

ARTICLE 21

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ARTICLE 21

TEXT OF ARTICLE 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

INTRODUCTORY NOTE

1. During the period under review, the General Assembly amended its rules of procedure on four occasions. The Assembly also made a correction to the French version of one of the rules. They are dealt with in paragraphs 8-17 below.
2. As in previous studies of Article 21 in the *Repertory* and its *Supplements Nos. 1 to 3*, some significant features noted in the implementation of the rules of procedure are analyzed in section II, B.

I. GENERAL SURVEY

3. At its twenty-second session, the General Assembly decided to amend rules 89 and 128¹ by adding to each of these rules a new paragraph (b) to take into account the installation of mechanical means of voting.
4. At the same session, the General Assembly took note of a correction to the French version of rule 15.¹
5. At its twenty-third session, the General Assembly decided to include Russian among its working languages and to amend accordingly rule 51.¹

6. At the same session, the General Assembly decided to increase the membership of the Committee on Contributions from 10 to 12 and adopted a consequential amendment to rule 159.¹

7. At its twenty-fourth session, the General Assembly adopted amendments to rules 52, 53 and 55¹ consequent upon the amendment to rule 51 adopted at the twenty-third session. At the same session, the General Assembly decided to defer *sine die* consideration of an amendment to its rules of procedure which had been recommended by the Economic and Social Council.

¹ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Adoption and amendment of the rules of procedure

**1. QUESTION OF THE RELATIONSHIP OF THE RULES TO THE FUNCTIONS AND POWERS OF THE GENERAL ASSEMBLY UNDER THE CHARTER

2. METHOD AND PROCEDURES EMPLOYED IN ADOPTING AND AMENDING THE RULES

8. In the four cases in which it amended its rules of procedure during the period under review, the General Assembly, before taking action on any matter, referred it to a Main Committee for preliminary consideration and report in accordance with rule 164 of the rules of procedure¹ which provides that the rules of procedure may be amended by a decision of the General Assembly, taken by a majority of the Members present and voting, after a committee has reported on the proposed amendment.

9. The General Assembly also made a correction to the French version of one of its rules after the General Committee had reported on the matter.

10. At the twenty-second session, Mexico proposed² that rules 89 and 128 of the rules of procedure³ be amended to take into account the installation of mechanical means of voting. The matter was referred to the Sixth Committee. In its report,⁴ the Sixth Committee recommended that the following paragraph (b) be added to each of these rules:

“When the General Assembly [committee] votes by

² G A (XXII), Annexes, a i. 25, A/6862.

³ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

⁴ G A (XXII), Annexes, a i. 25, A/6960

mechanical means, a non-recorded vote shall replace a vote by show of hands or by standing and a recorded vote shall replace a roll-call vote. Any representative may request a recorded vote. In the case of a recorded vote, the General Assembly [committee] shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the Members; nevertheless, the result of the voting shall be inserted in the record in the same manner as that of a roll-call vote."

The recommendation was adopted unanimously by the General Assembly.⁵

11. At the same session, the General Committee had before it a note by the Secretary-General⁶ concerning a discrepancy between the English and the French versions of rule 15 of the rules of procedure. The Secretary-General stated that the French version reading "Des questions nouvelles présentant un caractère d'importance *ou* d'urgence" should be corrected to read "Des questions nouvelles présentant un caractère d'importance *et* d'urgence" in order to incorporate in the French version a duly adopted amendment which had been correctly included in the English version reading "Additional items of an important and urgent character". The General Committee took note of that document.⁷ The General Assembly took note⁸ of the report of the General Committee⁹ on the subject and made the necessary change in the French version of rule 15.

12. At the twenty-third session, a number of Member States requested the inclusion in the agenda of an additional item entitled "Enlargement of the Committee on Contributions".¹⁰ The General Assembly decided to include the item in its agenda and to allocate it to the Fifth Committee. In its report,¹¹ the Fifth Committee recommended that the Assembly should decide to increase the membership of the Committee on Contributions from 10 to 12 and to amend accordingly rule 159 of its rules of procedure.¹² The Assembly adopted the draft resolution unanimously.¹³

13. At the same session, the General Assembly had before it the report of the Secretary-General on personnel questions,¹⁴ which dealt, *inter alia*, with the question of including Russian among the working languages. In its report on the item concerning personnel questions,¹⁵ the Fifth Committee recommended the adoption of a draft resolution whereby the Assembly would, in paragraph 1, decide to include Russian among its working languages and to amend accordingly rule 51 of its rules of procedure.¹⁶ Paragraph 1 was adopted by a recorded vote of 69 to 23, with 29 abstentions.¹⁷ The draft resolution as a whole was adopted by a roll-call vote of 81 to 17, with 24 abstentions.¹⁸

14. At the twenty-fourth session, taking into account the inclusion of Russian among the working languages of the General Assembly, the Secretary-General requested the inclusion in the agenda of an additional item entitled "Amendments to the rules of procedure of the General Assembly resulting from the amendment to rule 51".¹⁹ The item was included in the agenda and allocated to the Sixth Committee. In its report,²⁰ the Sixth Committee recommended that the Assembly should decide to amend rules 52, 53 and 55 to make them consistent with rule 51 as amended.²¹ The General Assembly adopted the recommendation unanimously.²²

15. At its twenty-third session, in connexion with its consideration of the item entitled "Report of the Economic and Social Council", the General Assembly had before it a recommendation of the Council, contained in its resolution 1374 (XLV) of 2 August 1968, whereby the General Assembly would amend its rules of procedure by inserting a new chapter XVII to be entitled "Co-ordination or economic and social questions" and a new rule 162 to read as follows:

*"Consultation with specialized agencies
and the International Atomic Energy Agency*

"Rule 162

"1. Where an item proposed for the provisional agenda or the supplementary list for a session, or as an additional item under rule 15, contains a proposal for new activities [of an economic and financial nature or of a social and humanitarian nature] to be undertaken by the United Nations relating to matters which are of direct concern to one or more specialized agencies or the International Atomic Energy Agency, the Secretary-General shall enter into consultation with the agency or agencies concerned and report to the General Assembly on the means of achieving co-ordinated use of the resources of the respective agencies.

"2. Where a proposal put forward in the course of a meeting of either the General Assembly or a Main Committee for new activities [of an economic and financial nature or of a social and humanitarian nature] to be undertaken by the United Nations relates to matters which are of direct concern to one or more specialized agencies or the International Atomic Energy Agency, the Secretary-General shall, after such consultation as may be possible with the representatives at the meeting of the other agency or agencies concerned, draw the attention of the meeting to these implications of the proposal.

"3. Before deciding on proposals referred to above, the General Assembly shall satisfy itself that adequate consultations have taken place with the agencies concerned."

16. The General Assembly decided that the part of the report of the Economic and Social Council dealing with the proposed amendment should, after consideration by the Second and Third Committees, be referred to the Sixth Committee in accordance with annex II, part 1, paragraph 1(c), of the rules of procedure of the Assembly.²³ The Sec-

⁵ G A resolution 2323 (XXII).

⁶ G A (XXII), Annexes, a.i. 8, A/BUR/169.

⁷ G A (XXII), Gen. Com., 173rd mtg., para. 18.

⁸ G A (XXII), Plen., 1629th mtg., para. 117.

⁹ G A (XXII), Annexes, a.i. 8, A/6840/Add.4.

¹⁰ G A (XXIII), Annexes, a.i. 98, A/7226.

¹¹ *Ibid.*, A/7349.

¹² A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

¹³ G A resolution 2390 (XXIII).

¹⁴ G A (XXIII), Annexes, a.i. 81, A/7334.

¹⁵ *Ibid.*, A/7472.

¹⁶ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

¹⁷ G A (XXIII), Plen. 1752nd mtg., para. 222.*

¹⁸ G A resolution 2479 (XXIII).

¹⁹ G A (XXIV), Annexes, a.i. 96 and 12, A/7594.

²⁰ *Ibid.*, A/7846.

²¹ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

²² G A resolution 2553 (XXIV).

²³ G A (XXIII), Plen., 1676th mtg., para. 154.

ond Committee decided without objection to report to the Sixth Committee that it recommended the postponement of the matter until the twenty-fourth session.²⁴ The General Assembly took note of the decision of the Second Committee.²⁵

17. At the twenty-fourth session, the Second Committee considered the matter again and recommended to the General Assembly the adoption of a draft resolution whereby the Assembly would decide to defer *sine die* consideration of the proposed amendment.²⁶ The General Assembly adopted the draft resolution.²⁷

B. Some significant features of the rules

1. THE AGENDA

a. Special sessions

18. Rule 40 of the rules of procedure provides, *inter alia*, that the General Committee "shall, at the beginning of each session, consider the provisional agenda, together with the supplementary list, and shall make recommendations to the General Assembly with regard to each item proposed".

19. At the fifth special session, however, the President of the General Assembly suggested that the Assembly might wish to adopt its agenda in plenary meeting without reference to the General Committee.²⁸ His proposal was adopted without objection. A similar procedure had been followed at the third and fourth special sessions.

b. Emergency special sessions

20. At the fifth emergency special session, the General Assembly adopted its agenda in accordance with rule 65 of the rules of procedure²⁹ which provides that "the Assembly, in case of an emergency special session, shall convene in plenary session only and proceed directly to consider the item proposed for consideration in the request for the holding of the session, without previous reference to the General Committee or to any other committee".³⁰

2. ORGANIZATION OF SESSIONS

a. Election of officers

i. Special sessions

21. At the opening meeting of the fifth special session, the representative of Poland proposed³¹ that the Vice-Presidents of the General Assembly and the Chairmen of the Main Committees elected at the twenty-first session be re-elected, on the understanding that, in the absence of a Chairman of a Main Committee, the delegation from which the Chairman had been chosen would designate a

representative to replace him (see also para. 30 below). The Assembly adopted the proposal without objection.³²

ii. Emergency special sessions

22. At its fifth emergency special session, the General Assembly proceeded in accordance with rule 65 of the rules of procedure³³ which provides, *inter alia*, that the Vice-Presidents for an emergency special session shall be the chairmen of those delegations from which were elected the Vice-Presidents of the previous session (see also para. 31 below).³⁴

b. Credentials

i. Special sessions

23. At the fifth special session, the General Assembly, following the precedents established at the third and fourth special sessions, decided, on the proposal of the Temporary President, that the Credentials Committee should consist of the same members as those appointed for the twenty-first regular session.³⁵

ii. Emergency special sessions

24. At the fifth emergency special session, the General Assembly continued the practice of deciding that the Credentials Committee should consist of the same members as those appointed at the previous regular session.³⁶

3. ELECTIONS

a. Economic and Social Council

25. Rule 94 of the rules of procedure³⁷ provides that all elections shall be held by secret ballot and that there shall be no nominations. Nevertheless, at the twenty-third session, one representative, after a series of inconclusive ballots in which his country had been one of the two leading candidates and before the following ballot was taken, announced the withdrawal of his country's candidature.³⁸ A similar situation took place at the twenty-fourth session.³⁹

b. Industrial Development Board

26. At the twenty-third session, when the General Assembly proceeded to the election of one member of the Industrial Development Board in order to fill a vacancy arising from the resignation of a member of the Board, one representative, notwithstanding rule 94, informed the Assembly of the name of the candidate proposed by the regional group concerned.⁴⁰

4. QUESTIONS OF PARTICIPATION

27. At the twenty-first session, the General Assembly in-

²⁴ G A (XXIII), Annexes, a.i. 12, A/7426, paras. 24 and 25.

²⁵ G A (XXIII), Plen., 1751st mtg., para. 70.

²⁶ G A (XXIII), Annexes, a.i. 12, A/7854, para. 55.

²⁷ G A resolution 2568 (XXIV).

²⁸ G A (S-V), Plen., 1502nd mtg., para. 36.

²⁹ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

³⁰ G A (ES-V), Plen., 1525th mtg., para. 34.

³¹ G A (S-V), Plen., 1502nd mtg., para. 27.

³² *Ibid.*, para. 32.

³³ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

³⁴ G A (ES-V), Plen., 1525th mtg. para. 5.

³⁵ G A (S-V), Plen., 1502nd mtg., paras. 3-6.

³⁶ G A (ES-V), Plen., 1525th mtg., paras. 23 and 24.

³⁷ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

³⁸ G A (XXIII), Plen., 1725th mtg., para. 5.

³⁹ G A (XXIV), Plen., 1787th mtg., para. 13.

⁴⁰ G A (XXIII), Plen., 1745th mtg., para. 96.

vited⁴¹ Liechtenstein, San Marino and Switzerland to participate in the election to the International Court of Justice in accordance with resolution 264 (III) which provides that a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations may participate in the election in the General Assembly in the same manner as the Members of the United Nations.

28. At the twenty-fourth session, the General Assembly, in connexion with its consideration of the item entitled "Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28" decided, by its resolution 2520 (XXIV) of 4 December 1969, that "a State which is a party to the Statute of the International Court of Justice, but is not a Member of the United Nations, may participate in the General Assembly in regard to amendments to the Statute in the same manner as the Members of the United Nations". Accordingly, Liechtenstein, San Marino and Switzerland were invited to participate in the Sixth Committee⁴² as well as in the plenary meeting.⁴³

5. RECORDS OF MEETINGS

29. Rule 60 of the rules of procedure provides that verbatim records shall be made of the proceedings of the Main Committees established by the General Assembly and that other committees and sub-committees may decide

upon the form of their records. However, the General Assembly, by resolution 2538 (XXIV) of 11 December 1969, decided that verbatim or summary records would not be provided for a newly established subsidiary body of the General Assembly—rule 60 of the rules of procedure of the Assembly notwithstanding—unless they were specifically authorized in the enabling resolution.

C. Election of the President of the General Assembly

1. SPECIAL SESSIONS

30. At the fifth special session, the representative of Liberia proposed that, following the precedents established at the third and fourth special sessions, the President of the twenty-first regular session be re-elected for the duration of the fifth special session (see also para. 21 above). His proposal was adopted without objection.⁴⁴

2. EMERGENCY SPECIAL SESSIONS

31. At the fifth emergency special session, the General Assembly proceeded in accordance with rule 65 of the rules of procedure⁴⁵ which provides that the President for an emergency special session shall be the chairman of that delegation from which was elected the President of the previous session (see also para. 22 above).⁴⁶

⁴¹ G A (XXI), Plen., 1456th mtg., para. 2.

⁴² G A (XXIV), 6th Cttee., 1173rd mtg., para. 36.

⁴³ G A (XIV), Plen., 1831st mtg., para. 19.

⁴⁴ G A (S-V), Plen., 1520th mtg., para. 13.

⁴⁵ A/520/Rev. 8 and 9 during the period covered by *Supplement No. 4*.

⁴⁶ G A (ES-V), Plen., 1525th mtg., paras. 3-5.

ARTICLE 22

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