

ARTICLE 66 (2)

Table of Contents

	<u>Paragraphs</u>
Text of Article 66 (2)	
Introductory Note	1
I. General Survey	2 - 28
A. The United Nations Children's Fund	2
B. Advisory welfare services	3
C. Programmes of technical co-operation for the economic and social development of under-developed countries	4 - 11
1. Regular and expanded programmes of technical assistance	4 - 8
2. The Special Fund	9 - 10
3. Provision of operational, executive and administrative personnel	11
** D. Technical assistance in the field of public administration	
E. Technical assistance in certain fields relating to human rights	12 - 15
F. Provision of services of an emergency character through specially created bodies	16 - 20
G. Some characteristics of the services provided to Governments by the United Nations	21 - 25
** H. Services at the request of the specialized agencies	
I. Technical assistance in the field of narcotics control	26 - 28
II. Analytical Summary of Practice	29 - 39
** A. How the Economic and Social Council performs services	
** B. The approval of the General Assembly	
C. The services	29 - 31
1. Services provided by specially created bodies	30
2. Technical assistance services	31
** 3. Services outside the scope of technical assistance	
D. Eligibility for services	32 - 34

Table of Contents
(continued)

	<u>Paragraphs</u>
E. The request	35 - 39
1. The formal request	35
2. The scope of the request	36 - 37
3. Obligations connected with the request	38 - 39

TEXT OF ARTICLE 66 (2)

It [the Economic and Social Council] may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

INTRODUCTORY NOTE

1. During the period under review, several new arrangements were added to those described in the previous Repertory studies of this Article; these were measures by which the Economic and Social Council performed services at the request of Members of the United Nations and at the request of the specialized agencies. The former heading I C, "Technical assistance for the economic development of under-developed countries" has been modified in the present study to cover further developments during this period.

I. GENERAL SURVEY

A. The United Nations Children's Fund

2. The General Assembly expressed the hope 1/ that all Governments would contribute to the United Nations Children's Fund (UNICEF) as generously as possible, and that Governments, organizations and individuals would give it increased support. 2/

B. Advisory welfare services

3. At its twenty-eighth session, the Economic and Social Council requested 3/ the Secretary-General, when asked to do so by Governments, to carry out pilot projects designed to improve national social welfare programmes and to find new and more effective approaches for training social welfare personnel. He was also asked 4/ to continue to give high priority to assisting Governments in planning and implementing national social services for family and child welfare and to providing technical services to UNICEF in its activities in this field.

1/ G A resolution 1257 (XIII).
 2/ G A resolution 1160 (XII).
 3/ E S C resolution 731 G (XXVIII).
 4/ E S C resolution 731 H (XXVIII).

C. Programmes of technical co-operation for the economic and social development of under-developed countries

1. *Regular and expanded programmes of technical assistance*

4. The Economic and Social Council continued 5/ to concern itself with various aspects of technical assistance for the economic development of under-developed countries, and to emphasize the need for a larger programme.

5. Following the recommendations 6/ of the General Assembly, the Council expanded 7/ the Technical Assistance Committee (TAC) 8/ which had consisted of the members of the Council, by adding six members to be elected by the Council from among the Members of the United Nations or members of the specialized agencies in order to give a voice to contributing and recipient countries having an important interest in the Expanded Programme of Technical Assistance.

6. At its twenty-sixth session, the Council introduced 9/ a further degree of flexibility in the execution of the Expanded Programme by taking steps 10/ designed to make more effective the country programming procedures which had been initiated under resolution 542 B (XVIII), part II. Among these steps was a request to indicate the relationship of each project request to any general development plan or programme and its expected duration, pace and objectives, as well as its relationship to any other similar or complementary project under another technical assistance programme. At its twenty-eighth session, the Council decided 11/ that, on an experimental basis for the period 1961-1962, the Expanded Programme should be planned and approved by the parties concerned for a two-year period. The General Assembly was requested 12/ by the Council to encourage Governments to contribute to the Expanded Programme in such a way that it could gradually be expanded further. The Council expressed the hope that the Expanded Programme would be larger in 1959 than in 1958, and that it would not be adversely affected by the establishment of the Special Fund. In connexion with the ten-year anniversary of the Expanded Programme, a special appeal was made 13/ by the Council for increased contributions.

7. At its twenty-fourth session, the Council requested 14/ the Secretary-General, in preparing a report under resolution 664 (XXIV) on the relationship between the work of the regional economic commissions and the work done under the Technical Assistance Programme, to pay special attention to a resolution of the Economic Commission for Latin America which endorsed the decentralization of the Technical Assistance Administration on a permanent basis as early as possible, on the ground of more efficient utilization of resources.

5/ See, for example, E S C resolutions 658 (XXIV), 659 (XXIV), 734 (XXVIII), 735 (XXVIII).

6/ G A resolution 1036 (XI).

7/ E S C resolution 647 (XXIII).

8/ See the Repertory, under Article 66 (2), para. 26.

9/ E S C resolution 700 (XXVI).

10/ See Repertory, Supplement No. 1, under Article 66 (2), para. 6.

11/ E S C resolution 735 (XXVIII).

12/ E S C resolution 701 (XXVI).

13/ E S C resolution 734 (XXVIII).

14/ E S C resolution 679 C II (XXVI).

8. The Council emphasized 15/ the desirability of strengthening the substantive servicing of United Nations technical assistance operations in the field of industrialization, as well as maintaining close relationship with the Expanded Programme and the Special Fund, in order to assist the Secretary-General's programme of work in the field of industrialization and productivity.

2. *The Special Fund*

9. A further development in the provision of technical assistance took place when the General Assembly decided 16/ at its twelfth session that a separate Special Fund should be "established as an expansion of the existing technical assistance and development activities of the United Nations and the specialized agencies" to "provide systematic and sustained assistance in fields essential to the integrated technical, economic and social development of the less developed countries", and arranged for appropriate preparatory work.

10. The Special Fund was established 17/ by the General Assembly at its thirteenth session. The General Assembly decided that the Special Fund was to "direct its operations towards enlarging the scope of the United Nations programmes of technical assistance so as to include special projects in certain basic fields as outlined hereunder". The basic fields were listed as "the fields of resources, including the assessment and development of manpower, industry, including handicrafts and cottage industries, agriculture, transport and communications, building and housing, health, education, statistics and public administration". The types of project were defined as "surveys; research and training; demonstration, including pilot projects". The resolution provided that the Special Fund was to be financed by Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency through voluntary contributions; the Special Fund was also authorized to receive donations from non-governmental sources. The following organs of the Special Fund were established by the resolution: a Governing Council, a Managing Director and his staff, and a consultative board. The General Assembly further stated that the Special Fund "shall be an organ of the United Nations administered under the authority of the Economic and Social Council and of the General Assembly, which will exercise in respect of the Fund their powers under the Charter". The Council was made responsible for the formulation of the general rules and principles governing the administration and operations of the Special Fund, for the review of its operations and for consideration of the Expanded Programme of Technical Assistance and of the Special Fund in their relation to each other. The General Assembly also decided to review the progress and operations of the Special Fund as a separate subject of its agenda. Several principles and criteria were set up by the General Assembly to guide the Special Fund in establishing programmes; the resolution also contained procedures relating to the sources and the formulation of requests, their evaluation and approval, and the execution of projects.

15/ E S C resolution 674 A (XXV).

16/ G A resolution 1219 (XII), section II; see also the study in this Supplement under Article 55, section I A 4 a.

17/ G A resolution 1240 (XIII).

3. Provision of operational, executive and administrative personnel

11. Responding to the suggestion of the Secretary-General 18/ and to Council resolution 681 (XXVI) concerning the creation of an international administrative service, the General Assembly decided, in resolution 1256 (XIII), in 1958, at its thirteenth session, to authorize the Secretary-General to supplement existing technical assistance programmes with a new scheme under which, on a modest scale and on an experimental basis, he would assist Governments in securing well qualified persons on a temporary basis, and in meeting their expenses; such persons were to work as servants of the requesting Governments in executive or operational capacities. For each expert under this scheme, requesting Governments were to contribute not less than the total emolument of one of its nationals performing similar duties. At its twenty-eighth session, in 1959, the Council recommended 19/ to the General Assembly that this experimental programme be continued.

****D. Technical assistance in the field of public administration 20/**

E. Technical assistance in certain fields relating to human rights

12. Both the General Assembly and the Economic and Social Council continued to refer to the programme of advisory services in the field of human rights, established by the General Assembly at its tenth session. 21/ The General Assembly urged 22/ Member States to consider the possibility of holding seminars on freedom of information under the programme, and also stressed 23/ the desirability of holding frequent seminars on the status of women.

13. The Council, at its twenty-fourth session, invited 24/ the Secretary-General to consider the organization of seminars on problems related to combating discrimination. At its twenty-sixth session, when reviewing developments under the programme of advisory services in the field of human rights, the Council approved the organization of additional seminars and requested 25/ the Secretary-General to keep in mind the possibility of organizing an international seminar on a subject of universal interest in the future.

14. In connexion with its consideration of the treatment of people of Indian origin in the Union of South Africa, the General Assembly recalled 26/ its earlier resolution 926 (X), by which it had established a unified programme of advisory services in the field of human rights.

18/ G A (XIII), Annexes, a.i. 29, A/C.2/200; see also E S C (XXIV), Annexes, a.i. 4, p. 40, A/3017.

19/ E S C resolution 739 (XXVIII); this programme for the provision of operational, executive and administrative personnel came to be known as "OPEX".

20/ General Assembly resolution 1256 (XIII), entitled "United Nations technical assistance in public administration", is discussed in paragraph 11 above.

21/ G A resolution 926 (X).

22/ G A resolution 1189 C (XII).

23/ G A resolution 1163 (XII).

24/ E S C resolution 651 C (XXIV).

25/ E S C resolution 684 (XXVI). This action was approved by the General Assembly in its resolution 1261 (XIII).

26/ G A resolution 1015 (XI).

15. Reference was also made, in the General Assembly and the Council, to the desirability of rendering technical assistance through the United Nations in a specific field of human rights, namely the development of information in under-developed countries. Thus the General Assembly invited 27/ the Council to request the Commission on Human Rights to pay particular attention to procedures by which a constant review of technical assistance to under-developed countries in the field of information might be assured. In the same resolution the General Assembly invited the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other specialized agencies to formulate concrete proposals to assist in meeting the needs of less developed countries in building up adequate media of information. The Council invited 28/ Governments to take advantage of the technical assistance available from the United Nations and the specialized agencies to develop and improve their media of information.

F. Provision of services of an emergency character through specially created bodies

16. The General Assembly at its eleventh session, and again at the twelfth and the thirteenth sessions, directed 29/ the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to pursue its programme for the relief and rehabilitation of refugees, and called on Governments for their contributions, or for an increase in them. The Governments in the area were asked to plan and carry out projects designed to support substantial numbers of refugees, in co-operation with UNRWA. The General Assembly also reiterated its appeal to private organizations and Governments to help other claimants for relief, particularly children and needy inhabitants of villages along the demarcation lines. 30/

17. At its eleventh session, the General Assembly followed 31/ the recommendation of the Economic and Social Council that the Agent General of the United Nations Korean Reconstruction Agency (UNKRA) should no longer be directed to send a copy of his report to the Council and that the latter should not comment on it to the General Assembly. 32/ At its twelfth session, the General Assembly approved 33/ the recommendation of the Agent General that the United Nations Korean Reconstruction Agency should cease as an operational organization on 30 June 1958.

18. Acting upon the recommendations 34/ of the Economic and Social Council, the General Assembly extended 35/ the office of the High Commissioner for Refugees for five years, from 1 January 1959. It also made several recommendations 36/ relating to international assistance for refugees within the mandate of the High Commissioner, both of a substantive nature - concerning the permanent solution of problems of refugees - and on organization matters. The Council, noting this decision, amended 37/

27/ G A resolution 1313 A (XIII).

28/ E S C resolution 643 (XXIII).

29/ See G A resolutions 1018 (XI), 1191 (XII), 1315 (XIII).

30/ See Repertory, Supplement No. 1, under Article 66 (2), para. 9.

31/ G A resolution 1020 (XI).

32/ See Repertory, Supplement No. 1, under Article 66 (2), para. 10.

33/ G A resolutions 1159 (XII), 1304 (XIII).

34/ E S C resolution 650 B and C (XXIV).

35/ G A resolution 1165 (XII).

36/ G A resolution 1166 (XII).

37/ E S C resolution 672 (XXV).

its earlier resolution by increasing 38/ the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to twenty-five, by adding the Republic of China. Appeals for contributions were made both by the Council 39/ and by the General Assembly. 40/

19. At its second emergency session and its eleventh session, the General Assembly requested 41/ the Secretary-General to call upon the High Commissioner to consult with other international agencies and interested Governments on emergency assistance to Hungarian refugees, called for 42/ contributions from Governments and non-governmental organizations and asked 43/ the High Commissioner to assess the needs and to undertake various other tasks relating to the care and resettlement of these refugees.

20. The General Assembly also appealed 44/ to Members of the United Nations and members of the specialized agencies and to non-governmental organizations on behalf of Chinese refugees in Hong Kong and authorized the High Commissioner to use his good offices to encourage arrangements for contributions. The General Assembly also recommended 45/ that the High Commissioner should continue his action on behalf of the refugees in Tunisia on a substantial scale and should undertake similar action in Morocco.

G. Some characteristics of the services provided to Governments by the United Nations

21. The Economic and Social Council continued to indicate to Governments the availability of technical assistance in certain fields of activity which it had under consideration, such as the training of scientific and technical personnel in the fields of the peaceful applications of atomic energy, 46/ the demographic field, 47/ land reform and the development of co-operatives. 48/ The Council continued to ask the Secretary-General to give attention to particular aspects of technical assistance, such as seminars on combating discrimination 49/ and on the development of energy resources 50/ in under-developed countries, various forms of technical assistance for industrialization, 51/ land reform and the development of co-operatives, 52/ strengthening of research by Governments in problems of social policy 53/ and the establishment of demographic training and research centres in Africa. 54/ The General Assembly and the Council also called attention 55/ to the desirability of greater use

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- 38/ E S C resolution 682 (XXVI).
 - 39/ E S C resolution 686 B (XXVI).
 - 40/ G A resolutions 1039 A (XI), 1284 (XIII).
 - 41/ G A resolution 1006 (ES-II).
 - 42/ G A resolution 1129 (XI).
 - 43/ G A resolution 1039 A (XI).
 - 44/ G A resolution 1167 (XII).
 - 45/ G A resolution 1286 (XIII).
 - 46/ E S C resolution 653 (XXIV), section II.
 - 47/ E S C resolution 642 C (XXIII).
 - 48/ E S C resolution 649 B and C (XXIII).
 - 49/ E S C resolution 651 C (XXIV).
 - 50/ E S C resolution 710 B (XXVII).
 - 51/ E S C resolutions 649 A (XXIII), 709 A (XXVII).
 - 52/ E S C resolution 649 (XXIII).
 - 53/ E S C resolution 663 E (XXIV).
 - 54/ E S C resolution 642 B (XXIII).
 - 55/ G A resolution 1255 E (XIII); E S C resolution 699 (XXVI).

of one form of United Nations technical assistance, namely fellowships and of national and regional training centres, especially for training high-level national personnel.

22. The requests of the Council to the Secretary-General also dealt with such services as assistance, within the limits of available staff and financial resources, to Governments and organizations in their efforts to improve arbitral legislation, practice and institutions; 56/ co-operation by the United Nations with less developed countries in the process of industrialization in studies of internal migration; 57/ information to Governments on the specific ways in which the technical assistance programmes established under the auspices of the United Nations could assist in the development of petroleum supplies in under-developed countries; 58/ and dissemination of experience obtained from technical assistance in industrialization and energy resources. 59/

23. An example of services to a specified country occurred in the case of Libya. In view of its special needs, the General Assembly again considered the question of assistance, and requested 60/ the Secretary-General, the Technical Assistance Board and the specialized agencies concerned to continue to waive local costs and to give all possible favourable consideration to technical assistance requests from Libya.

24. The provisions defining the operations of the Special Fund established by the General Assembly, though in some aspects similar to those relating to various programmes of technical assistance, differed in other respects. 61/ Thus, in both instances, due consideration was to be given to wide geographic distribution and to the urgency of the needs of the requesting countries; the kind of service to be rendered was left to the decision of the Government or groups of Governments concerned. In the case of the Special Fund, however, the characteristics of the services to be provided included concentration on relatively large projects, and on projects of a type which would lead to early results and would have the widest possible impact in advancing the development of a country, "in particular by facilitating new capital investment". These characteristics were not mentioned in the case of technical assistance programmes.

25. Another distinction was that, in the case of technical assistance programmes, the Secretary-General was given power to decide on the amount of services to be furnished to the various Governments; in the case of the Special Fund, however, its Governing Council, consisting of representatives of eighteen States elected by the Economic and Social Council, had final authority on the projects and programmes recommended by the Managing Director of the Special Fund. As in the case of technical assistance programmes, the General Assembly, in establishing the Special Fund, provided that, in accordance with the principles of the Charter, the assistance furnished by it "shall not be a means of foreign economic and political interference" nor "be accompanied by any conditions of a political nature".

56/ E S C resolution 708 (XXVII). This is also an example of a situation in which a decision to provide services was not related specifically to an existing programme.

57/ E S C resolution 721 C (XXVII).

58/ E S C resolution 740 B (XXVIII).

59/ E S C resolution 740 C (XXVIII).

60/ G A resolution 1303 (XIII).

61/ G A resolution 1240 (XIII), part B; see Repertory, vol. III, under Article 66 (2), paras. 35 and 36.

****H. Services at the request of the specialized agencies**

I. Technical assistance in the field of narcotics control

26. The Economic and Social Council invited 62/ the technical assistance authorities of the United Nations and of the specialized agencies to give due consideration to requests from India and Morocco relating to the treatment of narcotic addicts and the eradication of cannabis. The Technical Assistance Board and the participating organizations were asked 63/ to give due consideration to requests by Iran for technical assistance in treating opium addicts and in replacing the opium poppy with other agricultural crops. The Council also drew the attention 64/ of the General Assembly and the specialized agencies concerned, and especially of the relevant technical assistance organs, to the importance, in relation to the economic and social development of Afghanistan, of the successful and speedy achievement of its aims in prohibiting the production of opium; in its turn, the General Assembly asked 65/ these organs to pay due attention to requests from Afghanistan for technical assistance in this field.

27. At its twenty-sixth session, the Council requested 66/ the Secretary-General, in co-operation with the specialized agencies, to review and report on the nature and scope of technical assistance for narcotics control requested by Governments, to explore the extent to which such assistance could be made available under existing programmes and to formulate proposals regarding assistance which might be provided by the United Nations and the interested specialized agencies.

28. The Council established 67/ a mission to examine the problem of narcotics in the Middle East and asked it to make suggestions, upon the request of the Governments concerned, on the use of technical assistance for narcotics control.

II. ANALYTICAL SUMMARY OF PRACTICE

****A. How the Economic and Social Council performs services**

****B. The approval of the General Assembly**

C. The services

29. Further developments in providing the "services" referred to in Article 66 (2), with respect to the fields and types of projects, are described below. 68/

1. Services provided by specially created bodies

30. The Special Fund: By resolution 1240 (XIII), the General Assembly established a new body, the Special Fund, to provide "systematic and sustained assistance in fields essential to the integrated technical, economic and social development of the less developed countries". The General Assembly provided that the Special Fund was to "direct its operations towards enlarging the scope of the United Nations programmes of

62/ E S C resolution 667 F (XXIV).

63/ E S C resolution 667 G (XXIV).

64/ E S C resolution 689 H (XXVI).

65/ G A resolution 1259 (XIII).

66/ E S C resolution 688 (XXVI).

67/ E S C resolution 689 I (XXVI).

68/ See also Repertory, vol. III, under Article 66 (2), para. 69 et seqq.

technical assistance so as to include special projects in certain basic fields". The resolution outlined both the basic fields and the types of project which the Special Fund was to assist. ^{69/} The General Assembly thus enlarged the scope of United Nations programmes of technical assistance by creating a separate new body for this purpose and not by providing another scheme for technical assistance operation similar to the United Nations regular and expanded programmes of technical assistance. ^{70/}

2. Technical assistance services

31. With the establishment of the Special Fund by General Assembly resolution 1240 (XIII), services for a different type of project were made available to Governments, and the scope of United Nations technical assistance was thereby extended. A further expansion took place with the introduction of a new programme ^{71/} by which the Secretary-General was authorized ^{72/} to assist Governments, on a modest and experimental basis, in hiring and, as necessary, meeting the expenses of the employment of well qualified persons to perform duties of an executive or operational character, as servants of such Governments.

**3. Services outside the scope of technical assistance

D. Eligibility for services

32. Under a number of earlier decisions, ^{73/} only Members of the United Nations were eligible to receive certain services, and resolution 222 A (IX) of the Economic and Social Council, on the establishment of the Expanded Programme of Technical Assistance, did not explicitly deal with the matter of eligibility. The General Assembly, however, in its resolution 1240 (XIII), establishing the Special Fund, was precise with respect to this question. It stated that "Participation in the Special Fund shall be open to any States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency". The General Assembly noted in the preamble of its resolution that it was "conscious of the particular needs of the less developed countries for international aid in achieving accelerated development of their economic and social infrastructure". It decided that the Special Fund should provide "assistance in fields essential to the integrated technical, economic and social development of the less developed countries", and envisaged the Special Fund as a constructive advance in United Nations assistance to less developed countries.

33. In the case of the public administration programme by which the United Nations would assist Governments in hiring and in meeting the expenses of executive and operational personnel as servants of these Governments, the General Assembly dealt with the question of eligibility in resolution 1256 (XIII), by authorizing such assistance to "Governments participating in these programmes," namely, "the United Nations technical assistance programmes in the field of public administration".

34. A decision in which a Trust Territory was specifically mentioned is contained in Council resolution 660 (XXIV), by which the Secretary-General, the specialized agencies concerned and the Technical Assistance Board were asked "to continue to give sympathetic consideration" to the requests for technical assistance made on behalf of the Trust Territory of Somaliland.

^{69/} See para. 10 above.

^{70/} See Repertory, vol. III, under Article 66 (2), para. 72 et seqq.

^{71/} The programme known as "OPEX".

^{72/} G A resolution 1256 (XIII).

^{73/} See Repertory, vol. III, under Article 66 (2), para. 78 et seqq.

E. The request

1. *The formal request*

35. The General Assembly, in its resolution 1240 (XIII) establishing the Special Fund, stated that projects should be undertaken only at governmental request, thus following the provisions of Article 66 (2); the request might be made by a Government or group of Governments. A similar condition was contained in General Assembly resolution 1256 (XIII), which provided for temporary assistance to fill executive or operational posts in the administrative machinery of requesting Governments.

2. *The scope of the request*

36. In resolution 1240 (XIII) the General Assembly specified 74/ that Governments should present their requests for assistance from the Special Fund in a form indicated by its Managing Director and also indicated the type of information to be supplied, including statements concerning the part of the costs which the Governments themselves would be ready to assume. The General Assembly also decided 75/ that arrangements for the execution of projects should "be subject to the approval of the requesting Government or Governments", and that projects should be executed, "whenever possible, by the United Nations, by the specialized agencies concerned, or by the International Atomic Energy Agency".

37. In the public administration programme contained in resolution 1256 (XIII), to provide temporary assistance in filling executive or operational posts (OPEX), the General Assembly indicated that the duties would be defined by the requesting Governments.

3. *Obligations connected with the request*

38. As in the case of certain other assistance programmes, 76/ the resolution 77/ of the General Assembly on the Special Fund specifically set forth only the financial obligations to be assumed by beneficiary Governments. The resolution stated that the recipient Governments "shall be expected to finance part of the costs of projects, at least that part payable in local currency. This general rule may, however, be waived in the case of countries deemed financially unable to make even a local currency payment". 78/ Governments were expected to indicate the part of the costs they themselves would be ready to assume; "provisions regarding the cost, including any local costs, which the requesting Governments will assume and those facilities and services which it will provide" were to be specified in the agreements made with these Governments. 79/

39. In establishing an experimental programme in public administration to provide temporary assistance for obtaining executive or operational personnel, the General Assembly included in its resolution 1256 (XIII) the sole obligation that Governments requesting such assistance should contribute towards the total cost of the employment of each expert an amount not less than the total emoluments of one of its nationals performing similar duties.

74/ Part B, section V, para. 32.

75/ *Ibid.*, paras. 39 and 40.

76/ See *Repertory*, vol. III; under Article 66 (2), para. 99 *et seqq.*

77/ G A resolution 1240 (XIII).

78/ *Ibid.*, part B, section VI, para. 52.

79/ *Ibid.*, section IV, para. 40.

