ARTICLE 13 (1) (b) and (2)

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TEXT OF ARTICLE 13 (1) (b) and (2)

- 1. The General Assembly shall initiate studies and make recommendations for the purpose of:
 - (b) promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.
- 2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

INTRODUCTORY NOTE

1. The organization of this study of the practice of the General Assembly in the application of this Article continues without modification that in the corresponding study in volume I of the Repertory. 1/ The material here presented, which appears to bear on the application of Article 13 (1) (b) and (2), is substantially no more than an addition to that already covered in the previous study and has, therefore, been treated under the already established headings.

SUMMARY OF PRACTICE

A. Studies initiated by the General Assembly

- 2. Studies initiated by the General Assembly under Article 13 (1) (b) at the ninth and tenth sessions are reviewed here. They have been tabulated in an annex under the following headings:
 - I. Studies requested from the Economic and Social Council and its subsidiary organs;
 - II. Studies requested from the Secretary-General;
 - III. Studies requested from other bodies and individual specialized agencies;
 - IV. Studies requested from several bodies jointly;
 - V. Studies requested from individuals.

In each case, the number, the title and the pertinent provision of the resolution have been included.

As in the case of the Repertory, the responsibilities, functions and powers of the General Assembly with respect to matters mentioned in Article 13 (1) (b) which, as stated in Article 13 (2) are set forth in Chapters IX and X, are dealt with in the studies of the Articles of those Chapters in this Supplement. The principal questions are dealt with as follows:

The scope of activities of the General Assembly and the Economic and Social Council in the economic, social and human rights fields - under Article 55 (a), (b) and (c).

The relative responsibilities of the General Assembly and the Economic and Social Council for the discharge of the functions of the Organization set forth in Chapter IX - under Articles 60 and 66 (1) and (2).

The election by the General Assembly of members of the Economic and Social Council - under Article 61.

The preparation of conventions for submission to the General Assembly - under Article 62 (3).

The performance of services - under Article 66 (2).

The creation of new specialized agencies - under Article 59.

The establishment of relationships with specialized agencies - under Articles 57 and 63 (1).

The co-ordination of the activities of specialized agencies - under Articles 58 and 63 (2).

B. Recommendations of the General Assembly

3. Of the 189 resolutions adopted by the General Assembly during the ninth and tenth sessions, thirty-two have included recommendations which, although bearing upon specific provisions contained in Chapters IX and X of the Charter, also constitute an application of Article 13 (1) (b) inasmuch as their objective was promotion of international co-operation in the economic, social and related fields or assistance in the promotion of human rights or fundamental freedoms.

Terminology

4. The General Assembly has continued not to follow a consistent pattern in its use of terminology. While the words "requests", "urges" and "invites" have been used in the majority of the resolutions, several other wordings have also been employed, namely "stresses the desire", "expresses the earnest hope", "reminds", "authorizes", "directs and suggests".

Addressees

- 5. Most of the recommendations 2/ made by the General Assembly under Article 13 (1)(b) have been addressed to States, Governments, subsidiary bodies of the General Assembly, the Economic and Social Council, the Secretary-General, the specialized agencies and non-governmental organizations.
- 6. Recommendations to States have been addressed to all States, to Member States of the United Nations, to non-member States and to States which are parties to a specific international convention.

2/	Examples of recommendations made have been as follows:	
	•	General Assembly
	Addressee concerned	resolution
	All States	843 (IX)
	Member States of the United Nations	832 (IX)
	Non-Member States	835 (IX)
	States which are parties to a specific convention	841 (IX)
	Governments /in general /	921 (X)
	All Governments	82 8 (IX)
	Governments of Member States	833 (IX)
	Governments of non-member States	318 (1X)
	A specific group of Governments	919 (X)
	A specific Government	917 (X)
	United Nations	924 (X)
	General Assembly	833 (IX)
	Economic and Social Council	921 (X)
	Subsidiary bodies to the General. Assembly	828 (IX)
	Subsidiary bodies to the Economic and Social Council	837 (IX)
	Secretary-General	923 (X)
	International and national non-governmental	
	organizations, universities, philanthropic	
	foundations and other private groups	926 (X)
	Private organizations, individuals	916 (X)

- 7. Recommendations to Governments have been addressed to Governments in general, to all Governments and Governments of all States, Governments of Member States of the United Nations and to Governments of non-member States. Some recommendations have been addressed to a specific group of Governments, such as Governments or Parties concerned, Governments of an area; or to a specific Government, either named in the resolution, or referred to as the "Government of the area". In one instance, a recommendation was addressed to "all Governments willing and in a position to do so to provide financial assistance" to a Member of the United Nations. 3/
- 8. Recommendations have been addressed to the "United Nations", specialized agencies in general, and individual specialized agencies. In one instance, a recommendation was addressed to "the appropriate international organizations", covering both specialized agencies, other inter-governmental and international non-governmental organizations concerned. 4/
- 9. Recommendations have also been addressed to non-governmental or private organizations, both international and national, in general and non-governmental organizations concerned with a special question; cultural, professional, trade-union, workers' and social welfare organizations, for men and women, 5/ universities, philanthropic foundations and other private groups. 6/
- 10. In one instance, a recommendation was addressed to "all Governments and individuals". 7/

Subjects dealt with in the recommendations

11. The General Assembly has again made recommendations on matters dealt with by the United Nations in the fields of economic activity. These matters have related to such topics as land reform, 8/ international tax problems, 9/ world food reserve, 10/ full employment, 11/ international trade, 12/ international co-operation in developing the peaceful uses of atomic energy, 13/ technical assistance, 14/ International Finance Corporation, 15/ Special United Nations Fund for Economic Development, 16/ international flow of private capital, 17/ assistance to Libya, 18/ conservation of the living resource of the sea. 19/

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3/ Resolution 924 (X).
4/ Resolution 927 (X).
5/ Resolution 836 (IX).
6/ Resolution 926 (X).
7/ Resolution 916 (X).
8/ Resolution 826 (IX).
9/ Resolution 825 (IX).
10/ Resolution 827 (IX).
11/ Resolution 829 (IX).
12/ Resolution 830 (IX).
13/ Resolutions 810 (IX) and 912 (X). See also in this Supplement under Article 55.
14/ Resolutions 823 (IX) and 921 (X).
15/ Resolutions 823 (IX) and 922 (X).
16/ Resolutions 822 (IX) and 923 (X).
17/ Resolution 824 (IX).
18/ Resolution 924 (X).
19/ Resolution 900 (IX).
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12. The General Assembly also made recommendations on several matters dealt with by the United Nations in the fields of social activity and of human rights. These matters have related to such topics as the United Nations Children's Fund, 20/ Universal Children's Day, 21/ international assistance to refugees, 22/ assistance to Palestine refugees, 23/ relief and rehabilitation of Korea, 24/ the question of the safety of commercial aircraft flying in the vicinity of, or inadvertently crossing international frontiers, 25/ human rights, 26/ and narcotics. 27/

Types of action envisaged in the recommendations

- 13. As in the past, recommendations to Governments and States have envisaged a variety of actions; among them adoption of certain measures and taking of steps in matters falling within the economic and social fields, 28/ implementation of previous recommendations of the General Assembly, 29/ convening of international technical conferences of Governments, 30/ and establishment of an international agency for specified purposes, 31/ negotiation of treaties and agreements, 32/ and solution of a particular problem by direct negotiations between governments concerned, 33/ re-examination of domestic policies, legislation and administrative policies with a specific objective in mind, 34/ making of contributions to voluntary programmes of the United Nations, 35/ refraining from taking certain actions 36/ and expression of views on specific questions. 37/
- 14. Recommendations to the Economic and Social Council, other than those initiating studies which are treated under A above, have called for the following types of action: reporting to the General Assembly on steps taken to give effect to the recommendations of the Assembly on a particular matter, 38/ the establishment of a new organ of an existing subsidiary body, 39/ and continuation of the work of the Council in a particular field. 40/

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Resolution 835 (IX).
     Resolution 836 (IX).
     Resolutions 832 (IX) and 925 (X).
     Resolutions 818 (IX) and 916 (X).
     Resolutions 828 (IX) and 920 (X).
     Resolution 927 (X).
     Resolutions 842 (IX) (Forced labour), 843 (IX) (Customs, ancient laws and
     practices affecting the human dignity of women), 819 (IX) (Strengthening of
     peace through the removal of barriers to free exchange of information and ideas),
     926 (X) (Advisory services in human rights), and 928 (X) (Ratification of, or
     accession to, the Convention relating to the status of stateless persons).
     Resolution 834 (IX).
Resolutions 820 (IX), 824 (IX), 826 (IX) and 919 (X).
     Resolution 819 (IX).
     Resolutions 810 B (IX) and 912 (X).
     Resolution 912 (X).
     Resolution 824 (IX).
     Resolution 816 (IX).
     Resolution 824 (IX).
     Resolutions 832 (IX) and 925 (X). Resolutions 842 (X) and 927 (X).
     Resolutions 833 (IX) and 841 (IX).
     Resolution 837 (IX).
     Resolution 832 (IX).
     Resolutions 825 (IX), 840 (IX) and 842 (IX).
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- 15. On one occasion a request has been addressed to the Commission on Human Rights to complete its recommendations in a particular field. 41/
- 16. Among the recommendations to the Secretary-General, several have requested him to take actions of a procedural character, for example, to transmit reports, drafts, or resolutions to Governments, or other parties. 42/
- 17. In some cases, recommendations to the Secretary-General have contained a request for a particular study. 43/ Some recommendations have contained instructions to perform certain functions, or to render certain services to Governments, 44/ among them to facilitate contact and assist in settling the dispute among the countries concerned.
- 18. Other recommendations have called upon the Secretary-General to report to the Economic and Social Council on the implementation of a resolution of the General Assembly, 45/ and to report to the General Assembly on action taken as a result of a resolution, 46/ to organize an international technical conference of Governments, 47/ to consult with competent specialized agencies on specific questions. 48/
- 19. The specialized agencies have been requested to undertake, independently or jointly with other organs, certain studies as noted in 2 above.
- 20. Other actions envisaged in the recommendations to the specialized agencies have included the following:
- 21. The specialized agencies have been invited to communicate observations they may wish to make with regard to the draft international covenants on human rights, 49/ as well as any observation they may find appropriate on a programme of assistance with respect to the field of human rights. 50/ They have also been asked to continue to develop their technical assistance activities with a view to aiding Member States to further the effective observation of human rights. 51/
- 22. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has been asked, in conjunction with a request addressed to the Executive Board of United Nations International Children's Fund (UNICEF), to take steps in accordance with a resolution on the observance of Universal Children's Day. 52/
- 23. The International Labour Organisation (ILO) has been requested, together with the Economic and Social Council, to continue its efforts towards the abolition of systems of forced labour. 53/

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Resolution 837 (IX).
Resolutions 833 (IX), 838 (IX), 841 (IX), 924 (X) and 926 (X).
     See section A above.
     Resolutions 816 (IX), 839 (IX), 926 (X) and 928 (X).
     Resolution 926 (X).
     Resolution 816 (IX).
     Resolutions 810 B (IX) and 912 I (X).
     Resolution 810 B (IX).
     Resolution 833 (IX).
     Resolution 926 (X).
     Resolution 926 (X).
     Resolution 836 (IX).
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Resolution 842 (IX).

- 24. The Food and Agriculture Organization (FAO) and the other specialized agencies, together with the Secretary-General were requested to consider the best methods for further implementation of Economic and Social Council resolution 512 C (XVII) concerned with land reform. 54/
- 25. The specialized agencies concerned, together with the Secretary-General, were requested to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance. 55/
- 26. The International Bank for Reconstruction and Development was requested to undertake certain action in connexion with the question of establishment of the International Finance Corporation. 56/
- 27. Interested specialized agencies were invited to designate persons to represent them at a conference. 57/
- 28. Some recommendations have been directly related to the terms of reference of the bodies concerned: the Agent General of the United Nations Korean Reconstruction Agency (UNKRA) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have been given recommendations for carrying out their functions; 58/ the United Nations High Commissioner for Refugees (UNHCR) has been authorized to undertake a programme designed to achieve permanent solutions for a group of refugees within his mandate, 59/ and he has also been requested to continue his efforts to effect solutions for the problems of refugees through voluntary repatriation, resettlement and integration; 60/ the United Nations Commission on the Racial Situation in the Union of South Africa has been requested to keep under review the problem of race conflict in the Union of South Africa; 61/ and the Negotiating Committee for Extra-Budgetary Funds has received a series of recommendations within the scope of its terms of reference. 62/ The Executive Board of UNICEF has been requested to take steps, in co-operation with UNESCO, to participate in the implementation of a resolution. 63/
- 29. The attention of the "appropriate" international organizations has been invited to a resolution, and to the debate held on the matter covered by it, relating to the question of the safety of commercial aircraft flying in the vicinity of, or inadvertently crossing, international frontiers. 64/
- 30. Some recommendations have been addressed to non-governmental or private organizations and individuals with the aim of requesting contributions to certain United Nations programmes; for instance, private organizations have been requested to give increased assistance to Palestine refugees to the extent that local

Resolution 826 (IX). 54/ 55/ 57/ 58/ 59/ 61/ 63/ Resolution 924 (X).

Resolution 823 (IX).

Resolution 810 B (IX).

Resolutions 818 (IX) and 920 (X).

Resolution 832 (IX).

Resolution 925 (X). Resolution 820 (IX).

Resolutions 818 (IX), 832 (IX) and 916 (X).

Resolution 836 (IX).

Resolution 927 (X).

Governments cannot do so; 65/ individuals have been invited to support these organizations with food, goods and services. 66/

- 51. Recommendations for certain types of action in the field of human rights were addressed to both international and national non-governmental organizations, including those in the Non-Self-Governing and Trust Territories and to various private groups. $\underline{67}/$
- 32. In one case, a recommendation has been addressed to "the cultural, professional, trade union, workers' and social welfare organizations, for men and women," to support and co-operate actively in the observance of Universal Children's Day. 68/

^{65/} Resolution 916 (X).

^{66/} Resolution 916 (X).

 $[\]overline{67}$ / Resolutions 833 (IX) and 926 (X).

 $[\]mathbb{Z}$ Resolution 836 (IX).

ANNEX

Tabulation of studies initiated by the General Assembly under Article 13 (1) (b)

I. Studies requested from the Economic and Social Council and its subsidiary organs

Resolution No.	Title of resolution	Pertinent provisions
825 (IX)	International tax problems	"2. Requests the Economic and Social Council to consider the reports of the Secretary-General mentioned in paragraph 1 above and to transmit the results of its deliberations to the General Assembly."
8 27 (IX)	Establishment of a world food reserve	"3. Further requests the Economic and Social Council to report on this matter, with its conclusions, to the General Assembly."
831 B (IX)	Programmes of technical assistance	"4. Requests the Council to study the means of securing, where possible, contributions to the Expanded Programme, on a continuing basis."
831 D (IX)	Programmes of technical assistance	"Requests the Economic and Social Council to furnish to the General Assembly at its tenth session a report on the progress made in the consideration of the questions raised in the first report of the Advisory Committee on Administrative and Budgetary Questions"
837 (IX)	Recommendations concerning international respect for the right of peoples and nations to self-determination	"1. Requests the Commission on Human Rights to complete its recommendations concerning international respect for the right of peoples and nations to self-determination, including recommendations concerning their permanent sovereignty over their natural wealth and resources, having due regard to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of underdeveloped countries, in order that the General Assembly may give those recommendations full and due consideration at its next regular session;"
926 (x)	Advisory services in the field of human rights	"9. Requests the Economic and Social Council to submit to the General Assembly at its thirteenth session a report containing: "(a) An evaluation of the projects carried out under the programme of advisory services in human rights, with particular reference to the extent to which these projects have furthered the aims and purposes of the United Nations in the field of human rights; "(b) Recommendations concerning the future of the programme"

II. Studies requested from the Secretary-General

Resolution No.	Title of resolution	Pertinent provisions
824 (IX)	International flow of private capital for the economic development of underdeveloped countries	"Requests the Secretary-General to prepare annually a report on the international flow of private capital and its contribution to an expanding international economy, and on the measures taken by Governments affecting such flow, or announced by them to be under consideration"
825 (IX)	International tax problems	"1. Requests the Secretary-General: "(a) With a view to accelerating the rate of economic development of under-developed countries, to continue his studies of the taxation by capital-exporting and capital-importing countries on the income from foreign investments, particularly those made in the under-developed countries, making use in such studies of an analysis of replies of Governments to his questionnaire concerning the taxation of foreign nationals, assets and transactions; "(b) To submit his studies to the Economic and Social Council;"
833 (IX)	Draft international covenants on human rights	"2. Requests the Secretary-General: "(a) To prepare and distribute to Governments, as early as possible, a concise annotation of the text of the draft international covenants on human rights, taking account of the observations made before and during the ninth session of the General Assembly, including those made in the Economic and Social Council and in the Commission on Human Rights; "(c) To prepare as a working paper a compilation of all the amendments and proposed new articles which may be submitted by Governments during that period;"
841 (IX)	International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)	"Decides: "2. To instruct the Secretary-General: "(a) To prepare for this purpose a draft protocol concerning the transfer to the United Nations of the functions assigned to the League of Nations under the International Convention concerning the Use of Broadcasting in the Cause of Peace; "(b) To provide in the draft protocol for the accession of Members and non-members of the United Nations which are not Parties or signatories to the Convention, and also for such legal or other

adjustments as may be necessitated by current conditions;

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Union of South Africa

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832	(IX)	International assistance to refugees within the mandate of the United Nations High
		Commissioner for Refugees
		veragees

Title of resolution

Resolution No.

923 (X) Question of the establishment of a Special United Nations Fund for Economic Development

Pertinent provisions

- "4. Requests the Economic and Social Council, not later than its nineteenth session and in the light of proposals to be submitted to it by the High Commissioner upon the advice of his Advisory Committee, either to establish an Executive Committee responsible for giving directives to the High Commissioner in carrying out his programme and for exercising the necessary controls in the use of funds allotted to the Office of the High Commissioner or to revise the terms of reference and composition of the Advisory Committee in order to enable it to carry out the same duties:
- "5. Requests the High Commissioner to prepare, for presentation to the inter-governmental body mentioned in paragraph 4 above, detailed proposals for projects designed to achieve permanent solutions, including plans for adequate financial or other contributions from sources within the countries of residence:"
- "2. Requests the Secretary-General to invite the States Members of the United Nations and members of the specialized agencies in the economic and social sphere, to transmit to him, not later than 31 March 1956, their views, as definitely as possible, relating to the establishment, role, structure and operations of a Special United Nations Fund for Economic Development, bearing in mind particularly the questions enumerated in the annex attached hereto, in order that such views and replies may provide material for the statute of the Fund when it is decided to establish such a Fund:"

"4. Establishes an Ad Hoc Committee composed of representatives of sixteen Governments, to be appointed by the President of the General Assembly, to analyse the replies and comments of Governments received under paragraph 2 above, with a view to submitting to the Economic and Social Council at its twenty-second session and to the General Assembly at its eleventh session such interim report as it may be in a position to make, and its final report to the twentythird session of the Council, it being understood that in making such reports, it would not commit any Member Government:"

IV. Studies requested from several bodies jointly

Resolution No.	Title of resolution	Pertinent provisions
826 (IX)	Land reform	"6. Requests the Secretary-General, the Food and Agriculture Organization and the other specialized agencies concerned, in consultation with the Secretary-General, to consider the best methods for further implementation of Economic and Social Council resolution 512 C (XVII)."
827 (IX)	Establishment of world food reserve	"2. Requests the Secretary-General to invite the Food and Agriculture Organization, taking into account the discussions at the ninth session of the General Assembly and the proposals previously made on this subject, to prepare a factual and comprehensive report of what has been done and is being done in this connexion for submission to the Economic and Social Council;"
	v.	Studies requested from individuals
822 (IX)	Question of the establishment of a special United Nations fund for economic development	Under resolution 822 (IX) the General Assembly extended the appointment of Mr. Raymond Scheyven for another year. Mr. Scheyven was appointed under resolution 724 B (VIII) "to examine with the assistance of the Secretary-General, the comments of governments submitted in response to the invitation contained in the preceding paragraph; to collate and where he judges necessary to request elaboration of such comments, if desirable by direct consultation with governments; and to submit to the Economic and Social Council at its eighteenth session an interim report on his work, and, in any event to submit to the General Assembly at its ninth session, a final report together with his comments, with a view to assisting it to make such recommendations as it would find possible which could facilitate the establishment of such a fund as soon as circumstances permit."
		Mr. Scheyven's appointment was extended under resolution 822 (IX) "in order that he may continue his consultations with Governments, and elicit in the course of his consultations the views of those Governments which have not so far indicated them, on the recommendations contained in the report a of the Committee of Nine and on the support which may be expected from them for such a fund, and in order that he may undertake such work as is specified in

a/ See United Nations Publications, Sales No.: 1953.II.B.1.

Pertinent provisions

822 (IX) (cont'd)

paragraph 5 below:". The General Assembly made in that resolution additional requests concerning Mr. Scheyven, namely:

- "5. ... to prepare, with the assistance of the Secretary-General and of an ad hoc group of experts selected by him in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned as well as of the report of the Committee of Nine and the comments of Governments, a further report giving a full and precise picture of the form or forms, functions and responsibilities which such a special United Nations fund for economic development might have, and especially the methods by which its operations might be integrated with the development plans of the countries receiving assistance from it. Such a report should also consider the working relationship of such a fund with the Technical Assistance Board, the International Bank for Reconstruction and Development and other specialized agencies concerned, the United Nations regional economic commissions and existing programmes in the field of economic development;
- "6. ... to make to the Economic and Social Council, and the Council specially to consider at its twentieth session, such report as may then be possible on the results of his missions and to present his final report to the General Assembly at its tenth session, so that the General Assembly may consider the report together with such comments as may be forwarded by the Economic and Social Council on the report made to it earlier;"