

## ARTICLE 62 (1)

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## ARTICLE 62 (1)

### TEXT OF ARTICLE 62 (1)

The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned.

### INTRODUCTORY NOTE

1. The present study is organized in the same manner as the study of Article 62 (1) in the *Repertory* and its *Supplements Nos. 1, 2, 3 and 5*. Under the analytical summary of practice, the only new material requiring treatment was the subject of recommendations relating to the reduction of resources spent for military purposes (sect. II.G).

2. In general, only such studies and reports as are made by or initiated through direct action of the Economic and Social Council are dealt with in the study. Furthermore, the study covers other means or methods used by the Council for gathering data or information. Recommendations made by the Council to bodies other than the General Assembly, Member States and the United Nations specialized agencies are also included.

3. Decisions of the Council under other Articles of the Charter of the United Nations are included only in so far as matters relating thereto have some bearing on the exercise by the Council of its powers under Article 62 (1). Thus, the present study does not deal with the following: annual reports submitted to the General Assembly by the Council under Article 15 (2); regular reports submitted by the specialized agencies to the Council, as well as reports from Member States and specialized agencies concerning their implementation of General Assembly and Council recommendations on economic and social matters provided for under Article 64; agreements with specialized agencies, coordination of their policies and activities, recommendations made pursuant to Articles 58 and 63; recommendations relating to arrangements for consultation with non-governmental organizations under Article 71; matters relating to functions and powers of the regional and functional commissions and subcommissions, ad hoc or other bodies established under the terms of Article 68 or of Council decisions; the functions entrusted to the Secretary-General by the Council under Article 98; and the general scope given the terms "international economic, social, cultural, educational, health and related matters."<sup>1</sup>

<sup>1</sup>See also the present *Supplement*, under Article 55.

### I. GENERAL SURVEY

#### A. Studies and reports

##### 1. GENERAL

4. During the period under review, the Economic and Social Council continued to exercise its power of initiating studies and reports as described in the *Repertory* for Article 62 (1) and its *Supplements Nos. 1, 2, 3 and 5*. As in the past, the Council made and initiated studies and reports at its own initiative, on the recommendation of its subsidiary organs<sup>2</sup> or upon the invitation of the General Assembly.<sup>3</sup>

<sup>2</sup>See, e.g., E S C decision 1980/126.

<sup>3</sup>See, e.g., E S C resolution 1983/9.

5. In conformity with previous practice, the types of studies initiated by the Council included analytical studies,<sup>4</sup> detailed studies,<sup>5</sup> comparative analyses,<sup>6</sup> feasibility studies,<sup>7</sup> surveys,<sup>8</sup> field-oriented activities,<sup>9</sup> collection of data,<sup>10</sup> views<sup>11</sup> or comments.<sup>12</sup>

<sup>4</sup>See, e.g., E S C resolutions 1981/25 and 1983/10.

<sup>5</sup>See, e.g., E S C resolution 1980/20.

<sup>6</sup>See, e.g., E S C resolution 1981/20.

<sup>7</sup>See, e.g., E S C resolutions 1981/53 and 1983/62.

<sup>8</sup>See, e.g., E S C resolution 1984/48.

<sup>9</sup>See, e.g., E S C resolution 1983/22.

<sup>10</sup>See, e.g., E S C resolution 1982/23.

<sup>11</sup>See, e.g., E S C resolution 1984/26.

<sup>12</sup>See, e.g., E S C resolution 1981/3.

6. The Council continued to request, inter alia, the preparation of progress reports,<sup>13</sup> interim reports,<sup>14</sup> final reports,<sup>15</sup> detailed reports,<sup>16</sup> information reports,<sup>17</sup> annual reports,<sup>18</sup> updated reports<sup>19</sup> and analytical reports.<sup>20</sup>

7. Many of the studies and reports called for by the Council covered the same subjects as those mentioned in the *Repertory* for Article 62 (1) and its *Supplements Nos. 1, 2, 3* and 5, inter alia, social aspects of rural development,<sup>21</sup> social welfare,<sup>22</sup> population,<sup>23</sup> crime prevention and criminal justice,<sup>24</sup> rationalization of the integrated reporting system on the status of women,<sup>25</sup> computer technology,<sup>26</sup> tax treaties between developed and developing countries,<sup>27</sup> role of the public sector in promoting the economic development of developing countries,<sup>28</sup> and narcotic drugs.<sup>29</sup> The Council's continued initiation of studies and reports relating to natural resources included non-metallic raw materials,<sup>30</sup> rare metals<sup>31</sup> and minerals.<sup>32</sup>

8. Among other subjects addressed by the Council were youth,<sup>33</sup> consumer protection,<sup>34</sup> welfare of migrant workers and their families,<sup>35</sup> transnational corporations in southern Africa and their collaboration with the racist minority regime in that area,<sup>36</sup> recovery and rehabilitation programme in the Sudano-Sahelian region,<sup>37</sup> elderly women,<sup>38</sup> energy and the environment,<sup>39</sup> water resources development: Mar del Plata Action Plan,<sup>40</sup> and economic and technical trends and developments in marine affairs.<sup>41</sup>

9. The Council also initiated studies and reports with respect to several new subjects, namely, the Third United Nations Development Decade,<sup>42</sup> World Communications Year: development of communications infrastructure,<sup>43</sup>

International Year of Shelter for the Homeless, 1987,<sup>44</sup> 1983 World Programme of Industrial Statistics,<sup>45</sup> United Nations Decade of Disabled Persons,<sup>46</sup> the new international economic order and the promotion of human rights,<sup>47</sup> human rights violations and disabled persons,<sup>48</sup> International Year against Drug Abuse,<sup>49</sup> utilization of subsurface space,<sup>50</sup> role of the family in the development process,<sup>51</sup> interrelationship of social and economic development policies,<sup>52</sup> social integration through popular participation,<sup>53</sup> technical and managerial aspects of the development, use and protection of international water resources,<sup>54</sup> International Drinking Water Supply and Sanitation Decade,<sup>55</sup> particular problems facing Zaire with regard to transport, transit and access to foreign markets,<sup>56</sup> emerging social issues of international concern in connection with the changes in the world economic situation,<sup>57</sup> the convening of a World Population Conference in 1984,<sup>58</sup> fair treatment of women by the criminal justice system and the situation of women as victims of crime,<sup>59</sup> elderly women,<sup>60</sup> development of the energy resources of the developing countries,<sup>61</sup> establishment of an international centre for public accounting and auditing,<sup>62</sup> and a permanent link between Europe and Africa through the Strait of Gibraltar.<sup>63</sup> The Council also initiated several studies and reports relating to the needs of certain countries for assistance in cases of natural disasters that occurred during the period under review. For example, in its resolution 1984/6, the Council requested that the Secretary-General send to Djibouti, after consultation with the Government of Djibouti, an inter-agency mission with the task of studying the situation in the drought-stricken areas of the country and evaluating the short-term, medium-term and long-term needs of the Government in the face of that situation.

10. As in the past, studies and reports were made or initiated primarily to aid the Council<sup>64</sup> or its subsidiary organs<sup>65</sup> in their policy-making role. By its resolution 1983/11, the Council recommended that the Secretary-General carry out studies and research with a view to arriving at solutions, especially with regard to the distribution of income, employment and other basic social problems. The Council maintained its practice of requesting

<sup>13</sup>See, e.g., E S C resolutions 1983/19 and 1983/23.

<sup>14</sup>See, e.g., E S C resolution 1984/75.

<sup>15</sup>See, e.g., E S C resolution 1984/31.

<sup>16</sup>See, e.g., E S C decision 1980/115.

<sup>17</sup>See, e.g., E S C resolution 1984/13.

<sup>18</sup>See, e.g., E S C resolution 1981/72.

<sup>19</sup>See, e.g., E S C resolution 1984/53.

<sup>20</sup>See, e.g., E S C resolution 1981/78.

<sup>21</sup>E S C resolution 1983/10.

<sup>22</sup>E S C resolution 1979/18.

<sup>23</sup>E S C resolution 1979/33.

<sup>24</sup>E S C resolution 1984/48.

<sup>25</sup>E S C resolution 1980/38.

<sup>26</sup>E S C resolution 1983/54.

<sup>27</sup>E S C resolution 1980/13.

<sup>28</sup>E S C resolution 1983/61.

<sup>29</sup>E S C resolution 1984/23.

<sup>30</sup>E S C resolution 1981/76.

<sup>31</sup>E S C resolution 1981/77.

<sup>32</sup>E S C resolution 1981/79.

<sup>33</sup>E S C resolution 1979/16.

<sup>34</sup>E S C resolution 1979/74.

<sup>35</sup>E S C resolution 1979/12.

<sup>36</sup>E S C resolution 1981/86.

<sup>37</sup>E S C resolution 1982/49.

<sup>38</sup>E S C resolution 1984/13.

<sup>39</sup>E S C resolution 1980/49.

<sup>40</sup>E S C resolution 1983/57.

<sup>41</sup>E S C resolution 1983/48.

<sup>42</sup>E S C resolution 1983/9.

<sup>43</sup>E S C resolution 1980/69.

<sup>44</sup>E S C resolution 1981/69 B.

<sup>45</sup>E S C resolution 1981/1.

<sup>46</sup>E S C resolution 1983/19.

<sup>47</sup>E S C decision 1980/126.

<sup>48</sup>E S C resolution 1984/26.

<sup>49</sup>E S C resolution 1982/10.

<sup>50</sup>E S C resolution 1981/82.

<sup>51</sup>E S C resolution 1983/23.

<sup>52</sup>E S C resolution 1983/11.

<sup>53</sup>E S C resolution 1983/13.

<sup>54</sup>E S C resolution 1981/81.

<sup>55</sup>E S C resolution 1979/31.

<sup>56</sup>E S C resolution 1982/61.

<sup>57</sup>E S C resolution 1981/19.

<sup>58</sup>E S C resolution 1981/74.

<sup>59</sup>E S C resolution 1984/49.

<sup>60</sup>E S C resolution 1984/13.

<sup>61</sup>E S C resolution 1983/60.

<sup>62</sup>E S C resolution 1981/53.

<sup>63</sup>E S C resolution 1982/57.

<sup>64</sup>See, e.g., E S C resolution 1980/69.

<sup>65</sup>See, e.g., E S C resolution 1979/12.

studies and reports containing recommendations on issues under examination.<sup>66</sup> In its resolution 1979/23, the Secretary-General was requested to prepare a report on the world experience in the field of integrated social and economic planning which could be recommended to Governments of interested States for application at the national level. Further, in accordance with Council resolution 1984/48, the Secretary-General was requested to conduct surveys in order to maintain and develop the United Nations crime-related database.

## 2. PREPARATION AND SUBMISSION

11. By its resolution 1982/50, the Council endorsed the recommendations of the Secretary-General, annexed to the resolution, relating to the revitalization of the Council. The recommendations concerned, *inter alia*, the submission of reports to the Council and its subsidiary bodies and their consideration of the reports submitted. The Secretary-General recommended that the Council, at its annual organizational session, decide on ways to consider all reports which had been requested for submission to it or its subsidiary machinery. The Secretary-General also recommended that the Council, at its first regular session, refrain from requesting reports for submission at its second regular session. In addition, the subsidiary bodies of the Council should refrain from requesting the Secretary-General to submit reports directly to the Council as well as refrain, to the extent possible, from transmitting reports submitted to them for consideration to the Council. Furthermore, reports on subjects within the purview of an established subsidiary body should, in principle, be submitted to that body. The subsidiary body should, in its reports to the Council, include a separate chapter relating to specific recommendations on issues, preferably in the form of draft resolutions, requiring action by the Council.

12. The Council continued to entrust the preparation of studies and reports mostly to the Secretary-General,<sup>67</sup> or to the Secretary-General in cooperation, collaboration or consultation with specialized agencies, organizations associated with the United Nations and other entities. The Council maintained its practice of requesting its regional commissions,<sup>68</sup> functional commissions,<sup>69</sup> subcommissions,<sup>70</sup> ad hoc committees,<sup>71</sup> bodies of experts,<sup>72</sup> special rapporteurs<sup>73</sup> and specialized agencies<sup>74</sup> or executive heads of specialized agencies<sup>75</sup> to undertake such tasks.

13. The Council furthermore maintained its extensive practice of requesting the Secretary-General to cooperate with the specialized agencies in the preparation of studies

and reports. Only on a few occasions<sup>76</sup> did the Council invite the Secretary-General to cooperate with a specified specialized agency or agencies. In most instances, the Council requested the Secretary-General to cooperate with specialized agencies as well as other organizations.<sup>77</sup> For example, in Council resolution 1983/16, the Secretary-General was requested to prepare, in cooperation with the specialized agencies and other organizations concerned, a report on the situation of migrant workers and their families.

14. The Secretary-General was also requested to cooperate with organizations other than specialized agencies. In one instance,<sup>78</sup> the Secretary-General was requested "to examine, in collaboration with other United Nations organizations concerned, the possibility of specific activities, ... to assist developing countries in the identification and subsequent technical and economic evaluation of their fertilizer raw materials". On another occasion,<sup>79</sup> the Secretary-General was requested to prepare, in consultation with non-governmental organizations as well as Member States and relevant organizations of the United Nations system, a comprehensive report on national experience in promoting the cooperative movements.

15. The Council continued to request the Secretary-General to cooperate with Governments<sup>80</sup> and States Members<sup>81</sup> of the United Nations in the preparation of studies and reports. Thus, in its resolution 1983/13, the Council requested the Secretary-General, "in cooperation with Governments ... to arrange a study on the role of popular participation in the formulation and implementation of strategies and policies for social integration". The Council also invited<sup>82</sup> Member States to provide information in connection with the Secretary-General's preparation of studies and reports, and moreover recommended<sup>83</sup> Member States and Governments to initiate studies and reports.

16. In conformity with its previous practice, the Council occasionally requested specialized agencies to undertake the preparation of studies and reports. In Council resolution 1984/23, the World Health Organization was urged "to select any of those amphetamine-like drugs for which data have been collected and which represent the most serious social and health consequences, to review those substances immediately ... and to make its findings available".

17. As in the past, the Council continued to entrust the preparation of studies and reports to special rapporteurs and to bodies of experts. The establishment of bodies of experts and the selection of members thereof as well as the appointment of special rapporteurs was, as a rule, decided or authorized by the Council upon recommendations or views expressed by its subsidiary bodies. For example, in its resolution 1979/44, the Council, on the recommendation of the Commission on Transnational Corporations, decided to establish an Ad Hoc International Working Group of Experts

<sup>66</sup>See, e.g., E S C resolution 1982/10.

<sup>67</sup>See, e.g., E S C resolutions 1983/52, 1983/61 and 1981/25.

<sup>68</sup>See, e.g., E S C resolutions 1984/75, 1983/57 and 1983/68.

<sup>69</sup>See, e.g., E S C resolution 1982/10.

<sup>70</sup>See, e.g., E S C resolution 1983/33.

<sup>71</sup>See, e.g., E S C resolution 1984/52.

<sup>72</sup>See, e.g., E S C resolution 1979/45.

<sup>73</sup>See, e.g., E S C resolution 1984/31.

<sup>74</sup>See, e.g., E S C resolution 1980/69.

<sup>75</sup>See, e.g., E S C decision 1982/163.

<sup>76</sup>See, e.g., E S C decision 1979/29.

<sup>77</sup>See, e.g., E S C resolutions 1979/5 and 1979/12.

<sup>78</sup>E S C resolution 1981/79.

<sup>79</sup>E S C resolution 1983/15.

<sup>80</sup>See, e.g., E S C resolution 1984/6.

<sup>81</sup>See, e.g., E S C resolution 1983/15.

<sup>82</sup>See, e.g., E S C resolutions 1983/16 and 1981/21.

<sup>83</sup>See, e.g., E S C resolution 1983/57.

on International Standards of Accounting and Reporting, consisting of members elected by the Council, with appropriate experience in the field of accounting and reporting. By Council decision 1980/126, the Subcommittee on Prevention of Discrimination and Protection of Minorities was authorized by the Council to appoint a Special Rapporteur "with the mandate of preparing a study on the new international economic order and the promotion of human rights". For the most part, the Secretary-General was requested to assist the special rapporteurs in the completion of their work.<sup>84</sup>

18. The Council continued to request departments,<sup>85</sup> funds<sup>86</sup> and programmes<sup>87</sup> of the United Nations, alone or together with other entities, to undertake the preparation of studies and reports. Thus, in its resolution 1980/22, the Council urged the "United Nations Fund for Drug Abuse Control to assist the Permanent Secretariat of the Conference of the South American Agreement on Narcotic Drugs and Psychotropic Substances in carrying out a study of the present situation in the region, identifying the resources available and the programmes to be implemented in pursuance of the Agreement".

19. On several occasions, the Council specified sources of material, other than those mentioned in the *Repertory* for Article 62 (1) and its *Supplements Nos. 1, 2, 3 and 5*, to be used in the preparation of studies and reports, for example, previous agreements reached on the matter,<sup>88</sup> working papers,<sup>89</sup> views<sup>90</sup> and data from the World Fertility Survey.<sup>91</sup> In its resolution 1983/19, the Council requested the Secretary-General, inter alia, to prepare a report including all previous documentation on the subject.

20. As in the past, studies and reports were mostly submitted to the Council,<sup>92</sup> to its functional commissions,<sup>93</sup> subcommissions,<sup>94</sup> committees<sup>95</sup> or to the General Assembly.<sup>96</sup> In some instances,<sup>97</sup> the Secretary-General was requested to submit the studies and reports prepared to world conferences. Also, in Council resolution 1983/14, the Secretary-General was requested to submit documentation to the Advisory Committee for the International Youth Year.

21. The Council continued to take action on studies and reports similar to those actions taken in the past.<sup>98</sup> In some instances,<sup>99</sup> the Council decided that studies and reports should be published in all the official languages of the

United Nations and given the widest distribution possible. In its decision 1980/131, the Council decided that the revised report should be appended to the original report, printed and disseminated on an extensive scale. On another occasion,<sup>100</sup> the Council endorsed the conclusions contained in a report of the Administrator of the United Nations Development Programme.

## B. Recommendations

### 1. GENERAL

22. During the period under review, the Council did not expressly refer to Article 62 (1) of the Charter of the United Nations as a basis for making recommendations. The Council did, however, in its resolution 1982/50, adopt measures concerning its programme and organization of work, including decisions directly concerning the issue of recommendations. Thus, it reaffirmed its prior decision that it would focus its attention on major policy issues and study them in depth with a view to elaborating concrete action-oriented recommendations.<sup>101</sup> Furthermore, the Council decided that "as part of its annual general discussion of international economic and social policy ... the Council may formulate appropriate conclusions and recommendations thereon" to the General Assembly, Member States and other entities of the United Nations system concerned.

23. As in the past, the terminology used by the Council in the recommendations did not follow any general pattern. The terms "urges", "recommends" and "requests" were frequently used. Recommendations addressed to States often employed the terms "urges",<sup>102</sup> "calls upon"<sup>103</sup> and "appeals",<sup>104</sup> while the term "recommends"<sup>105</sup> was mostly used in recommendations addressed to the General Assembly.

### 2. TO STATES

24. The Council continued to address Member States in general,<sup>106</sup> categories or groups of Member States<sup>107</sup> and particular Member States,<sup>108</sup> depending upon the issue under consideration. The Council maintained its practice of addressing States, whether or not they were Members of the United Nations, in a similar manner.<sup>109</sup> In several instances,<sup>110</sup> the Council addressed States in conjunction with individuals as well as other entities, such as the specialized agencies, regional, national and international organizations, institutions, mass media, educational bodies,

<sup>84</sup>See, e.g., E S C resolutions 1983/37 and 1983/34.

<sup>85</sup>See, e.g., E S C decision 1983/123.

<sup>86</sup>See, e.g., E S C resolution 1980/22.

<sup>87</sup>See, e.g., E S C resolution 1980/49.

<sup>88</sup>E S C resolution 1981/75.

<sup>89</sup>E S C decision 1980/190.

<sup>90</sup>E S C resolution 1979/49.

<sup>91</sup>E S C resolution 1981/29.

<sup>92</sup>See, e.g., E S C resolutions 1984/75 and 1984/26.

<sup>93</sup>See, e.g., E S C resolutions 1980/21, 1983/33, 1983/16 and 1984/13.

<sup>94</sup>See, e.g., E S C resolution 1984/30.

<sup>95</sup>See, e.g., E S C resolutions 1984/48 and 1983/54.

<sup>96</sup>See, e.g., E S C resolutions 1981/12 and 1983/15.

<sup>97</sup>See, e.g., E S C resolution 1982/22.

<sup>98</sup>See *Repertory* and its *Supplements Nos. 1, 2, 3 and 5*, under Article 62 (1).

<sup>99</sup>See, e.g., E S C decisions 1984/133 and 1984/142.

<sup>100</sup>E S C resolution 1980/63.

<sup>101</sup>See also *Supplement No 5*, under Article 62 (1), para. 14.

<sup>102</sup>E S C resolution 1979/7.

<sup>103</sup>E S C resolution 1979/75.

<sup>104</sup>E S C resolution 1982/51.

<sup>105</sup>E S C resolution 1984/78.

<sup>106</sup>See, e.g., E S C resolutions 1979/67 and 1984/46.

<sup>107</sup>See, e.g., E S C resolutions 1979/52, 1981/7, 1981/67 and 1981/71.

<sup>108</sup>See, e.g., E S C resolutions 1981/42 and 1984/75.

<sup>109</sup>See, e.g., E S C resolutions 1984/3, 1981/7, 1981/17 and 1982/8.

<sup>110</sup>See, e.g., E S C resolutions 1979/32, 1981/22, 1981/33, 1983/7, 1982/23 and 1979/51.

agencies, governmental, intergovernmental and non-governmental organizations, and organs and bodies of the United Nations system. On numerous occasions,<sup>111</sup> the Council also addressed the international community.

25. During the period under review, the Council addressed several new topics, including the development of public information with particular reference to the dissemination of international instruments and information about United Nations activities in the field of human rights,<sup>112</sup> the role of qualified national personnel in the social and economic development of developing countries,<sup>113</sup> international energy statistics,<sup>114</sup> the promotion of understanding of the problems of drug abuse by the general public,<sup>115</sup> social aspects of the access to culture,<sup>116</sup> the International Year of Disabled Persons,<sup>117</sup> elderly women,<sup>118</sup> the World Assembly on Aging,<sup>119</sup> World Communications Year: development of communications infrastructures,<sup>120</sup> the Industrial Development Decade for Africa,<sup>121</sup> the establishment of a regional office at Lima for coordinating narcotics control,<sup>122</sup> the establishment of an international centre for public accounting and auditing,<sup>123</sup> the International Drinking Water Supply and Sanitation Decade,<sup>124</sup> particular problems facing Zaïre with regard to transport, transit and access to foreign markets,<sup>125</sup> protection against harmful or potentially harmful products,<sup>126</sup> the Third United Nations Development Decade,<sup>127</sup> the role of the family in the development process,<sup>128</sup> a permanent link between Europe and Africa through the Strait of Gibraltar,<sup>129</sup> the promotion of opportunities for young women,<sup>130</sup> human rights violations and disabled persons,<sup>131</sup> violence in the family<sup>132</sup> and the Transport and Communication Decade for Asia and the Pacific.<sup>133</sup>

26. In conformity with past practice, the recommendations by the Council envisaged a variety of actions, including the participation in relief operations,<sup>134</sup> the donation of contributions,<sup>135</sup> the adherence to and the

implementation of resolutions,<sup>136</sup> the taking of legislative, administrative, judicial and other measures,<sup>137</sup> the facilitation of public information,<sup>138</sup> the exchange of information,<sup>139</sup> the creation of cultural values<sup>140</sup> and the taking of various measures to ensure the promotion of women at both the national<sup>141</sup> and the international level.<sup>142</sup> The Council encouraged the conclusion of a new wheat agreement<sup>143</sup> and recommended that States become signatories and parties<sup>144</sup> to international instruments, thereby ensuring their implementation.<sup>145</sup>

27. The Council continued its practice of recommending that States develop internal plans and programmes. For example, in its resolution 1979/14, the Council recommended that Governments give particular attention to the development of a plan of protection against dangers of all kinds and promote certain preventive measures against disability. On another occasion,<sup>146</sup> the Council called upon Governments to implement agrarian reform and rural development within the framework of their national plans and objectives and in accordance with recommendations adopted by the World Conference of Agrarian Reform and Rural Development. Moreover,<sup>147</sup> the Council invited Governments of developing countries to establish national systems for training qualified national personnel in their social and economic development.

28. In addition to the above, the Council made several recommendations relating to the implementation of plans of action, negotiated under the auspices of the United Nations, at a national level. Thus, in its resolution 1983/57, the Council invited States to undertake certain actions to implement the Mar del Plata Action Plan and the International Drinking Water Supply and Sanitation Decade. In another instance,<sup>148</sup> the Council strongly urged "the Governments of developing countries to participate in a programme of development of national statistics according to international guidelines".

29. Several of the recommendations made by the Council concerned actions to be taken in concert with other States and entities.<sup>149</sup> For example, in its resolution 1983/16, the Council affirmed the need for concerted action by Governments to harmonize existing bilateral and multilateral agreements on migrant workers. In another instance,<sup>150</sup> the Council appealed to "States, governmental and non-governmental organizations and specialized agencies to cooperate in financing a reconstruction and rehabilitation

<sup>111</sup> See, e.g., E S C resolutions 1980/17 and 1983/71.

<sup>112</sup> E S C resolution 1980/30.

<sup>113</sup> E S C resolution 1979/52.

<sup>114</sup> E S C resolution 1981/2.

<sup>115</sup> E S C resolution 1981/9.

<sup>116</sup> E S C resolution 1981/17.

<sup>117</sup> E S C resolution 1981/22.

<sup>118</sup> E S C resolution 1982/23.

<sup>119</sup> E S C resolution 1981/23.

<sup>120</sup> E S C resolution 1981/60.

<sup>121</sup> E S C resolution 1983/70.

<sup>122</sup> E S C resolution 1982/14.

<sup>123</sup> E S C resolution 1982/43.

<sup>124</sup> E S C resolution 1981/80, sect. V.

<sup>125</sup> E S C resolution 1982/61.

<sup>126</sup> E S C decision 1982/180.

<sup>127</sup> E S C resolution 1983/9.

<sup>128</sup> E S C resolution 1983/23.

<sup>129</sup> E S C resolution 1983/62.

<sup>130</sup> E S C resolution 1984/15.

<sup>131</sup> E S C resolution 1984/26.

<sup>132</sup> E S C resolution 1984/14.

<sup>133</sup> E S C resolution 1984/78.

<sup>134</sup> E S C resolution 1982/6.

<sup>135</sup> E S C resolution 1981/13.

<sup>136</sup> E S C resolutions 1979/70, sect. I, and 1982/12.

<sup>137</sup> E S C resolution 1979/75.

<sup>138</sup> E S C resolutions 1980/30 and 1981/9.

<sup>139</sup> E S C resolution 1981/81.

<sup>140</sup> E S C resolution 1981/17.

<sup>141</sup> E S C resolution 1984/15.

<sup>142</sup> E S C resolution 1984/11.

<sup>143</sup> E S C resolution 1983/71.

<sup>144</sup> E S C resolutions 1979/54 and 1980/17.

<sup>145</sup> E S C resolutions 1981/7 and 1984/79.

<sup>146</sup> E S C resolution 1983/71.

<sup>147</sup> E S C resolution 1979/52.

<sup>148</sup> E S C resolution 1981/2.

<sup>149</sup> See para. 19 above.

<sup>150</sup> E S C resolution 1983/45.

programme for the affected areas of Bolivia, Ecuador and Peru and to participate actively in its implementation”.

30. In a few instances, the Council envisaged limitations for the implementation of its recommendations. Thus, in its resolution 1983/4, the Council encouraged “all States to take prompt action, with due regard to their constitutional, legal and administrative systems, to curtail employment of their flag vessels in the illicit drug trade and to impose significant sanctions on persons convicted of such activity”.

### 3. TO THE GENERAL ASSEMBLY

31. During the period under review, the Council continued to make recommendations to the General Assembly relating to issues such as adoption and foster placement of children,<sup>151</sup> international cooperation in the field of human settlement,<sup>152</sup> a code of conduct on transnational corporations and an international agreement on illicit payments,<sup>153</sup> a draft code of medical ethics<sup>154</sup> and economic and technical cooperation among developing countries.<sup>155</sup>

32. Recommendations to the General Assembly relating to new issues included those involving the Third United Nations Development Decade,<sup>156</sup> banned hazardous chemicals and unsafe pharmaceutical products,<sup>157</sup> the International Year of Shelter for the Homeless,<sup>158</sup> World Communications Year: development of communications infrastructure,<sup>159</sup> World Assembly on the Elderly,<sup>160</sup> Global Strategy for Health for All by the Year 2000,<sup>161</sup> environment and development in Africa,<sup>162</sup> Industrial Development Decade for Africa<sup>163</sup> and Transport and Communications Decade for Asia and the Pacific.<sup>164</sup>

33. As in the past, Council recommendations addressed to the General Assembly envisaged such actions as the consideration<sup>165</sup> and adoption<sup>166</sup> of draft resolutions as well as the consideration<sup>167</sup> and postponement of its consideration<sup>168</sup> of certain matters. Other Council recommendations envisaged actions such as the provision of resources,<sup>169</sup> the inclusion of items in its agenda,<sup>170</sup> the request of reports to be undertaken,<sup>171</sup> the review of

reports,<sup>172</sup> the taking<sup>173</sup> or consideration<sup>174</sup> of measures as well as the authorization of the Secretary-General to perform certain tasks. Thus, in its resolution 1979/28, the Council recommended that the General Assembly authorize the Secretary-General to convene a group of experts to draft guidelines for the use of Governments in the implementation of the declaration on social and legal principles relating to the adoption and foster placement of children, in the event of the adoption of the declaration by the General Assembly.

34. In its resolution 1979/31, the Council recommended that the General Assembly hold a meeting to formally launch the International Drinking Water Supply and Sanitation Decade. In another instance,<sup>175</sup> the Council recommended, inter alia, that the General Assembly consider and select issues for appropriate action and that the General Assembly consider and agree upon the contents of and the procedures for regular policy reviews in future years in the light of the recommendations contained in the report of the Director-General for Development and International Cooperation and the discussions in the Council. On another occasion,<sup>176</sup> the Council recommended that the General Assembly consider and approve the revised statutes of the Regional Institute for Population Studies at Accra and the Institut de formation et de recherche démographiques at Yaoundé.

### 4. TO THE SPECIALIZED AGENCIES

35. Recommendations to the specialized agencies, as in the past, were addressed to particular specialized agencies,<sup>177</sup> specialized agencies in general<sup>178</sup> and specialized agencies in conjunction with organizations and entities, whether<sup>179</sup> or not<sup>180</sup> part of the United Nations system.

36. During the period under review, recommendations to the specialized agencies dealing with new subjects covered the role of qualified national personnel in the social and economic development of developing countries,<sup>181</sup> World Communications Year: development of communications infrastructure,<sup>182</sup> the Third United Nations Development Decade,<sup>183</sup> the establishment of a regional office at Lima for coordinating narcotics control,<sup>184</sup> the establishment of an international centre for public accounting and auditing,<sup>185</sup> particular problems facing Zaire with regard to transport, transit and access to foreign markets,<sup>186</sup> the Industrial

<sup>151</sup>E S C resolution 1979/28.

<sup>152</sup>E S C resolution 1979/46.

<sup>153</sup>E S C decision 1979/73.

<sup>154</sup>E S C resolution 1981/27.

<sup>155</sup>E S C resolution 1983/66.

<sup>156</sup>E S C resolution 1983/57, para. 10.

<sup>157</sup>E S C decision 1980/116.

<sup>158</sup>E S C resolution 1981/69 B.

<sup>159</sup>E S C resolution 1980/69.

<sup>160</sup>E S C resolution 1980/26.

<sup>161</sup>E S C resolution 1981/61.

<sup>162</sup>E S C resolution 1984/72.

<sup>163</sup>E S C resolution 1983/70.

<sup>164</sup>E S C resolution 1984/78.

<sup>165</sup>E S C resolution 1981/73 and decision 1982/176.

<sup>166</sup>E S C resolutions 1979/15 and 1982/13.

<sup>167</sup>E S C resolution 1980/6.

<sup>168</sup>E S C decision 1980/116.

<sup>169</sup>E S C resolutions 1979/54 and 1983/66.

<sup>170</sup>E S C resolution 1980/26.

<sup>171</sup>E S C resolution 1981/69.

<sup>172</sup>E S C resolution 1979/48.

<sup>173</sup>E S C resolution 1981/27.

<sup>174</sup>E S C resolution 1981/67.

<sup>175</sup>E S C resolution 1980/66.

<sup>176</sup>E S C resolution 1982/65.

<sup>177</sup>See, e.g., E S C resolutions 1980/19 and 1981/60.

<sup>178</sup>See, e.g., E S C resolution 1984/15.

<sup>179</sup>See, e.g., E S C resolutions 1979/58, 1980/51 and 1981/52.

<sup>180</sup>See, e.g., E S C resolutions 1982/14 and 1983/68.

<sup>181</sup>E S C resolution 1979/52.

<sup>182</sup>E S C resolution 1981/60.

<sup>183</sup>E S C resolution 1981/64.

<sup>184</sup>E S C resolution 1982/14.

<sup>185</sup>E S C resolution 1982/43.

<sup>186</sup>E S C resolution 1982/61.

Development Decade for Africa<sup>187</sup> and the promotion of opportunities for young women.<sup>188</sup>

37. The Council continued to make recommendations to the specialized agencies envisaging a variety of actions, including the coordination of activities,<sup>189</sup> the sympathetic and urgent consideration of requests for assistance,<sup>190</sup> the provision of information,<sup>191</sup> the undertaking of projects,<sup>192</sup> the taking of certain actions in regard to the application and implementation of programmes,<sup>193</sup> the lending of support to

the efforts of the Secretary-General to mobilize relief and assistance to countries having suffered from natural disasters,<sup>194</sup> the conducting of consultations,<sup>195</sup> a greater participation in the United Nations system of drug abuse control,<sup>196</sup> the taking of measures within existing resources,<sup>197</sup> the placement of high priority on certain activities in their programmes<sup>198</sup> and the consideration of certain issues when making decisions<sup>199</sup> or implementing programmes.<sup>200</sup>

<sup>187</sup>E S C resolution 1984/70.

<sup>188</sup>E S C resolution 1984/15.

<sup>189</sup>E S C resolution 1979/14.

<sup>190</sup>E S C resolution 1982/5.

<sup>191</sup>E S C resolution 1984/23.

<sup>192</sup>E S C resolution 1984/15.

<sup>193</sup>E S C resolutions 1984/59 and 1982/66, sect. B.

<sup>194</sup>E S C resolution 1982/5.

<sup>195</sup>E S C resolution 1980/51.

<sup>196</sup>E S C resolution 1980/19.

<sup>197</sup>E S C decision 1983/121.

<sup>198</sup>E S C resolution 1979/70, sect. IX.

<sup>199</sup>E S C resolution 1979/58.

<sup>200</sup>E S C resolution 1982/28.

## II. ANALYTICAL SUMMARY OF PRACTICE

### G. Question of the power of the Council to make recommendations to States involving matters connected with the reduction of armaments and national budgets

38. During the period under review, the Council adopted two resolutions relating to the reallocation of resources spent for military purposes to the promotion of development and social progress. While resolution 1983/18 focused on the issue of the adverse effects of the arms race on social progress and development, resolution 1984/16 dealt with the issue in the context of the implementation of the objectives of the United Nations Decade for Women. Both recommendations were addressed to States and were adopted without discussion and without a vote. This unanimous approach may be explained by the clarification of the Council's competence as a result of earlier discussions in the Council and its subsidiary bodies,<sup>201</sup> as well as the restructuring of the economic and social sectors of the United Nations,<sup>202</sup> after this matter was introduced in the *Repertory*.<sup>203</sup>

<sup>201</sup>At the 1292nd meeting of the Council, on 23 July 1963, draft resolutions E/L.1018 and E/L.1022 had been discussed. The first operative paragraph in the latter draft resolution had read: "calls upon all governments to multiply their efforts to achieve an agreement on general and complete disarmament under effective international control and to implement the declaration adopted by the General Assembly, at its seventeenth session;". One delegate had doubted whether such action could properly be taken by the Council, which was essentially concerned with economic and social matters. Another delegate had observed that the Council was considering the economic and social consequences of disarmament, and not the question of disarmament itself, which was outside its competence. Operative paragraph 1 of draft resolution E/L.1034, which had combined the two draft resolutions referred to above, had read: "expresses the hope that the Governments of all States will intensify their efforts to achieve an agreement on general and complete disarmament under effective international control with the desire to realize the benefits of mankind to which the Declaration on the conversion to peaceful needs of the resources released by disarmament (resolution 1837 (XVII) of the General Assembly) is addressed". The Council's discussion of E/L.1034 at its 1303rd meeting, on 2 August 1963, however, had not concerned the first operative paragraph, but rather the third and fourth operative paragraphs. Those paragraphs had related to the undertaking of studies within the field of economic and social aspects of disarmament. E/L.1034 had been adopted, by 17 votes to none with 1 abstention, as resolution 982 (XXXVI).

<sup>202</sup>The General Assembly, by its resolution 32/197, annex, para. 5(a), had reaffirmed the Council's role to "to serve as the central forum for the discussion of international economic and social issues of a global or interdisciplinary nature and the formulation of policy recommendations thereon addressed to Member States and to the United Nations system as a whole".

<sup>203</sup>See *Repertory*, under Article 62 (1), paras.79-81.