

ARTICLE 68

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ARTICLE 68

TEXT OF ARTICLE 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

INTRODUCTORY NOTE

1. During the period under review the Economic and Social Council did not establish any new commissions. The present *Supplement* deals with the new committees and groups created by the Council and with any decisions affecting existing bodies. It also deals with the appointment of rapporteurs by the Secretary-General or subsidiary bodies of the Council by virtue of Council resolutions, with the approval or confirmation by the Council of the appointment of rapporteurs by its subsidiary bodies and with the authorization of such appointments by the Council.

2. The same major existing headings as those used in the previous *Supplements* are retained. There was no new material under the following sections: under I, General Survey, Subsection B, "Methods of establishment"; under II, Analytical Summary of Practice, Subsection A, "Types of organs which Article 68 empowers the Council to set up", Subsection C, "Character of membership of the functional commissions and sub-commissions", Subsection D, "Distribution of membership in functional commissions and other subsidiary organs of the Council", Subsection I, "Delegation of power to and by organs established by the Council", Subsection J, "The binding quality of decisions of organs established by the Council" and Subsection K, "The question of the approval by the Council of studies to be undertaken by a functional commission".

I. GENERAL SURVEY

A. Types of organs established by the Council

**1. COMMISSIONS

2. OTHER ORGANS AND BODIES ESTABLISHED BY THE COUNCIL

a. *Ad hoc committees of Government representatives*

3. The Council established the Preparatory Committee for the Second United Nations Development Decade¹ by enlarging its Economic Committee by 27 members; it also established the *Ad Hoc* Committee on the Survey Programme for the Development of Natural Resources² composed of 22 members. The Council also set up a working group of the Statistical Commission charged with the task of undertaking consultations with representatives of the United Nations and the specialized agencies in connexion with the development of an integrated and co-ordinated international statistical programme.³

b. *Ad hoc committees of experts or members appointed in their individual capacity, groups of experts, rapporteurs*

4. As in the past, the Council requested the Secretary-General to set up expert groups. The Secretary-General

was called upon to set up an *ad hoc* working group consisting of experts and tax administrators with the task of exploring ways and means for facilitating the conclusion of tax treaties between developed and developing countries⁴ and to convene an interregional meeting of experts to evaluate the effectiveness and cost of arrangements for the transfer of technology between enterprises.⁵ By resolution 1199(XLII) the Council decided "that the United Nations programme in public administration should, from time to time, be reviewed by a meeting of experts" and that their report should be submitted to the Economic and Social Council.⁶

5. By its resolution 1359(XLV) the Council requested the Secretary-General to convoke a panel on foreign investment for the purpose of discussing the principal issues arising in the context of foreign investment in developing countries. The panel was to be composed of not more than 30 persons acting in their personal capacity and appointed by the Secretary-General.

6. By its resolution 1451(XLVII), the Council invited the Secretary-General, in co-operation with the parties concerned and with the appropriate international organizations and institutions, to organize other panels, at the regional and global level, for the purpose of considering specific measures to increase the flow of foreign investment to developing countries.

¹E S C resolution 1388(XLV).

²E S C resolution 1218(XLII).

³E S C resolutions 1306(XLIV) and 1368 III (XLV).

⁴E S C resolution 1273(XLIII).

⁵E S C resolution 1311(XLIV).

⁶The General Assembly, by its resolution 2561(XXIV), requested the Secretary-General to make the necessary arrangements for this meeting of experts.

7. At its forty-second session, the Council requested the Secretary-General to designate five Special Rapporteurs from amongst the States members of the Commission for Social Development to undertake an examination and assessment of the different programmes and methods used by the United Nations family in the social field of technical assistance for the developing countries.⁷

8. Several resolutions of the Council referred to the appointment of Special Rapporteurs by functional commissions of the Council and by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Council confirmed the appointment by the Commission on Human Rights of a Special Rapporteur to submit a comprehensive report on the realization of economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights⁸ and approved a decision of the Commission on the Status of Women to appoint a Special Rapporteur to continue the study of the status of women and family planning.⁹ The Council also authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to designate a Special Rapporteur from among its members to carry out a study of the protection of minorities as envisaged in resolution 9 (XX) of the Sub-Commission¹⁰ and to designate a Special Rapporteur from among its members to carry out a study of the question of the prevention and punishment of the crime of genocide.¹¹ Finally, the Council confirmed the designation by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of a Special Rapporteur to carry out a study within the terms of paragraphs 1 and 2 of Council resolution 1330(XLIV).¹²

c. Standing committees

9. In its final report,¹³ the Enlarged Committee for Programme and Co-ordination¹⁴ recommended the reconstitution of the Council's Committee for Programme and Co-ordination¹⁵ as a body to be composed of 21 States Members of the United Nations to be elected by the Council. By its resolution 2579(XXIV), the General Assembly requested the Council to reconstitute its Committee for Programme and Co-ordination (CPC) in accordance with that recommendation.

d. Sessional committees

10. With respect to its sessional committees of the whole, the Council re-established the Economic Committee¹⁶ at six of its sessions, the Social Committee at three and the Co-ordination Committee at three.

e. Ad hoc committees, drafting groups and working parties

11. By its resolution 1368 II (XLV), the Council welcomed the establishment of a Computer Users'

Committee by the Administrative Committee on Co-ordination.

12. At its forty-sixth session, the Council¹⁷ established a working group to study the questions relating to the amendment of the rules of procedure of the Council raised in a note by the Secretary-General.¹⁸

f. Other bodies established by the Council

13. At its forty-fifth session the Council approved a proposal by the Secretary-General to organize a Round Table on export credits and export promotion in developing countries¹⁹ and a proposal to convoke a panel on foreign investment for the purpose of discussing the principal issues arising in the context of foreign investment in developing countries.²⁰

**B. Methods of establishment

C. Functions and powers

1. COMMISSIONS AND COMMITTEES

14. By its resolution 1218(XLII)²¹ the Council charged the *Ad Hoc* Committee on the Survey Programme for the Development of Natural Resources, which was established by the terms of the same resolution, with the following tasks: (a) review of the preparatory work for the execution of the survey programme and related problems of co-ordination with the organizations concerned in the United Nations system, and particularly with the United Nations Industrial Development Organization (UNIDO), in order to relate the development of natural resources to the promotion of industrial development in developing countries; (b) analysis of the survey programme, including the different stages of implementation of its three components; (c) assessment of the ways and means of financing the survey programme from all possible sources. At the resumed forty-third session the Council, by its resolution 1287(XLIII), requested the *Ad Hoc* Committee to consider the further steps that would be desirable with a view to implementing the survey programme in the light of the preparatory work undertaken in pursuance of paragraph 1 of that resolution and to submit reports to the Council as necessary.

15. At its resumed forty-first session the Council decided that CPC composed of 16 members should carry out the various tasks assigned to it by the Council in the field of programme review and co-ordination in resolution 920(XXXIV), 1090 G (XXXIX) and 1177 (XLI).²² By resolution 1275(XLIII) the Council requested CPC to keep under continuous review further steps required to implement within the United Nations the recommendations of the *Ad Hoc* Committee of Experts to examine the Finances of the United Nations and the Specialized Agencies concerning the development of an integrated system of long-term planning, programme and budgeting, bearing in mind the recommendations made by CPC in paragraphs 41 to 47 of its report²³ and endorsed the view of the Advisory Committee on Administrative and Budgetary Questions

⁷E S C resolution 1227(XLII).

⁸E S C resolution 1421(XLVI).

⁹E S C resolution 1326(XLIV).

¹⁰E S C resolution 1418(XLVI).

¹¹E S C resolution 1420(XLVI).

¹²E S C resolution 1419(XLVI).

¹³E/4748/Rev.1, para. 21.

¹⁴See para. 34 below.

¹⁵See para. 33 below.

¹⁶By resolution 1356(XLV), the Council charged its Economic Committee with the performance of certain functions and decided that for such purposes this body was to meet intersessionally. See paras. 23, 47 and 63 below.

¹⁷E S C (XLVI), 1580th mtg.

¹⁸E/L.1251. See also this *Supplement*, under Article 72, para. 8.

¹⁹E S C resolution 1358(XLV).

²⁰E S C resolution 1359(XLV).

²¹See para. 3 above.

²²E S C resolution 1189(XLI).

²³E S C (XLIII), Suppl. No. 9, E/4383.

(ACABQ) that there was need for close co-operation between the Advisory Committee and CPC if their combined efforts were to be fruitful and if duplication was to be avoided. By resolution 1303(XLIV) the Council authorized CPC to transmit its final report on the first part of its second session direct to ACABQ. By resolution 1367(XLV) the Council approved the recommendations and proposals of CPC contained in that Committee's report on its second session²⁴ concerning its future role and conduct of its work in programme matters and requested the Committee to take into account, when considering and reviewing the programmes of the United Nations in the economic, social and related fields, their financial implications. At its forty-seventh session the Council²⁵ requested CPC, in consultation with the specialized agencies and the International Atomic Energy Agency (IAEA), to review the format of the analytical summaries submitted to it by the specialized agencies and IAEA in order to ensure that they provided the information required by the Council. It also requested CPC and the Administrative Committee on Co-ordination (ACC)²⁶ to give separate and continuing consideration to the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations. By its resolution 1455(XLVII) the Council further requested CPC to examine thoroughly the report on computer facilities and activities of the United Nations system to be prepared in pursuance thereof.

16. It should be noted, finally, that under Council resolution 1457(XLVII) the reports of the Joint Inspection Unit (JIU), established under the terms of General Assembly resolution 2360 A (XXII), are to be submitted to the Council through CPC if such reports concern more than one agency or involve system-wide problems.

17. By General Assembly resolution 2188(XXI), the Enlarged Committee for Programme and Co-ordination was charged with the task of undertaking a general review of the programmes and activities in the economic, social, technical co-operation and related fields of the United Nations, the specialized agencies, IAEA, the United Nations Children's Fund (UNICEF) and all other institutions and agencies related to the United Nations system.²⁷

18. At its forty-second session the Council authorized the *Ad Hoc* Working Group of Experts established by resolution 2(XXIII) of the Commission on Human Rights to receive communications and hear witnesses, as necessary, and to consider the comments, if any, received from the Government of the Republic of South Africa on the communication received from the Director-General of the International Labour Office in its examination of the allegations regarding infringements of trade union rights in the Republic of South Africa.²⁸

19. At the same session the Council authorized the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

"in conformity with the provisions of paragraph 1 of the Commission's resolution 8(XXIII), to examine

information relevant to gross violations of human rights and fundamental freedoms, as exemplified by the policy of *apartheid* as practised in the Republic of South Africa and in the Territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of the Republic of South Africa, and to racial discrimination as practised notably in Southern Rhodesia, contained in the communications listed by the Secretary-General pursuant²⁹ to Economic and Social Council resolution 728 F (XXVIII) of 30 July 1959."

20. At its forty-second session the Council decided³⁰ that the Commission on Human Rights might, "in appropriate cases, and after careful consideration of the information thus made available to it, in conformity with the provisions of paragraph 1 above, make a thorough study of situations which reveal a consistent pattern of violations of human rights, as exemplified by the policy of *apartheid* as practised in the Republic of South Africa and in the Territory of South West Africa under the direct responsibility of the United Nations and now illegally occupied by the Government of the Republic of South Africa, and racial discrimination as practised notably in Southern Rhodesia, and report, with recommendations thereon, to the Economic and Social Council".

21. At its forty-fourth session the Council³¹ broadened the mandate of the *Ad Hoc* Working Group of Experts reappointed by resolution 2(XXIII) of the Commission on Human Rights by requesting it to examine further the question of the continuing infringements of trade union rights in the Republic of South Africa and also to include in its examination the infringements of such rights in the Territory of South West Africa and Southern Rhodesia.

22. At the same session the Council broadened the mandate of the *Ad Hoc* Group of Experts on Geographical Names established by the United Nations Conference on the Standardization of Geographical Names, by inviting it to provide the necessary co-ordination of national activities in this field.³²

23. At its forty-fifth session the Council instructed its Economic Committee to perform various tasks in connexion with the formulation of an international strategy for development and, in particular, to formulate an outline of an international development policy and to make suggestions on the method and means for its evaluation and implementation.³³

24. At its forty-fifth session the Council decided that the special report submitted by ACC on statistical research and publications should in the first instance be remitted to the joint consultations between representatives of the United Nations and the specialized agencies and a working group of the Statistical Commission, which were to be held in accordance with Council resolution 1306(XLIV).³⁴

25. At its forty-sixth session the Council requested the Commission for Social Development to obtain, whenever it was useful, and for matters designated by it, the advice of qualified experts in the field of social welfare.³⁵

²⁴E S C (XLV), Suppl. No. 9, E/4493/Rev.1 and Rev.1/Add.1.

²⁵E S C resolution 1458(XLVII).

²⁶E S C resolution 1450(XLVII).

²⁷See para. 34 below.

²⁸E S C resolution 1216(XLII).

²⁹E S C resolution 1235(XLII).

³⁰*Ibid.*

³¹E S C resolution 1302(XLIV).

³²E S C resolution 1314(XLIV).

³³E S C resolution 1356(XLV). See paras. 40 and 56 below.

³⁴E S C resolution 1368 III (XLV).

³⁵E S C resolution 1406(XLVI).

26. At its forty-sixth session the Council authorized the *Ad Hoc* Working Group of Experts, originally established by resolution 2(XXIII) of the Commission on Human Rights and whose mandate was renewed by resolution 21(XXV) of that Commission, to continue its investigations into the infringements of trade union rights in the Republic of South Africa, Namibia and Southern Rhodesia.³⁶

2. REGIONAL ECONOMIC COMMISSIONS

27. The terms of reference of the Economic Commission for Latin America (ECLA) were amended by the Council at its forty-seventh session³⁷ by adding to the end of paragraph 12 the following text:

"For those years in which the Commission does not hold a session, the Executive Secretary shall submit to the Economic and Social Council a full report of its activities and plans, including those of any subsidiary bodies, after approval by the chairman of the session in question and after circulation to Governments of member States for their comments and any necessary modifications."

D. Membership

1. COMMISSIONS

**a. Functional commissions

b. Sub-commissions

28. By resolution 1334(XLIV) the Council decided to increase the membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to 26 as from 1969 and requested the Commission on Human Rights to elect 26 members of the Sub-Commission at its twenty-fifth session.

c. Regional economic commissions

29. During the period under review, the following States became members of the Economic Commission for Africa (ECA) as a consequence of their admission as Members of the United Nations: Botswana and Lesotho on 17 October 1966,³⁸ Mauritius on 24 April 1968,³⁹ Swaziland on 24 September 1968,⁴⁰ and Equatorial Guinea on 12 November 1968.⁴¹

30. During the period under review, the following States became members of ECLA as a consequence of their admission as Members of the United Nations: Guyana on 20 September 1966⁴² and Barbados on 9 December 1966.⁴³

31. At its twelfth session the Committee of the Whole of ECLA adopted resolution 283(AC.61)⁴⁴ whereby it admitted the Associated States of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla and St. Lucia and the Territories of Montserrat and St. Vincent in a body as a single associate member of the Commission, in accordance with paragraph 3 of its terms of reference.

32. At its twenty-fourth session,⁴⁵ the Economic Commission for Asia and the Far East (ECAFE) recommended for adoption by the Economic and Social Council a draft resolution whereby the Council would endorse the recommendations of the Commission that the Fiji Islands should be included in the geographical area of the Commission and should be admitted as an associate member of the Commission.

2. COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL

33. At its resumed forty-first session the Council decided that CPC was to be composed of 16 States Members of the United Nations to be elected for a period of three years on a rotational basis and requested each of such Member States to indicate the government expert whom it would designate to serve on the Committee⁴⁶ deciding, however, that the term of office of the 16 members elected at the 1454th meeting of the Council on 17 December 1966 should be for three years ending 31 December 1969.⁴⁷

34. At the same session, the Council, pursuant to paragraph 1 of General Assembly resolution 2188(XXI), decided to enlarge CPC by five additional Member States, to be designated by the President of the General Assembly for a period not exceeding three years, for the purpose of undertaking the tasks set forth in paragraph 2 of General Assembly resolution 2188(XXI).⁴⁸

35. Council resolution 1218(XLII), which established an *Ad Hoc* Committee on the survey programme for the development of natural resources, provided that this body was to be composed of 22 Member States.

36. By resolution 1288(XLIII), adopted at its resumed forty-third session, the Council, pursuant to General Assembly resolution 2294(XXII), decided to "enlarge the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees by one African State".

37. By a decision taken at its 1600th meeting, held during its forty-sixth session, the Council decided to increase from five to seven the number of members of the Board of the United Nations Research Institute for Social Development to be elected by the Council.

38. By its resolution 2411(XXIII), the General Assembly requested the Economic and Social Council to enlarge its Economic Committee by 27 States Members of the United Nations and members of the specialized agencies and of IAEA to be designated annually by the President of the General Assembly. Paragraph 3 of General Assembly resolution 2411(XXIII) charged the enlarged Economic Committee with the task of preparing a draft of an international development strategy for the 1970s.

39. By resolution 1388(XLV), adopted at its resumed forty-fifth session, the Council, in accordance with the provisions of paragraphs 1 and 2 of General Assembly resolution 2411(XXIII), decided "to enlarge its Economic Committee for the purpose of establishing the Preparatory Committee for the Second United Nations Development Decade".⁴⁹

³⁶E S C resolution 1412(XLVI).

³⁷E S C (XLVII), 1625th mtg., para. 33.

³⁸G A resolutions 2136(XXI) and 2137(XXI), respectively.

³⁹G A resolution 2371(XXII).

⁴⁰G A resolution 2376(XXIII).

⁴¹G A resolution 2384(XXIII).

⁴²G A resolution 2133(XXI).

⁴³G A resolution 2175(XXI).

⁴⁴E S C (XLV), Suppl. No. 4, para. 374 (E/4499).

⁴⁵E S C resolution 1341(XLV).

⁴⁶E S C resolution 1187(XLI).

⁴⁷E S C resolution 1190(XLI).

⁴⁸E S C resolution 1189(XLI). See also paras. 17 above and 45 below.

⁴⁹See para. 3 above.

40. Since the task entrusted to the Preparatory Committee coincided substantially with that assigned to the Council's Economic Committee by Council resolution 1356(XLV),⁵⁰ Council resolution 1388(LXV) in effect repealed the provisions of resolution 1356(XLV) whereby the Council's Economic Committee was charged with the performance of functions relating to the preparation of the international development strategy for the 1970s.⁵¹

41. At its forty-seventh session the Council enlarged the membership of the Advisory Committee on the Application of Science and Technology to Development to 24 experts.⁵²

42. At its resumed forty-first session the Council decided to extend the terms of office of the members of the Council Committee on Non-Governmental Organizations until 31 December 1967.⁵³

E. Duration and termination

43. During the period under review the Council, pursuant to the request contained in General Assembly resolution 2152(XXI),⁵⁴ decided to discontinue the Committee for Industrial Development.⁵⁵ It also discontinued the Interim Committee on Programme of Conferences.⁵⁶

44. At its resumed forty-fifth session the Council decided to postpone *sine die* the item "Question of a meeting of the *Ad Hoc* Working Group on the Question of a Declaration on International Co-Operation".⁵⁷

45. The Enlarged Committee for Programme and Co-ordination ceased to exist on 31 December 1969, as the five additional members thereof designated by the President of the General Assembly under General Assembly resolution 2188(XXI) were, under the terms of that resolution, appointed for only three years.⁵⁸

46. By resolution 1454(XLVII) the Council decided to extend the term of the Advisory Committee on the Application of Science and Technology to Development until the end of 1971.

47. By its resolution 5(XXV), section IV, paragraphs 1 to 4, of 27 February 1969, the Commission on Human Rights decided that the task of the Special Rapporteur appointed under resolutions 7(XXIII) and 3(XXIV) of the Commission should be continued. At its forty-sixth session the Council decided that no immediate action was to be taken on this decision until the Commission, at its twenty-sixth session, to be held in 1970, had had the opportunity to look at the matter again in the light of the following two alternatives: to abolish the Special Rapporteur's mandate altogether, or, to entrust the existing mandate to the *Ad Hoc* Working Group of Experts which had been reappointed under resolution 21(XXV) of the Commission.⁵⁹

⁵⁰See para. 23 above.

⁵¹The Economic Committee did not initiate the implementation of the mandate given to it by resolution 1356(XLI), for it did not meet interessionally as provided for therein. (See para. 54 below).

⁵²E S C resolution 1454(XLVII).

⁵³E S C (XLI), 1453rd mtg.

⁵⁴G A resolution 2152(XX), sect. II, para. 41.

⁵⁵E S C resolution 1194(XLI).

⁵⁶E S C (XLVII), 1637th mtg.

⁵⁷E S C (XLV), 1575th mtg.

⁵⁸See para. 34 above.

⁵⁹E S C (XLVI), 1602nd mtg., paras. 58-66.

F. Sessions or meetings

48. At its forty-second session the Council decided that the twentieth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be of three weeks duration.⁶⁰

49. At its forty-sixth session the Council decided that a special session of the Commission on Narcotic Drugs should be held as early as possible in 1970, and preferably in January, to prepare a revised draft protocol for the control of psychotropic substances not yet under international control for submission to the Council.⁶¹

50. At its resumed forty-first session⁶² the Council confirmed its decision in resolution 1171(XLI), to continue the practice of having joint meetings of CPC and ACC.

51. By resolution 1367(XLV) the Council invited CPC and ACC, if possible, to prolong their joint meetings by one or two days.

52. At its forty-seventh session the Council recommended that the practice of holding joint meetings of CPC and ACC should be pursued.⁶³

53. At its twenty-fourth session the General Assembly⁶⁴ welcomed the practice of joint meetings between CPC and ACC and urged that these meetings should be continued.

54. At its forty-seventh session the Council took certain decisions concerning the periodicity of meetings of its subsidiary bodies. It decided:⁶⁵

(a) That the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities should continue to meet annually;

(b) That, starting in 1971, the Commission for Social Development and the Commission on the Status of Women should meet biennially;

(c) To request the Economic Commission for Europe (ECE) and ECAFE once again to review the possibility of meeting biennially;

(d) To postpone a decision on the frequency of meetings of the Committee for Development Planning, the Committee for Programme and Co-ordination and the Advisory Committee on the Application of Science and Technology to Development;

(e) To refer to CPC and ACC for consideration at their joint meetings, to be held in October 1969, Suggestion No. 2, contained in the working paper prepared by the Secretariat on the organization of the work of the Council,⁶⁶ that the joint meetings of CPC and ACC should be held biennially, unless special circumstances required more frequent meetings.⁶⁷

55. By resolution 2587(XXIV) the General Assembly urged the Economic and Social Council to reconsider its decision of 8 August 1969 so that the Commission on the Status of Women might continue to meet annually, preferably three months after the General Assembly.

⁶⁰E S C resolution 1239(XLII).

⁶¹E S C resolution 1402(XLVI).

⁶²E S C resolution 1187(XLI).

⁶³E S C resolution 1459(XLVII).

⁶⁴G A resolution 2579(XXIV).

⁶⁵E S C (XLVII), 1637th mtg.

⁶⁶E/L.1249 (mimeographed).

⁶⁷At their joint meetings held on 23 October 1969, CPC and ACC agreed that the practice of holding these joint meetings annually should be continued (see E/4775, para. 17).

56. At its forty-fifth session the Council decided⁶⁸ that, for the purposes indicated in paragraph 7 of its resolution 1356(XLV), its Economic Committee was to meet intersessionally before the end of 1968 and as often thereafter as necessary. However, no intersessional meetings of the Economic Committee were held during the period under review.

G. Method of reporting

57. By its resolution 1356(XLV), under which the Economic Committee of the Council was to meet intersessionally for the purposes set forth in paragraph 7 thereof, the Council decided that the Economic Committee was to submit a progress report to the Council at its forty-sixth session. No such report was submitted, since the Economic Committee did not meet for those purposes.⁶⁹

58. At its eighth session ECA decided,⁷⁰ in conformity with the procedure outlined in paragraph 5 of Council resolution 1066(XXXIX), to recommend to the Council the amendment of paragraph 17 of its terms of reference by the addition of the following words:

"For those years in which the Commission does not hold a session, the Executive Secretary shall submit to the Economic and Social Council a full report of its activities and plans, including those of any subsidiary bodies, after approval by the Chairman of the session in question and circulation to Governments of Member States for their comments and any necessary modifications."

By resolution 1343(XLV) the Council approved this amendment to the terms of reference of ECA.

59. At its forty-seventh session the Council amended the terms of reference of ECLA by adding substantially the same provisions to the end of paragraph 12 thereof.⁷¹

60. By its resolution 1216(XLII) the Council requested the *Ad Hoc* Working Group of Experts established by resolution 2(XXIII) of the Commission on Human Rights to report to the Council at the earliest possible date on its findings and to submit its recommendations for action to be taken in specific cases with regard to the question of infringements of trade union rights in the Republic of South Africa.

61. By its resolution 1412(XLVI) the Council requested the *Ad Hoc* Working Group of Experts, established originally by resolution 2(XXIII) of the Commission on Human Rights and whose mandate was renewed by resolution 21(XXV) of the Commission, to submit a preliminary report to the Council at its forty-eighth session and a report containing conclusions and recommendations to the Council at its fiftieth session in 1971

with regard to the question of infringements of trade union rights in the Republic of South Africa, Namibia and Southern Rhodesia.

62. Council resolution 1273(XLIII), which requested the Secretary-General to set up an *ad hoc* working group in connexion with the conclusion of tax treaties between developed and developing countries, did not provide for a report to be submitted by this group. Instead, it provided that the Secretary-General was to submit to the Council a report on the progress of the group's work after its first session.

63. Council resolution 1358(XLV) on export credits and export promotion in developing countries requested the Secretary-General to report to the Council, step by step, concerning the implementations of the conclusions arrived at by the Round Table provided for in that resolution.

64. The five Special Rapporteurs which the Secretary-General was requested to designate under Council resolution 1227(XLII) were required by that resolution to make the necessary recommendations to the Commission for Social Development at its twentieth session.

65. The resolution establishing the Committee on Housing, Building and Planning⁷² required that the Committee report to the Council, through the Social Commission (now called Commission for Social Development), at the same time forwarding its report to the regional economic commissions, thus enabling the Council to consider the report together with the comments of those bodies. These organizational arrangements were to be reviewed after three years. However, the Council made no change therein during the period under review and the procedures remained as above.

66. By resolution 1303(XLIV) the Council authorized CPC to transmit its final report on the first part of its second session⁷³ direct to ACABQ. By resolution 1390(XLVI) the Council itself transmitted the report of CPC on the first part of its third session⁷⁴ to ACABQ.

67. By its resolution 2188(XXI) the General Assembly requested CPC, as enlarged in pursuance of this resolution, to submit to the General Assembly at its twenty-second session, through the Economic and Social Council at its forty-third session, a preliminary report on the task entrusted to it under paragraph 2 (a) of General Assembly resolution 2188(XXI).

68. By its resolution 2411(XXIII) the General Assembly decided that the Preparatory Committee for the Second United Nations Development Decade, which was to be established pursuant to this resolution, should report to the General Assembly through the Economic and Social Council.

⁶⁸E S C resolution 1356(XLV); see also paras. 23 and 40 above.

⁶⁹See paras. 38 and 40 above.

⁷⁰E S C (XLV), Suppl. No. 5, E/4497, para. 232.

⁷¹E S C (XLVII), 1625th mtg., para. 33.

⁷²E S C resolution 903 C (XXXIV).

⁷³E S C (XLV), Suppl. No. 9, E/4493/Rev.1.

⁷⁴E S C (XLVI), E/4670/Rev.1-E/AC.51/28/Rev.1.

II. ANALYTICAL SUMMARY OF PRACTICE

**A. Types of organs which Article 68 empowers the Council to set up

B. The need for commissions and committees to assist the Council in carrying out its functions

69. In a report⁷⁵ submitted to the Council at its forty-sixth and forty-seventh sessions, the Secretary-General

expressed the view that an appropriate means to assist the Council in the discharge of its growing responsibilities in the field of science and technology would be the creation of a sessional committee specially designed to deal with all science and technology questions until then assigned to the sessional Co-ordination Committee of the Council. In the addendum to its sixth report, concerning future arrangements,⁷⁶ the Advisory Committee on the Application of Science and Technology to Devel-

⁷⁵E S C (XLVI), Annexes, a.i. 8, E/4633, para. 48.

⁷⁶E/4611/Add.1 (mimeographed).

opment suggested that a way of ensuring that more time would be available to the Council to consider the Advisory Committee's work might be the establishment of such a sessional committee of the Council. In the course of the debate on the item⁷⁷ several representatives expressed views in favour of or against this proposal. At the conclusion of the debate, the Council adopted resolution 1454(XLVII) by which it *inter alia* requested the Secretary-General, after consulting with the Governments of Member States and organizations within the United Nations system, as well as intergovernmental organizations concerned, to submit a comprehensive report to the Council at its forty-ninth session on how best to meet the needs for reinforcement and co-ordination and the place and role of any intergovernmental machinery that might be set up.

70. At its fifth session the Committee on Housing, Building and Planning, noting that it would meet on a biennial basis, recommended that a working group be established to review the total work programme of the Centre for Housing, Building and Planning and its relationship to the operational technical assistance work of the Centre.⁷⁸ After a debate on the subject,⁷⁹ the Council decided not to "take action on the proposal since many members felt that the establishment of such a group would create a dangerous precedent and would run counter to the recommendations of the *Ad Hoc* Committee of Experts to Examine the Finances of the United Nations and the Specialized Agencies in that it would re-establish in another form the one-year periodicity of sessions which the Council had decided to abolish". However, one of the sponsors of the proposal pointed out that the intersessional working group had not been envisaged as a permanent body, but as an *ad hoc* one which would guide the Centre on the utilization of any additional resources that might become available during the current biennium. He further pointed out that neither CPC nor individuals could perform that function and that the Committee on Housing, Building and Planning itself had not considered that the establishment of such a group would undermine its authority.

71. By resolution 17(XXV) the Commission on Human Rights recommended, for adoption by the Council, a resolution in which the Council would "authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a working group consisting of not more than five of its members, with due regard to geographical distribution, to meet once a year in private meetings for a period not exceeding ten days immediately before the sessions of the Sub-Commission to consider all communications, including replies of Governments thereon, received by the Secretary-General under Council resolution 728 F (XXVIII) of 30 July 1959 with a view to bringing to the attention of the Sub-Commission those communications, together with replies of Governments, if any, which appear to reveal a consistent pattern of gross violations of human rights and fundamental freedoms". By resolution 1422 (XLVI) the Council decided to transmit this draft resolution and the relevant documents to States Members of the United Nations for consideration and comment and

invited the Commission on Human Rights to study this question at its twenty-sixth session.

****C. Character of membership of the functional commissions and sub-commissions**

****D. Distribution of membership in functional commissions and other subsidiary organs of the Council**

E. The question of membership in the regional economic commissions

1. ECONOMIC COMMISSION FOR EUROPE

72. As in previous sessions, the "question of membership of the German Democratic Republic in the Commission" was raised at each of the sessions of the Commission that were held during the period under review. It was pointed out that the German Democratic Republic should occupy its rightful place among the members of the Commission. On the other hand, opposition was reaffirmed to any change in its status within ECE.⁸⁰

73. Experts from the German Democratic Republic continued to participate in the meetings of the subsidiary bodies of ECE, in accordance with paragraph 10 of its terms of reference.

****2. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST**

****3. ECONOMIC COMMISSION FOR LATIN AMERICA**

4. ECONOMIC COMMISSION FOR AFRICA

74. At its eighth session ECA adopted resolution 151 (VIII) whereby it recommended that the Organization of African Unity, in accordance with such criteria as it may find appropriate, at the appropriate level, determine the conditions under which the peoples of Angola, Mozambique, so-called Portuguese Guinea and South West Africa will be represented and so inform the Executive Secretary. Because of a discrepancy between the English and the French versions thereof, this resolution was amended at the following session of the Commission so as to have the pertinent paragraph read as follows: "Recommends that the Organization of African Unity should propose the names of representatives of the peoples of the countries in question and inform the Executive Secretary accordingly to enable him to bring the matter before the General Assembly".⁸¹ By its resolution 1440(XLVII) the Council took note of this resolution.

F. The question of the representation of a Member State in the organs established by the Council

1. FUNCTIONAL COMMISSIONS AND COMMITTEES

75. At the twenty-second session of the Commission on Narcotic Drugs statements were made regarding the representation of China.⁸²

⁷⁷E S C (XLVII), Economic Committee, E/AC.6/SR.479, 482, 484 and 488; Co-ordination Committee, E/AC.24/SR.373-377 and 384.

⁷⁸E S C (XLIV), Suppl. No. 7, paras. 191-206 and chap. VII, draft resolution IV, E/4440.

⁷⁹E S C (XLIV), E/AC.7/SR.584-587 and 593; also E S C (XLIV), Plen., 1526th mtg.

⁸⁰E S C (XLIII), Suppl. No. 3, E/4329, para. 374; E S C (XLV), Suppl. No. 3, E/4491, para. 272; E S C (XLVII), Suppl. No. 3, E/4641, para. 254.

⁸¹E S C (XLVII), E C A, annual report, resolution 194(IX), E/4651.

⁸²E S C (XLII), Suppl. No. 2, E/4294, para. 6.

****2. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST**

****3. ECONOMIC COMMISSION FOR AFRICA**

****4. ECONOMIC COMMISSION FOR EUROPE**

G. The power of subsidiary organs of the Council to adopt rules of procedure

76. At its forty-fifth session⁸³ the Council had before it a note by the Secretary-General,⁸⁴ relating to the implementation of Council resolution 1281(XLIII). In this note the Secretary-General pointed out that the rules of procedure of the regional economic commissions contained no provision corresponding to rule 80 of the Council's rules.⁸⁵ By its resolutions 1375(XLV), 1376(XLV) and 1377(XLV), the Council recommended that each of its four regional economic commissions should adopt a new rule along the lines of rule 80 of the Council's rules. Resolution 1375(XLV) concerned ECE, resolution 1376(XLV) ECAFE as well as ECLA, and resolution 1377(XLV) ECA. The regional economic commissions implemented these recommendations. ECE did so at its twenty-fourth session,⁸⁶ ECAFE at its twenty-fifth session,⁸⁷ and ECLA at its thirteenth session.⁸⁸ ECA, for its part, implicitly considered, at its ninth session, that by its resolution 1377(XLV) the Council had, on its own authority, amended the rules of procedure of the Commission in the manner recommended therein.⁸⁹

77. By its resolution 284(XIII) ECLA, bearing in mind Council resolution 1379(XLV), which recommended that subsidiary organs of the Council should dispense with summary records of their meetings, decided to delete rules 46, 47 and 48, relating to summary records, from its rules of procedure and to replace them by a new rule reading as follows:

"Summary records of the meetings of the Commission shall not normally be kept. However, the Commission reserves the right to request summary records for any discussion which may require special treatment. Any delegation may always, at its request, have its views recorded in the annual report of the Commission."

78. At its forty-fifth session the Council approved the amendments to the rules of procedure of ECA as contained in the note by the Executive Secretary of the Commission in paragraphs 231 to 235 of the annual report.⁹⁰

79. At its forty-sixth session the Council decided,⁹¹ in line with its resolution 1379(XLV), to recommend to the regional economic commissions to modify their rules of procedure so as to reflect the fact that summary records were only to be provided as required. Since during the

period under review the regional economic commissions did not meet after the forty-sixth session of the Council, they did not examine these recommendations during the period.

80. At its resumed forty-fifth session,⁹² the Council decided to refer to the Commission on Human Rights the request made by the International Conference on Human Rights in its resolution X entitled "Model rules of procedure for bodies dealing with violations of human rights" that the Commission on Human Rights should prepare, at its earliest opportunity, model rules of procedure for the guidance of the United Nations bodies concerned.

81. At its twenty-fifth session, the Commission on Human Rights, in resolution 8(XXV) of 4 March 1969, decided to prepare model rules of procedure for *ad hoc* bodies of the United Nations entrusted with the study of particular situations alleged to reveal a consistent pattern of violations of human rights. By the same resolution, the Commission requested the Secretary-General to facilitate that task by submitting draft model rules of procedure to it at its twenty-sixth session.

H. The participation in the work of the subsidiary organs of the Council, of other organs of the United Nations, specialized agencies, intergovernmental organizations and non-governmental organizations

****1. THE PARTICIPATION OF MEMBERS OF THE UNITED NATIONS**

2. THE PARTICIPATION OF OTHER SUBSIDIARY BODIES

82. At the forty-seventh session of the Council, the Chairman of CPC addressed the Co-ordination Committee of the Council.⁹³ At the same session the Co-ordination Committee also heard statements by the Chairman of JIU established under the terms of General Assembly resolution 2360 A (XXII).⁹⁴

83. At the forty-seventh session of the Council, the Chairman of the Executive Committee of ECA addressed the Council.⁹⁵

84. At the resumed forty-seventh session of the Council, the Chairman of the Enlarged Committee for Programme and Co-ordination addressed the Council.⁹⁶

85. By its resolution 1253(XLIII) the Council endorsed the recommendations adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to the effect that the United Nations High Commissioner for Refugees should be invited to attend the meetings of the Inter-Agency Consultative Board of the United Nations Development Programme (UNDP).

86. By its resolution 1450(XLVII) the Council requested its President to maintain contact with the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in connexion with the implementation of the

⁸³E S C (XLV), 1561st mtg.

⁸⁴E/4543 and Add.1.

⁸⁵Rule 80 of the rules of procedure of the Council dealt with action to be taken by the Secretary-General and by the Council regarding co-operation with specialized agencies concerned when an item proposed or a proposal put forward involved new activities which were of concern to one or more specialized agencies.

⁸⁶E S C (XLVII), Suppl. No. 3, E/4641, para. 399.

⁸⁷*Ibid.*, Suppl. No. 2, E/4640, para. 622.

⁸⁸E S C (XLVII), E C L A, 20th annual report, resolution 284 (XIII), E/4639, para. 493.

⁸⁹*Ibid.*, E C A, annual report, E/4651, annex IV.

⁹⁰E S C resolution 1343(XLV). The report referred to is contained in E S C (XLV), Suppl. No. 5, E/4497.

⁹¹E S C (XLVI), 1596th mtg.

⁹²E S C (resumed XLV), 1576th mtg. See also *ibid.*, Suppl. No. 1A, E/4561/Add.1.

⁹³E/AC.24/SR.364, 366 and 368.

⁹⁴E/AC.24/SR.378 and 386.

⁹⁵E S C (XLVII), Plen., 1615th mtg.

⁹⁶E S C (resumed XLVII), 1644-1645th mtgs.

Declaration by the specialized agencies and the international institutions associated with the United Nations.

3. THE PARTICIPATION OF THE SPECIALIZED AGENCIES

87. By its resolution 1404(XLVI), the Council requested the United Nations Educational, Scientific and Cultural Organization (UNESCO) to co-operate with the Advisory Committee on the Application of Science and Technology to Development, a subsidiary body of the Council. At its forty-seventh session the Co-ordination Committee of the Council heard statements by the Chairman of the Inter-Governmental Oceanographic Commission of UNESCO.⁹⁷

88. Some of the amendments made in the rules of procedure of the functional and regional economic commissions in the period under review relate to the question of the participation of the specialized agencies in the work of the subsidiary bodies of the Council.⁹⁸

89. At its resumed forty-first session⁹⁹ the Council confirmed its decision in resolution 1171(XLI) to continue the practice of having joint meetings of CPC and ACC.

4. THE PARTICIPATION OF INTERGOVERNMENTAL ORGANIZATIONS

90. By its resolution 1267 A (XLIII) the Council decided to establish relations with Regional Co-operation for Development, a non-United Nations intergovernmental organization. It therein requested the Secretary-General *inter alia* "to provide for the representation of Regional Co-operation for Development at the meetings of United Nations organs dealing with matters of mutual interest". By resolution 1267 B (XLIII) the Council invited its subsidiary bodies to make recommendations to it regarding the desirability of establishing relationships between themselves and specific non-United Nations intergovernmental organizations active in fields of concern to them, on the basis of proposals by the Secretary-General.

91. At its forty-seventh session the Council¹⁰⁰ endorsed resolution 190(IX) of ECA on relations with the Organization of African Unity (OAU), taken in accordance with paragraph 12 of the terms of reference of the Commission. It may be noted that the Commission had also adopted resolution 194(IX), by which it recommended that OAU should propose the names of representatives of the peoples of Angola, Mozambique, Guinea called Portuguese Guinea and Namibia (South West Africa) to represent those countries in their capacity as associate members of the Commission.

5. THE PARTICIPATION OF NON-GOVERNMENTAL ORGANIZATIONS

92. Council resolution 1291(XLIV) amended rule 75 of the rules of procedure of the functional commissions of the Council, which concerns the participation of non-governmental organizations in the work of these bodies.¹⁰¹

**I. Delegation of power to and by organs established by the Council

**J. The binding quality of decisions of organs established by the Council

**K. The question of the approval by the Council of studies to be undertaken by a functional commission

L. Conventions prepared under the auspices of the regional economic commissions

93. In the period under review, further regional agreements were sponsored by the regional economic commissions.

94. As regards ECE, it should be noted that the Working Party on the transport of perishable foodstuffs, subsidiary body of the Inland Transport Committee, prepared a new draft Agreement on the International Transport of Perishable Foodstuffs, which is intended to replace the 1962 Agreement on the transport of such foodstuffs, which did not come into force.¹⁰²

95. ECAFE convened intergovernmental consultations on the Asian Coconut Community in response to the request of the participants in the Sub-regional Consultations on Regional Plan Harmonization: Coconut, Coconut Products and Oil Palms to negotiate an acceptable agreement concerning the proposed Asian Coconut Community. The Agreement was opened for signature by the plenipotentiaries of the seven Contracting Parties at the Commission's headquarters in Bangkok.¹⁰³

96. Under the auspices of ECAFE, a multilateral agreement on the arrangements for the Prek Thnot tributary project in Cambodia was signed on 13 November 1968 at United Nations Headquarters, New York, by Australia, Cambodia, Canada, the Federal Republic of Germany, India, Italy, Japan, the Netherlands, Pakistan, the Philippines and the United Kingdom of Great Britain and Northern Ireland.¹⁰⁴

97. The following treaties were prepared under the auspices of ECLA:

Protocol to the Central American Agreement on Fiscal Incentives to Industrial Development—Preferential Treatment for Honduras, signed at the thirteenth special session of the Central American Economic Council, held at Managua, Nicaragua, from 19 to 23 September 1966.¹⁰⁵

Protocol to the General Treaty on Central American Economic Integration—Incorporation into free trade of paper and glass containers between Nicaragua and the other countries, signed at the fourteenth special session of the Central American Economic Council, held at San Salvador, El Salvador, on 11 and 12 October 1966.¹⁰⁶

Agreement establishing the Caribbean Free Trade Association, signed on 30 April 1968, in force on 1 May 1968.¹⁰⁷

Agreement on the Eastern Caribbean Common Market, which came into force on 15 July 1968.¹⁰⁸

⁹⁷E/AC.24/SR.370-371.

⁹⁸See this *Supplement*, under Article 72, para. 13. and also para. 76 above.

⁹⁹E S C resolution 1187(XLI); see paras. 50-53 above.

¹⁰⁰E S C resolution 1440(XLVII).

¹⁰¹See this *Supplement*, under Article 72, para. 14.

¹⁰²E S C (XLVII), Suppl. No. 3, E/4641, para. 172.

¹⁰³*Ibid.*, Suppl. No. 2, E/4640, para. 170.

¹⁰⁴*Ibid.*, para. 201.

¹⁰⁵E S C (XLIII), Suppl. No. 4, E/4359, para. 38.

¹⁰⁶*Ibid.*, para. 39.

¹⁰⁷E S C (XLVII), E C L A, annual report, E/4639, para. 272.

¹⁰⁸*Ibid.*, para. 274.

98. As regards ECA, it should be noted that the First Meeting of the Interim Economic Committee of the proposed Economic Community of Eastern Africa was held in Addis Ababa from 30 October to 4 November 1967.¹⁰⁹ In the West African subregion 13 countries signed articles of association in 1967 for the establishment of an Economic Community of West Africa. The Conference

of Heads of State and Government of West Africa, held at Monrovia in April 1968, adopted a protocol establishing the West African Regional Group and incorporating the articles of association of the proposed West African Economic Community as an integral part thereof.¹¹⁰

¹⁰⁹E S C (XLV), Suppl. No. 5, E/4497, para. 41.

¹¹⁰E S C (XLVII), E C A, annual report, E/4651, para. 34.