the Board should reach unanimous agreement, M. BIRECKI accepted this suggestion, though he reserved the right to ask for a fresh vote on Professor Carneiro's draft. He would, however, have to ask Mr. Hardman to make some concessions in the discussion, for he himself had gone as far as he could.

Dr. PARRA-PEREZ remarked that where Professor Carneiro's draft had suggested a special committee, the new draft used the words "instructs the Director-General"; he thought it was important to agree on this point first of all.

The CHAIRMAN mentioned that the aim of those responsible for the new draft had been: (1) to make the (enlarged) Programme Committee responsible for guiding and co-ordinating the Secretariat's work, without setting up a new committee for that purpose; (2) to give the Director-General certain instructions from the Executive Board.

Professor CARNEIRO had refrained from taking part in the discussion since the previous day, as he had been anxious to see what lines of thought would become apparent. He considered that the Board was in a position to agree on a form of words in conformity with the intention of the decision taken by the Mexico Conference. First of all, he proposed that the paragraph beginning "(the Executive Board) designates the Programme Committee of the Board to guide and co-ordinate etc." should revert to its original place at the beginning of the resolution.

In reply to Professor VERNIERS, who had asked if it were not advisable to specify "the enlarged Programme Committee", the CHAIRMAN said that the addition of two new members (Professor Chen Yuan and Dr. Arnold) to the Programme Committee had been proposed by himself and seconded by Mr. Hardman and Professor Carneiro; if this proposal were adopted, it would not be necessary to qualify the term "Programme Committee".

At Mr. HARDMAN's suggestion, the proposal to add Professor Chen Yuan and Dr. Arnold to the Programme Committee was put to the vote and adopted.

The CHAIRMAN then read paragraph (a) - formerly (b):

"Designates the Programme Committee of the Executive Board to guide and co-ordinate the carrying out of the following surveys and experiments, to report progress to each session of the Board, and to assist the Board in preparing a plan for future action for submission to the Third Session of the General Conference". Adopted unanimously.

Concerning paragraph (b) - formerly (a) - Mr. BIRECKI was in favour of "in agreement with" instead of co-operation.

Mr. HARDMAN wanted to know what was wrong with the word co-operation.

Mr. BIRECKI said that the word authorization which had been used was stronger than co-operation.

The CHAIRMAN pointed out that the word authorization did not appear in the Draft Resolution. Professor Carneiro's Point 4 had been dropped by using "in co-operation" in the new wording.

Paragraph (i) "To distribute to interested groups in Germany, and specially to educators, publications and other materials of Unesco and to make known the aims of the Organization by all appropriate means" was adopted unanimously.

Paragraph (ii) "To facilitate the exchange of publications and of scientific, educational and cultural work between Germany and other countries in accordance with the aims of Unesco (Cf. 1.9)" was unanimously adopted, after the Chairman had pointed out, in reply to Mr. Birecki that it did not involve Unesco supervision, which would be beyond its possibilities, but simply made available the facilities of Unesco's clearing house.

In connection with paragraph (iii), Mr. HARDMAN held the view that it was not worded strongly enough and suggested "to co-operate with, and provide assistance to, the occupying authorities in the revision of German text-books".

Professor CARNEIRO thought the problem insoluble at present. He was afraid that the task undertaken by the Zone authorities of providing new textbooks would only produce blandestine literature,

reinforce passions and hinder the work. Besides it was by no means certain that unanimity would exist between the Zone commanders. Accordingly he was against making that experiment which he described as playing with fire.

Professor VERNIERS was sorry to disagree with Professor Carneiro. He had always believed and fought for years to prove, that it was possible to produce a history textbook internationally acceptable. He thought Unesco could lead the way by making use of an abridged version of a history of the world such as Weach's. Such a book summarized by qualified historians and psychologists of education, would result in a text which could be submitted to the various countries and occupying powers without any intention of imposing it "ne varietur". No great expense would be involved and six months should be sufficient to publish it.

Mr. BIRECKI shared Professor Verniers' views. Revision in collaboration with the occupying powers would be a very delicate problem, therefore he suggested "should study the problems relating to the publication of textbooks to contribute to the re-education of the German people".

Professor PHOTIADES thought "re-education of German people" went beyond the mandate given by the Conference.

M. SEYDOUX disagreed with Professor Verniers' optimism. Historians inside a single country were often unable to agree among themselves. He had just been informed that Professor Quillan would be in Paris in a fortnight's time. His advice could perhaps be sought and the

decision left to the Beirut Conference.

The DIRECTOR-GENERAL explained that Professor Quillan was coming to Europe primarily to help in the difficult work of revising textbooks in the Member States and would probably not have time for other work. The need for an agreed textbook in Germany was great and urgent and Unesco had been asked for help in this matter by one Zone authority at least, to wit, the American one.

Mr. HOLLAND gave support to Mr. Hardman's text which meant co-operation only and not revision by Unesco. He agreed that it was essential to do away with the Nazi textbooks. Both the Director-General's and the Deputy Director-General's Reports showed that Germany was ripe for leadership. Unesco could step into this void and should not be afraid of criticism or try to side-step this responsibility.

Mr. HARDMAN pointed out that Mr. HIRECKI's point of view and his own were almost identical: it was not Unesco's business to write textbooks but to arrive at an agreement as to criteria, co-operate with the Zone commanders and their advisers and thus gather a great deal of valuable information for the future. This would be in accordance with Resolution No. 3.9. of the Mexico Conference. In reply to the Chairman he said he would agree with the proposed text if the words "in collaboration with the occupying authorities" were added.

Professor CARNEIRO gave thanks to Messrs. Hardman and Holland for their constructive statements. "Finding criteria" was an excellent formula and would make the text clearer. He had some doubts, however, as to whether such a big and final responsibility could be entrusted to a

single member of Unesco's Secretariat. This was more properly a task for the Programme Committee.

The CHAIRMAN did not think it necessary to add the word collaboration elsewhere since it was already contained in paragraph (6). The Board had already adopted a paragraph envisaging the preparation of a plan to be submitted to the Third Session of the General Conference and it was questionable whether more could be done until then. He explained that Professor Quillan was an educator, not a historian, and was coming to work with experts not to write textbooks. In reply to Professor Fotiades he stated that the revision of history books would, of course, be undertaken by qualified historians.

Mr. HARDMAN pointed out that the revision of textbooks was going on in the different Zones and Unesco was interested in it, therefore he suggested the following text "To study the problems relating to the publication and criteria appropriate to the preparation of textbooks in Germany which would contribute to the education of German youth".

Subject to quite satisfactory texts in both English and French being submitted next morning paragraph (iii) was unanimously adopted.

The Board agreed with the Chairman's suggestion to leave this drafting to Mr. Hardman, Mr. Birecki, M. Seydoux and himself.

The Chairman then pointed out that paragraph (iv) should really be divided in two parts. The first one "to survey the problems involved in, and the opportunities which exist for, the Exchange of Persons between Germany and other countries in accordance with Unesco's objectives "(Of. 2.1)", was unanimously adopted.

Professor CARNEIRO moved the suppression of the second part: "to promote experimental exchanges with such Member States as may express willingness to co-operate in such experiments" and this was seconded by Mr. BIECKI.

Mr. HOLLAND thought Unesco should be willing to assume responsibility for such experiments, but in an effort to reach unanimity he was prepared to agree to this suppression.

The CHAIRMAN pointed out that in doing so the Executive Board would not exclude the possibility of introducing this recommendation into the plan which would be submitted to the Beirut Conference or, of course, that the Conference itself might decide to carry out such experiments.

Mr. HARLMAN wished to make it quite clear that he did not welcome the suppression but had agreed for the sake of unanimity.

Concerning paragraph (v), the CHAIRMAN thought the text was ambiguous and needed re-drafting.

M. SEYDOUX suggested a text on the following lines: "To invite the respective occupying powers to send their representatives, and after approval by the Programme Committee, to ask some German experts to special meetings called by Unesco in 1948". He thought it necessary to make it clear that German experts would not be invited to Seminars. The names of the Germans to be invited, submitted by the Director-General would have to be approved by the Programme Committee.

Mr. BIRECKI disagreed with M. Seydoux. He could not see how the occupying powers could be asked to send their representatives who would not have any status because the Zones were not members of Unesco. Furthermore, it would imply a division of Germany. Accordingly, he was in favour of the deletion of paragraph (5)

Professor PHOTLADES thought that the double screening by the occupying authorities and the Programme Committee should give M. Birecki every appeasement and did not think it profitable to go into the legal points raised by the question of status.

The CHAIRMAN pointed out that paragraph (a), which the Board had adopted, gave the Director-General latitude to act under the guidance of the Programme Committee: if the Director-General submitted the names of observers asked to certain specific meetings no objections need be anticipated. In order to stress that he was not instructed to send out invitations, a new paragraph would be useful.

The DIRECTOR-GENERAL recalled that a university conference was to be held in Holland that summer. All educational authorities in Germany should be able to send representatives to it without individual names being mentioned except if German nationals were sent.

Professor CARNEIRO suggested the following text "to invite the respective occupying authorities to be represented at Unesco convened meetings and send such German experts whom Unesco might agree to".

M. SEYDOUX held the view that the occupying authorities would not accept this proposal.

The CHAIRMAN then suggested "in the event of the Committee deciding that it would be of advantage for the accomplishment of Unesco's programme for experts chosen by the occupying powers to be present at certain meetings, the Committee would be authorized to make the necessary arrangements".

M. SEYDOUX stressed that (1) the Director-General was perfectly free to invite representatives of all the zones; (2) the Programme Committee's approval was needed where German experts or specialists were concerned.

The CHAIRMAN agreed that occupying powers' officials could be invited directly and no special text was needed in their case. His proposal concerned only the German experts. In reply to Mr. Birecki he explained that the Programme Committee was being enlarged by the addition of Professor Arnold and Professor Chen Yuan, further to increase its efficiency and not solely to deal with matters arising out of Unesco's work in Germany. He assured Mr. Birecki that the Programme Committee would be provided with precise criteria to enable it to decide which German experts were fit to be asked to those meetings.

The Board then decided on the deletion of paragraph (v) and on the insertion of a paragraph (o) as submitted by the Chairman.

The DEPUTY DIRECTOR-GENERAL called the attention of the Board to the simple but very important matter of currencies for the Revolving Fund contained in document 7 EX/15.

Mr. BIREOXI pointed out that in the discussion of Item 4 of the Agenda the question of Japan had been overlooked.

The CHAIRMAN stated that this would be discussed in the first place next morning.

Profesuur PHOTIADES stressed how very necessary the Extraordinary Session of the Board had been and what useful work had been done.

The meeting rose at 6.30 p.m.

PARIS, 30 June 1948

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

EXECUTIVE BOARD

Seventh Session (Extraordinary)

Summary Report of the fourth meeting held
at Unesco House, 19 Avenue Kleber, Paris 16e.,
on Sunday, 4 April 1948, at 10.00 a.m.

Present:

Chairman: Dr. E. Ronald WALKER (Australia)

Vice-Chairman: Professor Alf SOMMERFELT (Norway)

Members: Professor Paulo de BERRIDO CARNEIRO (Brazil)
Professor CHEN YUAN (China)
H.E. M. Victor DORE (Canada)
H.E. Shafik GHORBAL Bey (Egypt)
Regat Nuri GUNTEKIN (Turkey)
H.E. Dr. C. PARRA-PEREZ (Venezuela)
Professor A. PHOTIADES (Greece)
M. Roger SEYDOUX (France)
Professor Louis VERNIERS (Belgium)

Deputies: M. H. BIRECKI (Poland) for Professor Stanislaw
Arnold
Mr. David HARDMAN, M.P. (United Kingdom) for Sir
John Maul
Mr. Kenneth HOJLAND (United States of America)
for Dr. George Stoddard
Mr. P.N. KIRPAL (India) for Sir Sarvepalli
Radhakrishnan

Observer: M. Louis GROS (United Nations)

Secretariat: Dr. Julian HUXLEY (Director-General)
Mr. Walter H.O. LIVES (Deputy Director-General)
M. Jean THOMAS (Assistant Director-General)
Mr. S.G. GIBBELT (Secretary)

Item 4 of the Agenda: Action by Unesco in Germany (Conclusion)

The following draft resolution which had been prepared was submitted for the Board's approval:

"THE EXECUTIVE BOARD:-

- (a) requests the Programme Committee of the Board to guide and co-ordinate the following surveys and experiments; to report progress to each session of the Board, and to assist the Board in preparing a plan of future action for submission to the Third General Conference;
- (b) instructs the Director-General, in agreement with, and in co-operation with, the appropriate Allied Authorities in Germany:-
 1. to distribute to interested groups in Germany, and especially to educators, the documents, publications and other materials of Unesco, and to make known the aims of the Organization by all appropriate means;
 2. to facilitate the exchange between Germany and other countries of publications and of scientific, educational and cultural works calculated to further the aims of Unesco (Of.1.9);
 3. to study the question of textbooks in Germany and to define, from Unesco's point of view, the criteria that should guide the preparation and publication of such textbooks (Of.3.9);
 4. to survey the problems involved in and the opportunities which exist for the exchange of persons between Germany and other countries in accordance with Unesco's objectives (Of.2.1).
- (c) authorizes the Programme Committee to take the necessary steps, in the event of the said Committee deciding that it would be advantageous to the execution of Unesco's programme for experts selected in co-operation with the appropriate Allied Authorities, to attend certain technical meetings called by Unesco, with the exception of seminars."

M. RIECKI was afraid that the wording of paragraph (a) might be held to bind the General Conference; he would therefore prefer that the words "to make a report" should be used.

The CHAIRMAN pointed out that paragraph (a) reproduced exactly the wording of the resolution proposed by Professor Carneiro, or at least the English form of it. It was merely a question of a plan of future action for submission to the General Conference.

Dr. PARRA-PEREZ pointed out that the Executive Board could not give instructions to the General Conference. Professor PHOTIADES wondered whether the necessary authority for the Board might be found in the Constitution, and the CHAIRMAN replied that that was so; in any case, any suggestions made by the Board on Programme matters were subject to approval by the General Conference.

Finally, the draft resolution submitted at the beginning of the meeting was adopted, and it was decided to add a note explaining that the figures in parentheses referred to resolutions of the Second General Conference. Action by Unesco in Japan (Document 7EX/5 - pages 1 and 3 and Annex IX).

As no reply had been received to his letter of 4 March 1948 (reproduced as Annex IX), the Director-General could make no further statement for the time being.

Professor PHOTIADES considered that, as no action was possible until the Director-General had received a reply from the appropriate Allied Authorities, there was no use in continuing the discussion.

Professor CHEN YUAN proposed that the matter should be referred to the Programme Committee so that no further time would be wasted.

The CHAIRMAN agreed with this proposal and thought it advisable to give the Programme Committee the necessary instructions to enable it to undertake, in Japan, activities similar to those which the Board had

just approved for Germany, as soon as the Director-General had received a reply and without waiting for the next session of the Executive Board.

Professor CHEN YUAN agreed with the Chairman that the proposals approved for Unesco's activities in Germany might serve as a basis for Unesco's programme in Japan.

M. BIRECKI was surprised that the Secretariat should have been content with sending a letter; months had passed since the General Conference, and weeks since the Sixth Session of the Board, and in that time journalists had found means of going to Japan, coming back and publishing their impressions. In his opinion it had clearly been inadequate to send two letters, one after the Mexico Conference and the other on 4 March 1948.

This delay was particularly regrettable as Unesco's activities were being criticized in the press; he read an article from the New York Herald Tribune of 4 April 1948, which gave a completely untrue account of the activities which Unesco was proposing to carry out in Germany.

M. BIRECKI reminded the Board that he had already drawn attention to the criticism to which Unesco was laying itself open by concentrating its activities on Germany, and he emphasized once more the necessity of taking action as quickly as possible in Japan. For that reason he proposed that, in the resolution dealing with Germany which had just been approved, the words "and Japan" should be inserted wherever "Germany" was mentioned.

The CHAIRMAN had been waiting to speak about the article in the New York Herald Tribune; the article was not a press release from Unesco but an article written independently by a journalist who had been present during part of the discussions in the Board, which were open to the public.

The article certainly gave a misleading impression of the discussions, as it did not indicate the reasons which had led the Board to decide on definite but cautious activities in Germany. The Chairman took the opportunity of stressing the need for a close scrutiny of press releases issued by Unesco, the wording of which must be most carefully considered and for discretion in unofficial contacts with the press; great care should be taken to give an accurate impression of what happened at meetings.

The CHAIRMAN wished to have some further explanation of the delay in dealing with this question of Unesco's relations with Japan.

The DIRECTOR-GENERAL assured the Board that the Secretariat was not responsible for any delay. The Secretariat, which, in the first place, was to deal only with Germany, had sent a first letter to the occupying authorities in Germany as early as February 1947, but no reply had been received until seven months later; the Secretariat had then been able to send Dr. Thompson to Germany to establish direct contacts. It was to be hoped that there would be less delay in dealing with Japan, although the Secretariat had had to follow a similar procedure.

As the necessary agreement of the appropriate occupying authorities had not yet been obtained, the Director-General thought it would be very difficult to agree to M. Birecki's proposal that the words "and Japan" should be inserted in the resolution already approved. Personally, he would be more inclined to accept the solution proposed by Professor Chen Yuan that the Programme Committee should be authorized to proceed as soon as a reply was received from the appropriate authorities in Japan and before the next ordinary meeting of the Executive Board.

The CHAIRMAN agreed, but thought it advisable to add an additional paragraph (d) in the following terms, to the resolution concerning Germany already approved :

"(d) authorizes the Programme Committee to proceed along the same lines in relation to Japan, at the earliest possible moment, subject to agreement reached with the appropriate Allied Authorities."

Professor CHEN YUAN seconded this proposal.

M. BIRECKI thought an effort should be made to obtain a prompt reply from General MacArthur's Headquarters and to ascertain whether or not he wished Unesco to start work in Japan.

The DEPUTY DIRECTOR-GENERAL remarked that the question was in the hands of the Board but that he, personally, felt it would be undesirable to refer to Japan in the Resolution. By sending a letter, all necessary steps had been taken and nothing further should be done until a reply had been received and contact established. He thought it would be unwise to give the impression of attempting to exert pressure on the Allied Authorities of Occupation. His view was supported by Professor PHOTIADES.

The CHAIRMAN recalled that three different opinions had been expressed: firstly, that of M. Birecki who was in favour of including Japan side by side with Germany throughout the Resolution; secondly, there was his own proposal, seconded by Professor CHEN YUAN, of adding a further paragraph (d) to the resolution already passed on Germany; thirdly the opinion had been expressed by the Deputy Director-General that no pressure should be exerted on General MacArthur's Headquarters in order to obtain an early reply. The last opinion filled him with concern as he felt it imperative to move more quickly in Japan than had been done in Germany. The note had not been sent to the Allied Authorities in Japan until three months after the Conference's decision and not until three weeks after the meeting of the Executive Board which had agreed that it should be sent. In order to avoid having to call another extraordinary

meeting of the Board or having to defer the matter until the Board's regular Session in July, he considered that the Board should authorize the Programme Committee to go ahead, as soon as a reply was received from Japan.

Mr. HOLLAND thought the Chairman's statement was reasonable and in order and was willing to support it.

The DIRECTOR-GENERAL observed that even if the Board did not desire to pass the Resolution, the resolution of the General Conference on Relations with Japan authorized him to proceed as follows:

"The General Conference resolves that the Director-General be asked to consult with the appropriate Allied Authorities in order to collect information regarding Japanese education, its trends and tendencies, and to ascertain the way in which the objectives of Unesco may be promoted in and in relation to Japan, and be empowered to incur reasonable expenditure within the approved Budget for 1948 in respect of such activities as may be approved by the Executive Board, always provided that the activities are undertaken in agreement with the appropriate Allied Authorities".

In accordance with this Resolution, he intended to send a representative to Japan to make enquiries and obtain all possible information, but he feared that the material would not be ready for the July meeting of the Board.

The CHAIRMAN said that if his proposal were adopted, the person sent to Japan by the Director-General would go armed with the assurance that he was supported by the Executive Board and he therefore proposed to take a vote on it.

M. BIREUKI agreed with the Chairman, but added that the Programme Committee should be empowered to direct the negotiations with General MacArthur's Headquarters and, if necessary, to exert slight pressure on him in order to obtain an early reply.

The CHAIRMAN's proposal to add paragraph (d) to the resolution on Germany was adopted.

The CHAIRMAN, before going on to the next item, again stressed the necessity of accomplishing something positive in Germany and Japan in 1948, and not merely being content with a report to the next General Conference. If the schedule of activity were not speeded up, the Chinese and Australian delegations among others would be disappointed and entitled to protest at the Beirut Conference.

Item 8 of the Agenda: Creation of an Appeals Board (Document 6EX/13 and Corrigenda dated 16 and 31 March 1948; document 7EX/10, formerly EX/4).

The CHAIRMAN stated that the First General Conference had adopted the Unesco Staff Regulations (Unesco/Int.Org./7/1947), Regulations 28 and 29 of which provided a procedure for appeal in the event of a dispute between the Organization and a member of the Secretariat regarding the fulfilment of his contract or arising out of disciplinary action. This procedure had never been worked out in detail, and the Second General Conference had amended the Staff Regulations, omitting the last paragraph of the original Regulation 28 ("All action taken under the first paragraph of this Regulation may be investigated by a Committee which shall include representatives of the Director-General and representatives elected by the staff, in equal numbers, under a Chairman to be nominated by the Executive Board"), and substituting a new Regulation 29 in the following terms:

"Any dispute arising between the Organization and a member of the staff regarding the fulfilment of the contract of the member of the staff or arising out of disciplinary action, may be referred by the staff member concerned to an Appeals Board to be established by the Executive Board on the model set by the United Nations. The Appeals Board shall consist of five members: a Chairman, to be appointed by the Executive Board, two members appointed by the Director-General, and two members elected by the staff".

The DEPUTY DIRECTOR-GENERAL wished to add a few words to the statements he had made at the end of the first meeting of the Board. The wording proposed in Document 6EX/13 followed very closely that of the United Nations (given in Document 7EX/10), giving the various items in a different order. The only difference was that the provision for the giving of an advisory opinion by the Appeals Board (Section III of the Rules of Procedure of the United Nations Appeals Board - pages 10, 11 and 12 of Document 7EX/10) had been omitted. The reason for this deliberate omission was that the Unesco Appeals Board would have to consider numerous cases, and if it was also asked to give advisory opinions it would be completely overwhelmed with such requests before it could begin to operate on a proper footing.

It should not be noted that the Unesco Appeals Board was merely a consultative body and the final decision rested with the Director-General (it was therefore not certain that the Board would be entirely satisfactory to the staff); that, however, was also true of the United Nations Appeals Board, which had been taken as a model in accordance with the decision of the Mexico Conference.

The Executive Board had to consider two questions: (1) The creation of the Appeals Board as proposed in Document 6EX/13; (2) the appointment of a Chairman of the Appeals Board. As regards the second question, the Deputy Director-General repeated his suggestion that the Chairman of the Executive Board should be empowered to choose, in agreement with the Director-General, a Chairman who could be easily available, in view of the likelihood that the Board would have to consider numerous cases.

The CHAIRMAN thought that the creation of an Appeals Board was a matter of urgency, since in any organization, the staff, and particularly

the junior staff, should feel that it was safe from administrative despotism. As the Deputy Director-General had suggested, the Appeals Board would be operating in 1948 on an experimental basis, and it was possible that, in the light of experience, the Executive Board might wish to alter the procedure or even to submit the question once more to the next General Conference. The Chairman no longer recalled the precise circumstances in which the Mexico Conference had resolved to convert the old Administrative Tribunal, whose decision was final, into an Appeals Board giving only an advisory opinion. The Executive Board was bound by the Conference resolution, whether or not that decision had been reached after careful consideration; the Board was therefore obliged to set up an Appeals Board, but would be able to recommend the next General Conference to make further amendments to the relevant provisions of the Staff Regulations.

Dr. PARRA-PEREZ said that his doubts had been, to some extent, set at rest by the Chairman's concluding remarks regarding the provisional nature of the arrangements for the Appeals Board. He considered that the creation of such a Board constituted one of the most difficult questions which could face any administration, and to an even greater degree an international organization. The staff should indeed be given assurance that their rights were defended against arbitrary decisions; that was a very well-justified requirement and was now admitted.

Although Dr. PARRA-PEREZ was not familiar with the procedure in force at the United Nations (the Secretariat stated that the proposed draft was not identical with that of the United Nations but was based on it, which was reassuring, as a proof that the matter had been carefully considered), he was anxious that the Appeals Board should not be a hastily

improvised body but the result of detailed study; for that reason he would like the legal principles which the Board would apply to be specified. Indeed, what the Executive Board wished to set up was not a court of arbitration but a real court of justice; the judges in that court must not be left to rely on their own initiative, but must have clearly defined principles of law to guide them. With these remarks, Dr. Parra-Perez said he would not take part in the debate again until he had heard his colleagues' opinions. However, on a matter of practice, he mentioned that it was essential to decide at the beginning what "other issues" mentioned in paragraph 5 of Section III on page 2 of Document 6EX/13, the Appeals Board should take into consideration; if the Director-General was left to specify them, the way would be open to arbitrary action and would expose the administration to criticism by the staff, who would consider themselves injured and seek justice elsewhere. It was of the utmost importance that the staff should know exactly what they were to expect when they signed a contract with Unesco.

The CHAIRMAN proposed the following draft resolution:

"The Executive Board resolves:

- (1) that the Appeals Board provided for in Regulation 29 of the Staff Regulations be hereby established and that the Director-General's proposals contained in Document 6EX/13 be provisionally adopted, subject to the following reservations and modifications.
- (2) the Executive Board will review the operation of the Appeals Board before the Third General Conference and in the light of experience will consider whether any proposals should be submitted to the Conference in this connection.
- (3) since the operation of the Appeals Board in 1948 will be on an experimental basis, the Executive Board authorizes the Appeals Board to hear any case in which there is in the opinion of the (Appeals) Board, prima facie evidence of a grievance against the Organization.

- (4) all reports of the Appeals Board and the decisions of the Director-General thereon, shall be communicated for information to the members of the Executive Board."

In connection with the second paragraph, the Chairman mentioned that the Appeals Board in the form proposed was modelled on that of the United Nations; meanwhile, however, the United Nations might make changes in their Appeals Board procedure or the Appeals Board might be found either too harsh or too lenient towards the staff of Unesco; it was therefore necessary to provide for possible revision.

In connection with the third paragraph, the Chairman explained that the exception included in paragraph 1 of Section III ("excepting cases in which date of termination is the same as that stipulated in the staff member's contract") might cause the Appeals Board to refuse to hear cases in which, at first sight, the reason for the termination seemed to be something other than the expiration of the contract; although he agreed with the idea underlying the wording of that paragraph, the Chairman was anxious to ensure that no member of the staff with a just complaint against the Organization should be under the impression that the Board had refused to give him a hearing simply because his contract had not been renewed.

The DEPUTY DIRECTOR-GENERAL endorsed the Chairman's proposal. He wished, however, to remove a possible misunderstanding in connection with paragraph 1 of Section III: when the draftsman provided that the Appeals Board should not consider cases in which the date of termination was clearly stated in the contract, he had intended to prevent the holder of such a contract from appealing to the Appeals Board, in view of the fact that when he signed his contract he had, in fact, accepted the termination clause; this intention also appeared in the wording of

paragraphs 2 and 3 of Section III.

The CHAIRMAN explained that paragraph 3 of his draft resolution suggested that the Appeals Board should not be able to consider all cases but certain cases. That was essential as most contracts were short-term and, in fact, the majority were fortnightly or monthly; in these circumstances, there might be a case in which a member of the staff in the lower grades, whose contract had not been renewed for insubordinate conduct, might believe that his chief had "lied about the matter"; if he really felt that he had been the victim of injustice, he should not be able to say: "they set up an Appeals Board but they took steps to see that I could not take advantage of it". In short, there must be no easy loop-hole, especially so long as the Organization was only granting short-term contracts.

Dr. PARRA-PEREZ was prepared to agree to the Chairman's draft, but he wished to emphasize once more the fact that, as the Appeals Board would have to give judgment, it was essential that the Board should know what legal principles to follow. Dr. Parra-Perez, who had had much to do with the Administrative Tribunal of the League of Nations, knew that the great difficulty was the question of what system of law the judges should apply; in Geneva it had been decided to adopt the Swiss Code of Law, and the Executive Board ought to indicate in some way that the Unesco Appeals Board should follow the French code -not only because of the excellence of French law, which it was unnecessary to stress, but chiefly because it was the law of the country in which the Organisation's headquarters were situated. Lastly, Dr. Parra-Perez urged the Board to give the most careful attention to this matter, as it was not only advisable, but indeed essential, to settle it, in order to avoid possible difficulty.

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The DEPUTY DIRECTOR-GENERAL mentioned that it was not a Court which was to be created but merely an Appeals Board, to be responsible for discovering whether any injustice had been committed under the rules and regulations drawn up by the General Conference, the Executive Board or the Director-General. The Appeals Board would merely have to give its opinion on that particular question. That was what the decision of the Mexico Conference had provided for; and the Deputy Director-General could only record that decision, without trying to establish whether or not it was a good one.

Dr. PARRA-PEREZ showed that very different principles could be applied in interpreting a contract and that an interpretation which was not based on well-defined principles could not be other than arbitrary.

The CHAIRMAN asked whether, in those circumstances, it would not be possible to specify that during the experimental period the principles applied should be those of the legal system of the country in which the Organization had its headquarters. It would follow logically that the Chairman of the Appeals Board ought to be a jurist of French nationality or trained in France.

The Board approved the proposal that the Chairman of the Appeals Board should be a French jurist.

Dr. PARRA-PEREZ considered that the approval of this suggestion provided a tidy but a temporary solution, and he reserved the right to return to this question.

M. SEIDOUX, who had so far refrained from speaking for obvious reasons, thought it advisable to suggest that the Executive Board should call on a member of the French Council of State, as it was in that select body that the French jurist best qualified to act as Chairman of the Appeals Board was likely to be found. He therefore suggested that the

Chairman of the Executive Board, in agreement with the Director-General, should draw up a list of the members of the Council of State whose services might be available to Unesco, and that he should then ask the Vice-Chairman of the Council of State (who was the highest authority) to make the final choice.

The CHAIRMAN reminded the meeting that the Executive Board was responsible for choosing and appointing the Chairman of the Appeals Board. Although he entirely agreed with the procedure suggested by M. Seydoux, the Chairman did not think it possible to pass a formal resolution before the Director-General and himself had consulted the appropriate authorities.

Mr. HOLLAND proposed that the Chairman should be left to find a suitable person of distinction, in consultation with certain members of the Board and the Secretariat. This proposal was seconded by Professor PHOTIADES.

The CHAIRMAN suggested that a sort of electoral college should be set up, consisting of himself, Professor Sommerfelt (as Vice-Chairman of the Executive Board) and Dr. Parra-Perez (as he lived in Paris and had experience of such matters). This body would act in agreement with the other members of the Executive Board and the Secretariat.

This proposal was seconded by Mr. HOLLAND and adopted.

The CHAIRMAN re-read his draft resolution (see page 11 above) which was adopted.

The DEPUTY DIRECTOR-GENERAL wished to be sure that the members of the Board had taken account of Corrigendum 2 to Document 6EX/13, dated 31 March 1948.

The CHAIRMAN explained that the object of this Corrigendum was to authorize members of the Secretariat whose contracts were terminated before 31 December 1947, to lodge an appeal; this confirmed the Board's

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desire to avoid any impression that such staff members were arbitrarily excluded from the Appeals procedure.

Item 9 of the Agenda: Third Session of the General Conference

(a) Official and Working Languages of the Organization

The CHAIRMAN observed that document 7EX/3 dealt with the proposed use of Arabic at the Beirut Conference, and the Director-General wished the Board to approve certain arrangements contained therein.

H.E. Shafik GHORBAL Bey said that Article 42 of the Rules of Procedure of the General Conference was clear, but the plan for carrying it out weakened it. Paragraph 3 of document 7EX/3 stated that Arabic could "without hindering or delaying the work of the Conference" be used as a working language. This statement was derogatory to the Arabic language. Further, paragraph 3 (a) spoke of an "optional" interpretation from Arabic, and if its use was thus restricted, the advantage of holding the Conference in an Arab country would be lost.

The DIRECTOR-GENERAL observed that document 7EX/3 had been approved by the Lebanese authorities. The words "without hindering or delaying the work of the Conference" had been inserted because the Conference was pledged to finish in three and a half weeks. The word "optional" had been put in because the Lebanese authorities had stated that they would have difficulty in obtaining enough interpreters for non-simultaneous interpretation. There would be simultaneous interpretation in all Plenary meetings and for the meetings of the Programme and Budget Commission and the Administrative and External Relations Commission. If members wished, however, the words "wherever possible" could be substituted for "optional".

Dr. CHEN YUAN, referring to paragraph 3 (d) asked whether the Lebanon was to be asked to pay a third of the costs for the translation

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and circulation of the Journal, etc., The DIRECTOR-GENERAL replied that the paragraph was not well-phrased and the costs to be borne by the Lebanon only referred to ear-phones and other technical materials.

Subject to the re-phrasing of paragraph 3 (d) and the omission of the words "without hindering or delaying the work of the Conference" in paragraph 3 and the substitution of "wherever possible" for "optional" in paragraph 3 (a), document 7EX/3 was approved.

Item 9 (b): Rules of Procedure of the General Conference

As the Sixth Session of the Executive Board had not had time to consider this question, the Director-General had sent a circular letter to Member States, asking for their comments on the Rules of Procedure together with the recommendations submitted by the Committee on Constitution and Procedure of the General Conference. Document 7EX/1(rev.) - Rules of Procedure of the General Conference - contained a resolution submitted by the Director-General to the Board for its approval.

The CHAIRMAN recalled that the Executive Board had already set up a Committee to settle the status and responsibilities of members of the Board and he thought this Committee should be given the task of reviewing the report of the Editorial Committee, referred to in paragraph (b) of the Resolution. He therefore proposed the addition of a paragraph (c) as follows: "The Executive Board requests the Temporary Committee on the Status and Responsibilities of Members of the Executive Board, in co-operation with members of the Board, to consider any modifications or insertions made by the Editorial Committee." The Resolution was adopted with the above amendment.

As regards the appointment of the Editorial Committee, Mr. HOLLAND proposed that the responsibility be left to the Chairman of the

Board. Seconded by Professor SOMMERFELT. Agreed.

Item 10: Publications Policy of the Organization

The CHAIRMAN, who had inserted the item himself, proposed to drop it and discuss it later with the Director-General.

Additional Items

Proposed Contract with the International Committee on Modern Literary History. Document 7EX/7

Adopted.

Availability of Appropriations. Document 7EX/8

The CHAIRMAN asked if the matter had been discussed with the auditors. The DEPUTY DIRECTOR-GENERAL replied in the affirmative and said that the auditors wished to know whether the procedure involved was approved by the Board. The document was approved.

Establishment of a Staff Housing and Welfare Fund. Document 7EX/9

At the proposal of Mr. HARDMAN, the matter was referred to the Finance Committee with authority to take a decision in the name of the Board. Adopted.

Banking Arrangements of the Organization. Document 7EX/11

Adopted.

Resolutions Concerning the Conservation of the Organization's Dollar Resources. Document 7EX/13

Adopted.

Currencies of Contributions to the Revolving Fund. Document 7EX/15

It was agreed to refer the question to the Finance Committee with authority to take a decision in the name of the Board.

Action Necessary within the Secretariat as a Result of Decisions of the Sixth Session of the Executive Board. Document EX/3

At the first meeting of the Session, Professor CARNEIRO had expressed a desire to raise certain questions concerning paragraph VI (2)

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and paragraph X (2) of the document and the CHAIRMAN therefore called upon him to speak.

Professor CARNEIRO explained that the paragraphs in question referred to two matters which had not yet been decided and he merely wished to ask the Chairman, in consultation with the Director-General, to find the best solution for them.

The CHAIRMAN, referring to paragraph VI (2), announced that the Board had asked him to represent it at the meeting of the Hylean Amazon Project to be held in Peru. Unfortunately, his duties in Europe prevented him from doing so, but he undertook to find a solution.

M. BIRECKI wished to launch an appeal on behalf of the great Chilean poet, Pablo Neruda, who was at present being persecuted by his Government. In 1945, the poet had won the highest literary prize in his country and had afterwards been elected to the Senate. He had recently appealed to the world in a pamphlet concerning present conditions in Chile and his persecution was a result of that pamphlet. Such persecution called for a reaction from men of good will and intellectual bodies throughout the world.

The CHAIRMAN said that M. Birecki's statement would be recorded in the Minutes of the meeting.

The DEPUTY DIRECTOR-GENERAL had two items of good news to announce. At its last Session, the Board had approved an appeal for dollar contributions from Member States and he had pleasure in informing the Board that Egypt had since paid her contribution in dollars. Secondly, in spite of the sharp cut in administrative staff imposed by the General Conference, the Comptroller's Office had completed the accounts for 1947 six hours ahead of the dead-line set at midnight on 31 March, and these were now in the hands of the auditors.

The CHAIRMAN announced that Dr. KUO, Head of the Education Section of Unesco, had been appointed as adviser to the Director-General on Far Eastern questions.

The CHAIRMAN then reminded Members of their informal discussion on the reimbursement of members of the Advisory Panel on Finance and Administration and presented the following resolution:

THE EXECUTIVE BOARD DECIDES:

1. That members of the Advisory Panel on Finance and Administration will receive \$20 (U.S.) per day for expenses.
2. That members will receive an additional \$30 (U.S.) per day while serving on the Panel if they are not receiving emoluments from another source during this period.
3. That the amounts paid to members of the Panel will not be subject to tax reimbursement by the Organization, in accordance with the policy of the Organization with respect to individuals employed on a per diem or fee basis.
4. That payment of the members of the Panel will be charged to the budget for the Executive Board. If sufficient funds are not available in the present allocation for the Executive Board, additional amounts will be drawn from undistributed reserve.

Seconded by Mr. HARDMAN, the resolution was adopted unanimously.

The Programme Committee was to meet on 26 and 27 April and an attempt would be made to arrange, at the same time, meetings of the Finance Committee and the Temporary Committee on the status and responsibilities of members of the Board.

The next meeting of the Executive Board would take place about 12 July 1948.

(The meeting rose at 1.15 p.m.)