

REPERTORY OF PRACTICE OF UNITED NATIONS ORGANS
SUPPLEMENT No. 7
(Revised advance version, to be issued in volume IV of Supplement No. 7 (forthcoming) of the
Repertory of Practice of United Nations Organs)
Volume IV

ARTICLE 57

CONTENTS

Paragraphs

Text of Article 57

Introductory note.....	1 - 2
I. General survey.....	3 - 4
II. Analytical summary of practice.....	5 - 6
A. Relationship with the United Nations.....	5 - 6
1. The United Nations Industrial Development Organization.....	5 - 6
**B. The mandatory character of Article 57	
**C. Other inter-governmental organizations	

ARTICLE 57

TEXT OF ARTICLE 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

INTRODUCTORY NOTE

1. The present study deals with the establishment of relations between the United Nations and the specialized agencies, as provided under Article 57.¹ This study of Article 57 also deals with the question of relations with other intergovernmental organizations not defined as “specialized agencies” of the United Nations.²

2. For this study, the same major headings as those used in previous *Supplements* have been retained. There were no new developments or significant practice under the following section: II, Analytical Summary of Practice, subsection B. “The mandatory character of Article 57” and subsection C. “Other inter-governmental organizations.” The following issues, though closely related to the provisions of Article 57, are not dealt with here to prevent duplication of material contained in other studies: with respect to the General Assembly or the Economic and Social Council initiating negotiations for the creation of new specialized agencies, it is advisable to cross-reference to Article 59. Also attention should be given to Article 63 for discussion on negotiations and entering into agreements with specialized agencies; and to Article 70 for discussion concerning arrangements for representation by specialized agencies in the deliberations of the Economic and Social Council. While this study includes a discussion of special arrangements made by the Council with non-United Nations intergovernmental organizations, the study for Article 70 in addition discusses the practice of the United Nations with regard to the general participation of these organizations.

I. GENERAL SURVEY

3. During the period under review, the United Nations Industrial Development Organization (UNIDO) was brought into relationship with the United Nations as a specialized agency, marking the first time in United Nations history where a subsidiary organ of the General Assembly was converted into a specialized agency. After considering a draft agreement “intended to bring the United Nations Industrial Development Organization into relationship with the United Nations in accordance with Articles 57 and 63 of the Charter of the United Nations,”³ the General Assembly approved the relationship agreement in resolution 40/180 of 17 December 1985.⁴

4. Additionally, during this period, both the Economic and Social Council and the General Assembly made specific reference to Article 57 in Council resolution 1985/77 and General Assembly resolution 40/177. Both these resolutions concerned co-

¹ The practice has been to consider as “specialized agencies” only those organizations brought into relationship with the United Nations through agreements concluded in accordance with Article 63. See *Repertory*, under Article 57, note 1 and *Supplements of the Repertory*, under Article 57.

² The *Repertory* and its *Supplements* have noted the United Nations' practice for establishing relations with intergovernmental organizations other than the specialized agencies. See *Repertory*, under Article 57, para. 5. See *Supplement No. 1* and 2, under Article 57, particularly the sections of the study dealing with the International Atomic Energy Agency (IAEA); *Supplement No. 4*, under Article 70, paras. 3 - 4; *Supplement No. 5*, under Article 57, particularly the sections of the study dealing with INTERPOL and the WTO; and *Supplement No. 6*, particularly the sections of the study dealing with the University of Peace.

³ G A resolution 40/180 of 17 December 1985, para. 2.

⁴ *Ibid.*, para. 3.

ordination within the United Nations system and the specialized agencies. They stressed the need for more vigorous observance of the responsibilities laid down in the Charter of the United Nations and the agreements between the United Nations and the specialized agencies. Even though Article 57 is cited in these resolutions, they will not be dealt with in this study as the question of coordination falls within the realm of Articles 58 and 63. For further discussion on this question, see those studies in this *Supplement*.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Relationship with the United Nations

1. THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION (UNIDO)

5. As discussed in *Supplement 6* under Article 57,⁵ the General Assembly in resolution 34/96 of 13 December 1979⁶ had requested arrangements to negotiate a relationship agreement with UNIDO in accordance with Articles 57 and 63 of the United Nations Charter. Thus, the Economic and Social Council in decision 1983/105 “[a]uthorized the President of the Council to appoint . . . the members of the Committee on Negotiations with Intergovernmental Agencies.” By resolution 1985/74 of 26 July 1985, the Council took note of these appointments⁷ by the President of the Council.

6. By virtue of resolution 1985/74 of 26 July 1985, the Council further “[a]uthorize[d] the Committee on Negotiations with Intergovernmental Agencies to meet at an appropriate time to negotiate with the United Nations Industrial Development Organization a relationship agreement between the United Nations and the United Nations Industrial Development Organization;”⁸ and “[r]equest[ed] the Secretary-General to transmit directly to the Committee on Negotiations with Intergovernmental Agencies relevant proposals regarding the relationship agreement.”⁹ The process of negotiating and entering into an agreement with UNIDO, as well as both the proposed and adopted terms of the relationship agreement with UNIDO, are further discussed under the study of Article 63 for this *Supplement*.

⁵ See *Supplement 6*, under Article 57, I. General Survey and II. Analytical Summary of Practice, sect. A.1.

⁶ See General Assembly resolution 34/96, para. 11.

⁷ The following States were members of such Committee: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Colombia, the Congo, Ecuador, France, the German Democratic Republic, the Federal Republic of Germany, Guinea, India, Japan, Mexico, Morocco, the Netherlands, Nigeria, Poland, Somalia, Thailand, the Union of Soviet Republic, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela, Yugoslavia, Zaire and Zimbabwe. E/1985/161, para. 2.

⁸ E S C resolution 1985/74 of 26 July 1985, para. 2.

⁹ *Ibid.*, para. 3.