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**ECONOMIC AND  
 SOCIAL COUNCIL**  
 OFFICIAL RECORDS



ELEVENTH SESSION, **376th**  
 MEETING  
 MONDAY, 3 JULY 1950, AT 3 P.M.  
 PALAIS DES NATIONS, GENEVA

**C O N T E N T S**

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*President* : Mr. Hernán SANTA CRUZ (Chile).

*Present* : Representatives of the following countries:  
 Australia, Belgium, Brazil, Canada, Chile, China, Denmark, France, India, Iran, Mexico, Pakistan, Peru, United Kingdom of Great Britain and Northern Ireland, United States of America.

Representatives of the following specialized agencies:  
 International Labour Organisation, International Monetary Fund, International Telecommunication Union, World Health Organization.

**Adoption of the agenda (E/1680, E/1726 and E/1739)**

1. The PRESIDENT stated that the first item was the adoption of the agenda (E/1680), together with supplementary item No. 1: "Report of the Interim Committee on Programme of Meetings on the Sessions of the Commission on Narcotic Drugs and Related Meetings" (E/1726). The Agenda Committee had submitted its report (E/1739), in which it had formulated its recommendations under four separate headings: A, B, C and D.

2. So that the discussion might follow an orderly pattern, he proposed that each group of recommendations should be examined separately, with the exception of the recommendations listed under A and B, which it would be appropriate to examine together.

3. In the absence of objections, he declared open the discussion on the recommendations grouped under A and B.

4. Sir Ramaswami MUDALIAR (India) said that he disagreed with the Agenda Committee's recommendation regarding item 8 of the agenda, contained in paragraph 6 of the report, to the effect that that item should not be treated as a separate item on the Council's agenda, but that the Secretary-General should draw the attention of the Council to the invitation of the Trusteeship Council contained in the latter's resolution 110 (V). The reason given for that recommendation was that the subject of the resolution: "Higher education in the trust territories in Africa", fell within the purview of item 5 (b): "Expanded programme of technical assistance for the economic development of under-developed countries". He failed to understand the point of a recommendation which he considered unfair and discourteous to both the

organs concerned. The Trusteeship Council was a sister organ of the Economic and Social Council and enjoyed equal status with it. For the latter Council not to take notice of a formal resolution seemed to him irregular and unsatisfactory; nor did he understand what would be the practical outcome if the Secretary-General were merely to draw the Economic and Social Council's attention to the resolution. That procedure would establish a strange precedent for the Secretary-General to follow and might affect the Council in the performance of its duty. Furthermore, could it be supposed that, if the Secretary-General were to draw the Council's attention to that resolution in connexion with item 5 (b), no discussion thereon would take place? In view of the importance of the subject, that was hardly likely.

5. He had suggested in the Agenda Committee that items 5 (b) and 8 should be bracketed together. He would now formally submit that proposal for the Council's consideration.

6. Mr. DEHOUSSE (Belgium), referring to item 8 of the agenda: "Trusteeship Council resolution 110 (V): 'Higher Education in the trust territories in Africa'", wondered why trust territories in Africa only were concerned.

7. He thought that, at the present stage, there could be no debate on the substance of the problem; he would therefore not touch upon it. Like Sir Ramaswami Mudaliar, he would deal only with procedure. In his opinion, there were two arguments in favour of the decision taken by the Agenda Committee.

8. First, the item concerned a resolution of the Trusteeship Council, which placed no obligation on the Economic and Social Council. The latter would not be committing any act of discourtesy by failing to consider a recommendation of another United Nations organ. There were precedents for such action.

9. Secondly, it would be setting an unsatisfactory precedent to make the Economic and Social Council a substitute for the Trusteeship Council in all economic and social matters which concerned the latter directly or indirectly. That procedure might overload the Economic and Social Council's agenda, which was already very heavy.

10. For those reasons, he shared the view of the Agenda Committee, which had proposed that item 8 should be examined together with item 5 (b).

11. He pointed out that some Administering Authorities might wish to apply for technical assistance within the framework of their activities in the trust territories for which they were responsible. He therefore found it natural that the question of higher education in the trust territories in Africa should be discussed together with item 5 (b), and he thought that the Council could accept the Agenda Committee's recommendation on that point.

12. Mr. NORIEGA (Mexico) recalled that, at the third session of the General Assembly in Paris in 1948, resolution 225 (III) had been adopted calling for the establishment of a central university in Africa to meet the higher educational requirements of the trust territories. The Committee entrusted with the study of that programme came to the conclusion that, for political and other reasons, the establishment of such a university was not feasible. However, the Administering Authorities of the trust territories—France, Belgium and the United Kingdom—had promised to provide better facilities for higher education in their African territories.

13. At the time of the adoption of that resolution, the question of technical assistance had not been so popular, but at the present time, the connexion between the two problems was quite clear. Nevertheless, the Mexican delegation felt that the problem of higher education in trust territories, at least in Africa, should be studied as a separate item on the agenda and not as part of the expanded technical assistance programme.

14. Mr. CORLEY SMITH (United Kingdom) said that there was no reason why two or more subjects which overlapped should not be discussed together. Indeed, he would go further than the Belgian and Indian representatives and would suggest that items 7 and 8 should both be bracketed with item 5 (b), as it was a waste of time for the Council to go over the same ground twice. The subjects should be treated as separate items, but should be dealt with in one debate.

15. Mr. BORIS (France) supported what he described as the ingenious solution proposed by the representative of the United Kingdom. In his opinion it was a question of method, and the part played by the Council should consist in co-ordinating the discussion and making a reasonable classification by assembling the items capable of being discussed together, or even integrating them.

16. The countries responsible for the administration of trust territories could ask for technical assistance or not, as they thought fit. The question of higher education in the African trust territories should obviously be discussed within the framework of the expanded technical assistance programme and the Council should deal with the two matters together. It was from the standpoint of technical assistance that the Council could consider the question of co-operation in economic, social and educational matters in the non-self-governing territories.

17. Sir Ramaswami MUDALIAR (India) drew attention to the fact that the resolution adopted by the Trusteeship Council had been approved by all the Administering Authorities. But item 7 related to non-self-governing territories and could not conveniently be discussed with item 5 (b). He had, however, no objection to the United Kingdom suggestion provided that each item was discussed separately and that it was clearly understood that separate resolutions could be submitted on each. He did not wish to be ruled out of order when the time came if he followed such a course.

18. The PRESIDENT, noting that the representative of India supported the United Kingdom proposal, suggested that the best way out might be to add a third paragraph (c) to item 5, covering item 8. The inclusion of item 7 under item 5 would be difficult and unsatisfactory because that item referred not only to the technical assistance programme, but to international collaboration in non-self-governing territories.

19. Mr. NORIEGA (Mexico) was apprehensive as to what the result might be if the procedure proposed by the Agenda Committee were adopted. There was in existence Trusteeship Council resolution 110 (V), in regard to which an agreement had been concluded.

20. He shared the French delegation's view that the authorities responsible for the administration of the trust territories were free to request, or not to request, technical assistance. The Administering Authorities were responsible for the administration of the trust territories and the Trusteeship Council could only make recommendations. Thus, although the question of education in Africa was to some extent linked with technical assistance, it was desirable to lay the foundations of higher education in the African territories under trusteeship because the most urgent need was to have a good number of qualified people in liberal professions to cover the social and political aims of the trusteeship system. Technical assistance itself would prove futile if the services of such people were not available in the countries concerned.

21. Sir Ramaswami MUDALIAR (India) was opposed to the inclusion of item 8 under item 5 and stated that he had interpreted the United Kingdom proposal as meaning that one discussion should be held on items 5, 7 and 8, but that resolutions thereon could be submitted separately.

22. Mr. CORLEY SMITH (United Kingdom) said that the Indian representative's interpretation of his proposal was correct. He felt that one discussion and one only should be held on cognate problems, but that did not imply that the three subjects thereby became one.

23. The PRESIDENT ruled that the Council would in due course vote on whether items 5, 7 and 8 of the provisional agenda should be examined together and asked whether there were any other comments on the recommendations contained in sections A and B.

24. Mr. YU (China) said that his delegation was aware of the statement made by the Polish representative in the Agenda Committee<sup>1</sup> to the effect that his Govern-

<sup>1</sup> See document E/C.3/SR.18.

ment would not be bound by the decisions taken by the Council in the absence of the rightful representative of China. In his view, such statements could not be indefinitely condoned. They had been made time and again, and time and again they had remained unanswered. But a reply had to be made for the sake of posterity; otherwise silence might be misinterpreted.

25. Sir Ramaswami MUDALIAR (India), intervening on a point of order, considered that the Chinese representative's statement did not fall within the discussion of specific recommendations of the Agenda Committee. He further pointed out that the Polish representative was not present.

26. The PRESIDENT pointed out that the statement made by the Polish representative in the Agenda Committee had been referred to in the Committee's report and figured in section A, which was being discussed by the Council. The Chinese representative was consequently in order in making his statement. He would, however, draw the latter's attention to the fact that both the records of the meetings of the Agenda Committee and the report itself made it quite clear that the other members of the Committee did not share the Polish representative's point of view with regard to the alleged illegality of the decisions.

27. Mr. YU (China) said he did not wish to raise the question of representation and initiate a debate thereon, but he considered that, since the issue had been clearly and specifically stated in the report, he had every right to draw the attention of his colleagues to it. World opinion should be clearly made to realize that the Council did not approve of and subscribe to the point of view which had been so frequently expressed by representatives of Poland and other satellite countries. They should be invited to return and co-operate within the framework of the United Nations. At least they should be told that, in spite of their attitude, the decisions taken at the current session of the Council or at any other conference were valid decisions. Facts must be faced squarely and self-deception eschewed; at a time when aggression had been committed it was surely clear enough who were the friends and who the disturbers of peace. That, indeed, was the challenge with which the world was faced to-day, and it was in order to draw the attention of representatives to it that he had made his statement.

28. Sir Ramaswami MUDALIAR (India) wished to state that, though his delegation did not question the legality of any decisions taken by the Economic and Social Council in the absence of any of its members, he recalled that, in the Security Council, his Government had taken the view that the rightful representative of China on that Council and on any other bodies of the United Nations was the representative of the present Government in power in China.

29. Mr. BORIS (France) pointed out that a number of documents had not reached his delegation in time, in particular the documents relating to items 9, 11 and 46 of the agenda. He himself had been unable to study them or to receive instructions in regard to those questions from his Government. The French delegation

would confine itself to suggesting that no precedent should be established, in the hope that the Secretariat would take care that documents were sent to delegations within the time limits laid down.

30. THE PRESIDENT said that the Secretariat would take note of the French representative's statement. A number of documents would be dealt with in the second half of the Council's session. He drew attention to the fact that the Agenda Committee had recommended that the relevant documents should be distributed in time.

31. Mr. DEHOUSSE (Belgium) asked whether the Council had tacitly supported the United Kingdom proposal in regard to items 5 (b), 7 and 8 of the agenda, or whether that proposal would be put to the vote.

32. Mr. VALENZUELA (Chile), referring to item 23 of the agenda: "Trade union rights: allegations regarding infringements of trade union rights", recalled the Agenda Committee's recommendation that the question should be referred to the International Labour Organisation. While supporting that proposal, the Chilean delegation wished to submit two observations which it deemed important.

33. First, such procedure should not be understood to mean that the Economic and Social Council was permanently delegating its functions in that field to another organ. It should be obvious that the Council might, whenever it thought fit, and under its rules of procedure, deal directly with any complaint regarding infringements of trade union rights.

34. Secondly, the Chilean delegation would welcome information from the representative of the International Labour Organisation as to the time limit fixed by that organisation for the study of such complaints. His delegation trusted that the reference of complaints to another organ would not produce delays which might result in justifiable allegations never being examined.

35. In his delegation's view, the reference of the question of complaints regarding infringements of trade union rights to the ILO implied an obligation on the latter to submit a report to the Economic and Social Council at its next session. He would be glad to hear the views of the ILO representative on that matter.

36. The PRESIDENT said that the Agenda Committee's recommendation in section B of its report was based on sub-paragraph (a) of rule 15 of the Council's rules of procedure. The Chilean representative's observation raised the question of when the International Labour Organisation would be able to report to the Council on item 23.

37. Mr. ALVARADO (International Labour Organisation) pointed out that the conciliation machinery to which the Chilean representative had referred had been established only during the month of June. The International Labour Conference, which had recently met at Geneva, had adopted the procedure to be applied in the case of the infringement of trade union rights, and questions arising in that field could therefore be dealt with expeditiously. The Governing Body of the ILO, which met four times a year and was tripartite in form, would

obviate delays which might make the examination of complaints pointless. The procedure which was proposed was therefore in no way dilatory. The length of time devoted to the examination of complaints would depend on the type of allegations submitted and the procedures suggested to deal with them.

38. Mr. DE ALBA (Mexico) supported the Agenda Committee's proposal that item 23 as a whole should be referred to the ILO.

39. The procedure adopted by the International Labour Conference for the examination of complaints concerning infringements of trade union rights was in strict accordance with General Assembly resolution 310 (IV), which stated that efforts should be made to avoid overlapping and delays with regard to questions concerning both the United Nations and the specialized agencies.

40. He recalled that the International Labour Conference had devoted very special attention to the Convention concerning Freedom of Association and the Protection of the Right to Organize, and that failure to ratify that convention would make it difficult to determine whether trade union rights had been infringed. Without that convention the International Labour Organisation would lack a legal basis enabling it to work effectively in that field.

41. The Mexican delegation therefore approved of the decision to refer item 23 of the agenda to the ILO, which was the body most competent to deal with the subject and which, he felt sure, would keep the Council informed periodically about the work it carried out in that field.

42. Mr. WALKER (Australia) failed to understand the procedure recommended by the Agenda Committee with reference to item 23. In his view, the issue was covered by paragraph (b) of the first operative paragraph of the Council's resolution 277 (X), wherein it was explicitly stated that all allegations regarding infringements of trade union rights should be forwarded to the Governing Body of the International Labour Office provided that such allegations were made against member States of the International Labour Organisation. A different procedure was outlined in paragraph (c) (i), (ii) and (iii) in regard to allegations against any Member of the United Nations which was not a member of the International Labour Organisation. In his view, therefore, item 23 should be referred to the ILO without discussion and without reference to the Council's rules of procedure.

43. The PRESIDENT drew the Australian representative's attention to the fact that, in accordance with the second operative paragraph of resolution 277 (X), the Secretary-General was requested to bring allegations regarding infringements of trade union rights to the attention of the Council, and that no reference was made therein to a distinction between States members and non-members of the International Labour Organisation. It was in view of that paragraph that item 23 had been included in the provisional agenda and that the Agenda Committee had taken action thereon.

44. Mr. WALKER (Australia) thanked the President for his interpretation, but maintained his point of view. He believed that occasions might arise when the

automatic transmission to the ILO of allegations regarding infringements of trade union rights would save time.

45. The PRESIDENT said that allegations were brought to the attention of the ILO in all cases, but the attention of the Council must also be called to them.

46. If there were no further comments on Sections A and B, he would ask the Council to vote on the Indian representative's proposal that item 8 be included in the agenda and that items 5, 7 and 8 be discussed together.

*The Council adopted the Indian representative's proposal by 10 votes to none, with 4 abstentions.*

47. Mr. DEHOUSSE (Belgium) explained that he had abstained from voting against the proposal owing to his expressed desire to rally moderate opinion. He had not been able to vote in favour as the Belgian delegation had made definite reservations, not only as regards the timeliness of the matters contained in items 7 and 8 of the agenda, but also as regards the competence of the Economic and Social Council to act as an assistant body to the Trusteeship Council.

*The Council unanimously approved the Agenda Committee's recommendations contained in sections A and B of its report, subject to amendment of paragraph 6 of section A, in accordance with the Indian representative's proposal.*

48. The PRESIDENT asked for comments on section C of the Agenda Committee's report, which contained the Committee's recommendations on the setting up of the Council's committees and the reference to them of various items on the agenda. It went without saying that the Council, at a plenary meeting, was free to consider any items before referring them to the appropriate committees.

49. Mr. LUBIN (United States of America) noted that item 46: "Draft rules for the calling of non-governmental conferences", had been listed in appendix A to document E/1739 for discussion at a plenary meeting. He wondered whether it was appropriate for the Council to undertake the task of drafting rules and considered that the Committee on Non-Governmental Organizations should be entrusted with it.

50. The PRESIDENT recalled that the same suggestion had been made in the Agenda Committee.

51. Mr. YATES (Secretary to the Council) stated that, in accordance with General Assembly resolution 367 (IV), the Secretary-General had been requested to submit the draft rules to the Council for its consideration. The document drawn up in accordance with that resolution (E/1723) had not yet been considered by the NGO Committee.

52. Mr. LUBIN (United States of America) believed that the Council would derive benefit from hearing the views of that Committee before adopting the draft rules.

53. The PRESIDENT said that, in the absence of other comments on section C, the United States repre-

representative's amendment that item 46 should be referred to the NGO Committee would be put to the vote.

*The amendment was unanimously adopted.*

*The Council unanimously approved the Agenda Committee's recommendations contained in section C of its report, as amended with reference to item 46.*

54. The PRESIDENT, asking for comments on the recommendations of the Agenda Committee set out in section D of its report, said that the order in which certain items should be discussed was always difficult to settle. The Committee's recommendations had taken into account the date of distribution of documents and the need for ensuring continuity of the Council's work in relation to various points. Last, but not least, the Committee had taken into account the convenience of certain delegations, and their ability to complete their examination of certain items by a certain date. The probable order in which items would be dealt with was set out in appendix A of the Committee's report. The exact timing would be decided by the Council and by the committees themselves. Thus, for instance, it was proposed that item 3: "Full employment", should not be begun before 17 July; the exact date would be determined later.

55. Mr. SCHNAKE VERGARA (Chile) pointed out that in paragraph 13 of the report it was proposed that both items 2 and 7 of the agenda be taken subsequently to items 5 and 6, whereas the Council had just decided to take items 7 and 5 (b) together.

56. Mr. WALKER (Australia) noted that item 3 had been linked with item 6 in appendix A, but figured separately in the table in paragraph 14. In his view the two items should be studied consecutively.

57. Mr. BORIS (France) thought that the procedure proposed for the examination of item 3, whereby part of the report of the group of experts would be singled out and examined before the remainder, was not a very happy one, although dictated by practical difficulties. The report of the group of experts constituted a whole, and the Council had deferred it to that session for more thorough examination. Item 3 as a whole might be discussed in conjunction with item 6, but he doubted whether the Council could divide up so sharply the report of the group of experts and undertake not to discuss a particular part of it when the report came before the Council.

58. He therefore reserved the right of the French delegation to raise again the question of the procedure for dealing with the report of the group of experts, when it came up for discussion.

59. The PRESIDENT said that the French representative had raised complex issues on which the Council would have to take a decision. There was no doubt that there was a logical link between the paragraphs in question of the report of the group of experts and the methods of financing economic development of under-developed countries. If, however, consideration of item 3 were deferred till 17 July, the Council would have none of

the major economic questions on its agenda and difficulties would arise with regard to the proper organization of its work. He would draw attention to the fact that at a later stage in the session the Council would also have to deal with the reports of the regional commissions and might be so over-burdened as to be unable to finish the session at the scheduled time.

60. Mr. WALKER (Australia) suggested that item 6: "Methods of financing economic development of under-developed countries, including consideration of the report of the Sub-Commission on Economic Development", should be placed between items 15 and 3 in the table in paragraph 14 of the report of the Agenda Committee. The question of the financing of economic development would then be discussed immediately before the major part of the experts' report.

61. The PRESIDENT, felt that adoption of the Australian representative's suggestion would not give rise to any difficulties. It would, moreover, be difficult for the Council to deal with item 6 after item 3, as it would then be unable to begin consideration of the former item until after 17 July.

62. In reply to a question by Mr. CABADA (Peru), the PRESIDENT explained that items 5, 7 and 8 would be discussed jointly and item 6 separately.

63. As regards item 5: "Technical assistance for economic development", the report of the Technical Assistance Board which was about to be distributed would have to be studied first by the Technical Assistance Committee.

64. He therefore suggested that the Council adopt the Agenda Committee's proposal that item 3 should not be dealt with until 17 July and also adopt the Australian representative's suggestion that item 6 should be considered immediately before item 3.

65. Mr. BORIS (France) proposed that no final decision should be taken regarding the order of items 3 and 6. If the Council were behind in its work, and item 6 came up for discussion about 17 July, it might be more reasonable to deal with item 3 then, and to take item 6 only afterwards, since the question of full employment governed that of economic development. The report of the Sub-Commission on Economic Development in fact consisted largely of a commentary on the report of the group of experts and, logically speaking, the Agenda Committee should have proposed the opposite order of discussion from that appearing in its report.

66. He was quite prepared to adhere to the procedure suggested, but there would be every advantage in reversing the order of discussion of those items.

*It was agreed that item 3 of the agenda should be considered immediately after item 6.*

*Part D of the report of the Agenda Committee was unanimously adopted.*

*The agenda of the eleventh session of the Economic and Social Council was unanimously adopted.*

67. The PRESIDENT announced that item 29: "Procedure regarding the draft single convention on narcotic

drugs"; item 30: " Invitation to the United States of Indonesia to become a party to the Protocol of 19 November 1948 relating to narcotic drugs "; supplementary item 1: " Report of the Interim Committee on Programme of Meetings on the Sessions of the Commission on Narcotic Drugs and Related Meetings "; item 10: " International centre for training in public administration ", and item 19: " Report of the Commission on Human Rights (sixth session) ", would be dealt with on the following day.

68. The report of the Commission on Human Rights (E/1681) primarily concerned the draft first international covenant on human rights and measures of implementation. Some members felt that the report should be dealt with by the General Assembly without any previous discussion by the Council, some that it should first be considered by the Council and then transmitted to the General Assembly, and others that it should be referred to governments in order that they might submit comments at the seventh session of the Commission on Human Rights.

69. He suggested that the Council take a decision at the following meeting on the procedure to be followed, as, if it were decided that the draft first international covenant on human rights should be discussed article by article, it would be necessary also to decide to which committee it should be referred.

70. Mr. ENTEZAM (Iran) wished to know whether, when the report of the Commission on Human Rights was examined, members of the Council had necessarily to confine themselves to the three suggestions of the Agenda Committee or whether they could submit other proposals. The delegation of Iran wished to propose that the question be referred back to governments, which would transmit their comments direct to the General Assembly.

71. The PRESIDENT explained that the Agenda Committee had simply made recommendations that the items to which he had referred should be dealt with at a plenary meeting.

72. He drew the attention of representatives of non-governmental organizations to the fact that, under rule 81 of the rules of procedure, requests for consultation concerning items on the provisional agenda of the Council should be submitted in writing so that the requests reached the Secretary-General as soon as possible after the issue of the provisional agenda of the session, and in no case later than forty-eight hours after the adoption of the agenda. Requests would therefore have to be submitted by 6 p.m., Wednesday, 5 July 1950.

73. He further suggested that the Council Committee on Non-Governmental Organizations and the Social Committee should begin their work on Wednesday, 5 July 1950. The Social Committee would itself decide in which order it would deal with the various items on its agenda. He suggested, however, that the items should be dealt with in the following order: items 18, 20, 25, 27, 26, 34, 32 and 21.

*It was agreed that morning meetings should begin at 10.30 a.m. and end at 1 p.m.; that afternoon meetings should be held from 3 p.m. until 6 p.m., and that the Council should not hold a meeting on Saturday, 8 July 1950.*

74. Sir Ramaswami MUDALIAR (India) suggested that the Economic Committee and the Co-ordination Committee should not meet simultaneously.

75. The PRESIDENT said that the Indian representative's request could be met except that the Economic Committee should meet when the Co-ordination Committee was engaged in considering the reports of the various specialized agencies in which the Social Committee was interested.

76. Mr. LUBIN (United States of America) hoped that the procedure suggested by the Indian representative would not create a precedent for the future. He suggested that the Co-ordination Committee should begin meeting as soon as possible, and that the reports of the Statistical Commission and of the Transport and Communications Commission should be considered forthwith by the Economic Committee.

77. The PRESIDENT pointed out that only two meetings with simultaneous interpretation could be held each day at the same time, and that if a third meeting were held it would have consecutive interpretation.

78. He added that he had had a number of complaints concerning the room in which the Council was meeting. There were admittedly some inconveniences in not meeting in room VII, as the Council had done in the past, but in view of the structural alterations now in progress in the immediate neighbourhood of rooms VII and V, it was impossible to make use of those rooms during the current session. Everything possible would be done, however, to ensure that room XIV provided the maximum facilities. On the other hand, should the Council prefer to meet in plenary session in conference room XI, with which it was familiar, that could be arranged, though that room was hardly any larger than their present one.

The meeting rose at 5.15 p.m.