

ARTICLE 15

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TEXT OF ARTICLE 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

INTRODUCTORY NOTE

1. Two main issues arise with regard to the application of Article 15: the question of what reports have been considered by the Assembly and the question of what "consideration" it has given to those reports.

2. Article 15 (1) provides specifically for consideration of annual and special reports from the Security Council. Article 15 (2), however, refers only generally, to "reports from the other organs". This would appear to include not only the remaining four principal organs but such subsidiary organs as the Assembly may establish in accordance with Article 22.

3. Most of the work of the General Assembly has, in fact, been based on the reports of "other organs" and therefore the first section of this study deals briefly with what reports have been considered by the Assembly. Only a brief reference is made to the many reports from subsidiary organs established by the Assembly, since the question of the Assembly's practice regarding subsidiary organs is considered in connexion with the study of the application of Article 22. Also, only a passing reference is made to the numerous reports from the Secretary-General on matters under consideration by the Assembly; for further information concerning these reports, the reader is referred to the study on Article 98, that Article providing that the Secretary-General shall perform those functions entrusted to him by the General Assembly.

4. The second section of this study is concerned with the Assembly's interpretation of the word "consider". This has not, in itself, given rise to discussion but, in practice, the word has been interpreted in various ways. The pattern of consideration has varied from report to report and from session to session, but certain general procedures in relation to the annual reports from the principal organs have progressively become established. This section of the study, also, concentrates largely on the consideration given to these reports, since the Assembly's consideration of other reports follows, in the main, its general pattern of consideration of virtually all agenda items. For purposes of comparison, it has seemed better to treat the form of the Assembly's consideration as far as possible by topic rather than by organ: how far the General Assembly has engaged in a general discussion on the basis of the reports; how far it has assessed the work of the organ in question; and how far it has used the reports as a basis for considering and taking decisions on a particular question. It will be found that the Assembly's practice on these matters has varied considerably.

5. As to the procedure for the consideration of reports, the study, in its third section, deals with the extent to which: (a) reports have been considered either first in committee or directly in plenary meeting; (b) reports have been considered either separately or in connexion with other related subjects; and (c) the Assembly has thought it necessary to take a formal vote on reports as a whole.

I. GENERAL SURVEY

6. At each of its eight regular sessions, the General Assembly has "received and considered" annual reports from the Security Council, the Economic and Social Council, the Trusteeship Council, and the Secretary-General on the work of the organization. The reports from the Security Council and the Secretary-General have been submitted in accordance with specific provisions of the Charter (Articles 24 and 98, respectively). In the case of the Security Council's annual reports, the Assembly has confined itself to taking note of the report without discussing its substance although, on two occasions, certain criticisms of the report have been voiced and at other times representatives have expressed the view that it was within the Assembly's competence to discuss the report if it wished to do so. The Secretary-General's report has never formed the subject of a resolution adopted by the General Assembly. On one occasion it specifically formed part of the basis for the Assembly's general debate in plenary meeting and at other times reference has been made to it by the President at the opening of the debate. ^{1/}

7. The Economic and Social Council and the Trusteeship Council are not obliged by any specific Charter provision to submit annual reports to the General Assembly, but responsibility for the functions of the United Nations in the fields in which these two Councils operate ^{2/} is vested in the General Assembly, and both Councils function under the Assembly's authority (Articles 60, 85 and 87). Moreover, rule 13 of the Assembly's rules of procedure provides that the provisional agenda of a regular session shall include reports from these Councils. Each Council has regularly submitted an annual report to the General Assembly and the Assembly has used these reports as a basis for general discussion of the subjects involved, for an assessment of the work of the Council in question and for the consideration of particular matters on which draft resolutions have been submitted. ^{3/}

8. In the case of the Economic and Social Council's report, the practice has been to refer chapters of the report, according to their subject matter, to Main Committees and, latterly, to consider certain chapters in plenary meeting without reference to committee. The Assembly has then, as a rule, adopted one resolution taking note of the report and several resolutions relating to particular aspects of it. At times, various chapters of the report have been considered in committee in connexion with other agenda items to which they related and the Committees' recommendations have been considered in plenary meeting under these items. Certain chapters of the report have also formed the subject of separate agenda items.

^{1/} See II.B.1, below.

^{2/} With the exception of trusteeship functions relating to areas designated as strategic, which are the responsibility of the Security Council; the Trusteeship Council's reports on such areas are not therefore considered in this study,

^{3/} See II.B, below.

9. The Assembly has always referred the Trusteeship Council's report to the Fourth Committee, which, in turn, has first undertaken a general discussion and then considered draft resolutions on individual subjects -- a large number of the resolutions adopted by the General Assembly on trusteeship questions have been based on draft resolutions submitted in committee during the consideration of the report. The Assembly has also adopted a general resolution taking note of the Trusteeship Council's report, but these general resolutions have in each case also called that Council's attention to the comments made during the general discussion in the Fourth Committee.
10. Rule 13 of the rules of procedure also provides that the provisional agenda of a regular session shall include a report from the International Court of Justice. No such reports have, however, been submitted by the Court nor has the question been raised in the Assembly.
11. In accordance with Article 24, the Security Council has submitted several special reports 4/ to the General Assembly on the question of the admission of new Members to the United Nations. In considering these reports, the Assembly has discussed the subject-matter involved as well as the Council's handling of that subject. It has, in certain instances, referred questions back to the Council for reconsideration. In addition, the Council has transmitted to the Assembly reports of the Atomic Energy Commission and of the Commission for Conventional Armaments. The General Assembly has also considered the substance of reports by the Economic and Social Council and the Trusteeship Council on particular subjects and the reports from the ad hoc bodies established by the Assembly and directed to report to it. It has adopted various resolutions on the basis of such consideration. In certain cases, as, for example, in those of the Temporary Commission on Korea 5/ and the United Nations Special Committee on the Balkans, 6/ the Assembly has endorsed the report in question, or expressed its appreciation; in others it has simply taken note of the report and in still others it has referred to certain recommendations contained therein. The reports by the Secretary-General, submitted mainly at the request of the Assembly, have also formed the basis for debate and decision. 7/
12. As regards the Main Committees of the General Assembly, and other sessional committees established by it, rule 67 of the rules of procedure provides that, unless the Assembly decides otherwise, it shall not make a final decision upon any item of the agenda until it has received the report of a committee on that item. In eight regular and two special sessions, only thirty-three resolutions have been adopted in plenary meeting without the report of a committee on the item under consideration. Rule 68 of the rules of procedure provides that "the discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one third of the Members present and voting at the plenary meeting consider such a discussion to be necessary". During the early sessions of the General Assembly, it was customary for such discussions to be held if any representative wished to speak. Beginning with the fifth session, however, the Assembly has tended to limit the interventions in plenary meeting to explanations of vote on the Committee's recommendations. In certain cases,

4/ See annex II.

5/ C A resolution 195 (III).

6/ G A resolution 382 B (V).

7/ See II.B, below.

the President first put to the vote the question of whether the Assembly wished to discuss the report. 8/

13. It would appear that considerations of convenience have played some part in deciding such procedural issues as the priority a Main Committee should give in its agenda to the consideration of a report; for example, the availability of documents or the advisability of considering first various items on which the report has a bearing have been cited as reasons for postponing consideration. So, too, with the question of voting, similar draft resolutions have sometimes been voted on and at other times adopted "in the absence of objections". 9/

II. ANALYTICAL SUMMARY OF PRACTICE

A. Reports received and considered by the General Assembly

14. As stated above, the General Assembly, has at each of its regular sessions, received annual reports from the Security Council, the Economic and Social Council, the Trusteeship Council, and the Secretary-General on the work of the Organization. 10/

15. The annual reports of the Economic and Social Council on two occasions, 11/ and those of the Trusteeship Council invariably, have been introduced orally by the President of the Council speaking in a Main Committee. The annual report of the Secretary-General has on one occasion 12/ been supplemented by an oral report by him in plenary meeting; at other times 13/ he has made a statement at the close of the Assembly's general debate.

16. The Assembly has received from the Security Council twelve special reports 14/ on the question of the admission of new Members to the United Nations.

17. In addition, the Security Council transmitted the reports of the Atomic Energy Commission "as a matter of special concern" to the General Assembly 15/ and directed the Secretary-General to transmit to the Assembly two resolutions of the Commission and the records of its discussion. 16/ The Security Council also directed the Secretary-General to transmit to the General Assembly the report of the Commission for

8/ For example, on the question of uniting for peace, G A (V), Plen., vol. I, 299th mtg., p. 292; on the question of the former Italian colonies, G A (V), Plen., vol. I, 305th mtg., p. 393; on the Greek question, G A (VI), Plen., 351st mtg., pp. 214 and 215.

9/ See II.C, below.

10/ The titles of these reports and the numbers of the relevant agenda items are given in annex I.

11/ G A (IV), 2nd Com., 114th mtg., pp. 151-153 (see also Plen., Annexes, pp. 8-10 a.i. 11, A/1083, for verbatim record of statement); G A (V), Joint 2nd and 3rd Com., 45th mtg., pp. 1-6.

12/ G A (I/2), Plen., 35th mtg., pp. 693-703.

13/ G A (II), Plen., 90th mtg., pp. 267-272; G A (V), Plen., vol. I, 289th mtg., pp. 175 and 176; G A (VI), Plen., 348th mtg., pp. 200 and 201.

14/ Titles of the reports with the numbers of the relevant agenda items are given in annex II.

15/ G A (III/1), Plen., Annexes pp. 2 and 3, A/579.

16/ G A (IV), Suppl. No. 15, A/993.

Conventional Armaments, as well as the records of discussion, and proposals contained in a working paper of the Commission. 17/

18. In thirty-seven cases, a report (or resolution or recommendation) by the Economic and Social Council has constituted a separate item or part of an item of the Assembly's agenda, in addition to the item relating to the Council's regular annual report as a whole. In another twenty-four instances, items are listed as proposed by the Council. Examples of reports or parts of the annual report which were the subject of separate agenda items are: a report on freedom of information, 18/ a report on the draft International Covenant on Human Rights and Measures of Implementation, 19/ and a report on the Expanded Programme of Technical Assistance for the Economic Development of Under-Developed Countries. 20/

19. Reports from the Trusteeship Council are listed as forming the subject of eleven agenda items, or parts of agenda items (in addition to the agenda item relating to the Council's regular annual report as a whole). Some of these have formed part of the Council's annual report; special reports have included reports on administrative unions affecting Trust Territories 21/ and on the Ewe and Togoland unification problem. 22/

20. The Assembly has received reports from two subsidiary organs established in accordance with its rules of procedure: the Advisory Committee on Administrative and Budgetary Questions, and the Committee on Contributions. Over 200 reports have been received from the Advisory Committee relating to various agenda items. The Committee on Contributions has submitted a report annually.

21. Reports from various other subsidiary bodies established by the Assembly have formed the subject of more than a hundred agenda items or parts of agenda items. Some of these bodies, such as the International Law Commission, have reported annually since their establishment; others, such as the Special Committee on the Admission of New Members, established under General Assembly resolution 640 A (VII) have, in accordance with their terms of reference, completed their work in submitting one report.

22. Reports by the Secretary-General have constituted some 120 agenda items or parts of items of the General Assembly, but this figure does not include agenda items proposed by the Secretary-General nor does it include the innumerable reports and memoranda by the Secretary-General on the various items under consideration by the Assembly. Reports which specifically formed the subject of agenda items at the eighth session included, for example: summaries and analyses of information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter; 23/ reports on

17/ G A (IV), Ad Hoc Political Com., Annexes, vol. 1; pp. 71 and 72 a.i. 24; A/1020 and A/1042; also SC, 4th yr., Suppl. for Sept.-Dec. 1949, pp. 2-8, S/1372, annex I.

18/ G A (III/1), Plen., Annexes, pp. 102-104, A/631.

19/ Formed part of the Council's annual report to the General Assembly (sixth session), subject of agenda item 29.

20/ Formed part of the Council's annual report to the General Assembly (eighth session), subject of agenda item 27.

21/ G A (VII), Suppl. No. 12 (A/2151).

22/ G A (VII), Annexes, a.i. 32, pp. 1-3, A/2289.

23/ United Nations Publication, Sales No.: 1953.VI.B.1., vol. II.

United Nations Headquarters, 24/ personnel policy, 25/ and the question of a change in the opening date of regular sessions of the General Assembly, 26/

B. Consideration of reports

1. Reports as basis of general discussion

23. On three occasions the reports of principal organs have been suggested as the basis for the Assembly's general debate in plenary meeting. At the second part of the first session, 27/ the Assembly accepted the recommendation of the General Committee that the reports of the Security Council, the Economic and Social Council and the Secretary-General should form the basis for general discussion. At the opening of the general debate at the Assembly's second session, 28/ the President pointed out that the report of the Secretary-General on the work of the Organization, as well as the report from the Security Council, "had been circulated". And at the opening of the general debate at the seventh session, 29/ he informed the Assembly that it would "of course, be quite appropriate" during the debate to discuss the reports of the Secretary-General and of the three Councils.

24. The General Assembly has not otherwise engaged in a general discussion on the basis of the annual reports of the Security Council or of the Secretary-General, though it has frequently done so in committee on the basis of the annual reports of the Economic and Social Council and of the Trusteeship Council.

25. In the case of the Trusteeship Council's report, the general debates have all been held in the Fourth Committee. The Economic and Social Council's report has served as the basis for general discussion in one of the three Main Committees to which its chapters have been referred: Second, Joint Second and Third, and Third Committees.

2. Consideration of the work of the organs

26. At the Assembly's third session, in connexion with the consideration of the Security Council's annual report in the Ad Hoc Political Committee, 30/ the right was reserved to put forward "a number of drafting amendments" to the report. Later, in plenary meeting, 31/ a protest was made against the treatment given in the report to the Czechoslovak question. At the fifth session, both in the Ad Hoc Political Committee and in plenary meeting 32/ an objection was put forward that the report of the Security Council contained an account of certain of the Council's decisions which were illegal, having been adopted when the Council was illegally constituted. In the Ad Hoc Political

24/ G A (VIII), Annexes, a.i., 41, pp. 1 and 2, A/2544.

25/ G A (VIII), Annexes, a.i. 51, pp. 1-21, A/2533.

26/ G A (VIII), Annexes, a.i. 52, pp. 1-3, A/2436.

27/ G A (I/2), Plen., 35th mtg., p. 704.

28/ G A (II), Plen., 82nd mtg., p. 13.

29/ G A (VII), Plen., 379th mtg., p. 15.

30/ G A (III/2), Ad Hoc Pol. Com., 32nd mtg., p. 47.

31/ G A (III/2), Plen., 199th mtg., pp. 209 and 210.

32/ G A (V), Ad Hoc Pol. Com., 78th mtg., pp. 499 and 500; G A (V), Plen., vol. I, 325th mtg., pp. 680 and 681.

Committee, 33/ it was made clear -- although there was disagreement with the above view -- that the right to criticize had not been questioned.

27. At the second part of the first session, the First Committee, at the Chairman's suggestion, deferred 34/ consideration of the report until certain other items had been dealt with, "in order to avoid repetitious debate". The Committee later 35/ adopted a draft resolution stating that it had received and discussed the report and had decided to proceed to the next item on the agenda "subject to the reservation made by the representative of Australia"; this reservation was to the effect that the Committee had the right to revert to the question of the work of the Security Council in connexion with the right of "veto". Similarly, at the second session, the First Committee decided 36/ "to discuss the Security Council's report after disposing of its other business"; a draft resolution, unanimously adopted by the Committee, taking note of the report, was put forward 37/ on the ground that "the main points of the Security Council's report had already been discussed by the Committee". By the third session, it would appear to have become a recognized practice that the General Assembly should confine itself to taking note of the Security Council's report. Thus, the Chairman of the Ad Hoc Political Committee at that session 38/ referred to the fact that the First Committee "had in the past always confined itself to taking note of the Security Council report", and suggested that the Ad Hoc Political Committee follow the same procedure -- which was accepted without objection. In opposing criticisms of the report (see para. 26 above) in plenary meeting, 39/ one representative stated that this was acting "in violation of a long-established practice in the General Assembly, according to which reports of the Security Council were noted without discussion in plenary meeting". With the exception of the discussion at the fifth session (see para. 26 above), the Assembly confined itself at subsequent sessions to adopting resolutions 40/ taking note of the report. The question as to whether "taking note" implied acceptance of the report was raised only in the one instance referred to above, but the fact that on six occasions abstentions were recorded in the voting on the report (see para. 54 below) would seem to indicate that the adoption of the resolutions involved some degree of acceptance.

28. However, in considering the special reports of the Security Council on the question of the admission of new Members, the Assembly has engaged in a full discussion of the proceedings and reports of that Council. As early as the second part of the first session, 41/ it debated fully the relative powers and functions of the Assembly and of the Security Council on this matter. 42/ On the one hand, it was maintained that the Assembly was only to discuss and act upon the recommendations of the Security Council for the admission of States to membership; on the other hand, the view was

33/ G A (V), Ad Hoc Pol. Com., 78th mtg., p. 500.

34/ G A (I/2), 1st Com., 18th mtg., p. 83.

35/ G A (I/2), 1st Com., 41st mtg., p. 283.

36/ G A (II), 1st Com., 59th mtg., p. 9.

37/ G A (II), 1st Com., 116th mtg., p. 527.

38/ G A (III/2), Ad Hoc Pol. Com., 32nd mtg., p. 47.

39/ G A (III/2), Plen., 119th mtg., pp. 210 and 211.

40/ G A resolutions 115 (II), 269 (III), 298 (IV), 397 (V), 514 (VI), 695 (VII) and 803 (VIII).

41/ G A (I/2), 1st Com., 12th-18th mtgs., pp. 37-83, in particular, relevant statements by Argentina, Australia, Egypt, Mexico, USSR and United States, at the 12th mtg.

42/ For a discussion of this question, see also in this Repertory under Article 4.

expressed that it was within the Assembly's powers to discuss the whole proceedings of the Council regarding membership applications, including the handling of the problem and the reasons advanced for the admission or rejection of applicants.

29. The Assembly, after adopting resolution 35 (I) referring back to the Council, for reconsideration, the applications of five States on which no recommendation had been made, also adopted resolution 36 (I) requesting the Council "to appoint a committee to confer with a committee on procedure of the General Assembly, with a view to preparing rules governing the admission of new Members" acceptable to both organs. 43/

30. At subsequent sessions, the Assembly also debated the Security Council's special reports on this question, and adopted resolutions 44/ calling on the Council to reconsider certain applications. On two occasions, 45/ it asked for advisory opinions from the International Court of Justice on certain aspects of the question. At the seventh session, the Assembly established 46/ a special committee to study the question of the admission of States to membership.

31. The Assembly has also discussed 47/ the reports of subsidiary organs of the Security Council transmitted to it by the latter. Thus, at its fourth session 48/ it discussed the Council's functions in relation to the Commission for Conventional Armaments. In resolution 300 (IV) the Assembly approved the proposals formulated by the Commission for Conventional Armaments 49/ for the submission and verification of full information by Member States on their conventional armaments and armed forces, and recommended that the Security Council continue its study of the regulation and reduction of conventional armaments and armed forces through the Commission.

32. In considering the annual reports of the Economic and Social Council and the Trusteeship Council, the General Assembly has discussed the work of these Councils, and their organization and procedures. It has usually adopted one general resolution on the report and, at times, various other resolutions on the operation of the Council in question.

33. Thus, at the second part of its first session it adopted resolution 49 (I) which noted with satisfaction the progress made by the Economic and Social Council and its efforts to solve economic and social problems and drew the Council's attention to the remarks made during the Assembly's discussions. Subsequently, following consideration of that Council's report by various Committees, the Assembly at its second, third,

43/ On the Committees' recommendation, a new rule (now rule 138) was adopted (G A resolution 116 (II)) providing that if the Council did not make a recommendation the Assembly might send the application back for further consideration.

44/ G A resolutions 113 C-H (II); 197 B-I (III); 296 A-I (IV); 620 B-G (VII).

45/ G A resolutions 113 B (II) and 296 J (IV).

46/ G A resolution 620 A (VII).

47/ See also in this Repertory under Article 26.

48/ G A (IV), Ad Hoc Pol. Com., 38th-43rd mtgs., pp. 219-246.

49/ The Assembly in resolution 192 (III) had requested the Council to pursue the study of the regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments and to report to the Assembly at its next regular session. The Council, however, failed to adopt a resolution on the reports of the Commission and therefore instructed the Secretary-General to transmit them to the Assembly for its information.

fourth and fifth sessions adopted one general resolution taking note of the report. 50/ With the exception of a short discussion at the fourth session, 51/ limited to remarks by one speaker, the Assembly has not, in plenary meeting, engaged in a discussion of those draft resolutions. Its discussions on the relevant Committee reports have been concerned with those draft resolutions submitted on individual subjects. No resolution on the report as a whole was adopted at the sixth, seventh or eighth sessions. At the sixth session, the Joint Second and Third Committee in its report 52/ stated that, following the practice of previous sessions, it had decided to recommend to the Assembly that it should take note of chapter I of the report of the Council, on the understanding that this action would, in due course, be incorporated with similar action by other Committees to which parts of the report had been referred, in order to form a single resolution taking note of the report as a whole. At the seventh session, no draft resolution on the report in general was submitted; the Assembly decided, 53/ however, on the proposal of the President, to take note of certain parts of the report considered directly in plenary meeting and to pass on to the next item on the agenda. At the eighth session, the Second and Fifth Committees reported 54/ to the Assembly that they had taken note of the relevant chapters of the report. The Assembly noted these reports and, itself, took note 55/ of those parts of the Council's report considered directly in plenary meeting; it was therefore presumed that the Assembly had taken note of the entire report. Thus, the Assembly's action on the Council's report as a whole has tended to become formal; it has tended to deal individually with the particular questions covered in that report.

34. Under the agenda item "Report of the Economic and Social Council" the Assembly has, however, adopted twelve 56/ resolutions on the operation of the Council covering such subjects as co-ordination of specialized agencies, distribution of membership in subsidiary organs of the Council, organization of the Council and its Commissions, and sessions of the Council's subsidiary bodies. In addition, various resolutions 57/ on co-ordination between the United Nations and the specialized agencies have been adopted on the basis jointly of the Council's report and of other items.

35. The wording of the Assembly's resolutions on the annual reports of the Trusteeship Council has varied, but in each case the Assembly has taken note of the report and has referred to the Council the comments made during the Assembly's discussions. At the second session, 58/ these comments were transmitted to the Council "for consideration in its future work", at the third, fifth and sixth sessions, 59/ the Council was recommended to consider these comments and suggestions and at the seventh and eighth sessions 60/ it was recommended to take them into account. At the sixth session, the Assembly specified that the comments and suggestions included "the

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- 50/ G A resolutions 123 (II), 276 (III), 312 (IV) and 416 (V).
51/ G A (IV), Plen., 272nd mtg., pp. 564 and 565, statement by Chile.
52/ G A (VI), Annexes, a.i. 11, p. 23, A/2113, para. 21.
53/ G A (VII), Plen., 409th mtg., p. 452.
54/ G A (VIII), Annexes, a.i. 12, pp. 22-23, A/2599 and A/2623.
55/ G A (VIII), Plen., 468th mtg., p. 430; 471st mtg., p. 457.
56/ G A resolutions 125 (II), 199 (III), 206 (III), 207 (III), 409 (V), 419 (V), 420 (V), 526 (VI), 532 (VI), 535 (VI), 542 (VI) and 735 (VIII).
57/ G A resolutions 210 (III), 309 (IV), 310 (IV), 411 (V), 412 (V), 413 (V), 414 (V), 533 (VI) and 534 (VI).
58/ G A resolution 139 (II).
59/ G A resolutions 223 (III), 431 (V) and 559 (VI).
60/ G A resolutions 654 (VII) and 756 (VIII). No general resolution was adopted at the fourth session.

valuable discussions in the Fourth Committee on various specific trusteeship problems" and recommended that they be considered "with a view to arriving at a speedy solution of those problems". At the third session, 61/ the Fourth Committee rejected, by 23 votes to 13, an amendment which would have recommended that the Council include in its next annual report the conclusions it had reached and the action it had taken on the comments and suggestions made during the Assembly's debate. The view was expressed that the amendment was unnecessary since the Council would in any case take the comments into account, and to ask it to report in detail on its action in each case would place too great a burden on it. At the third, fifth and sixth sessions, the Assembly also expressed its confidence that the Council would, in a spirit of co-operation, contribute effectively to the objectives of the Trusteeship System. 62/

36. The fact that at certain sessions these resolutions were voted upon and adopted by varying votes, certain parts of the draft resolutions sometimes 63/ being voted on separately, would also seem to indicate that adoption of the resolutions has involved some measure of acceptance of the reports. However, at the second session, 64/ one representative stated that if the Committee approved the Council's report he would be unable to vote for the draft resolution and suggested that it should merely take note of it, which was agreed to by the Chairman; whereas at the seventh session one of the reasons advanced 65/ by a representative for submitting a draft resolution later adopted was to pay tribute to one of the principal organs of the United Nations. Discussions in plenary meeting of the Fourth Committee's report on the report of the Trusteeship Council have in general been confined to explanations of vote on the draft resolutions recommended by the Fourth Committee on individual subjects, but these have sometimes 66/ involved statements on the working of the Council, and at its fourth session 67/ a general discussion on trusteeship questions was held in plenary meeting.

37. At its fifth session, following a review of the functioning of the Trusteeship Council, the Assembly adopted resolution 433 (V) specifically on the form of future annual reports by the Council. It has also adopted, on the basis of the annual reports, a number of 68/ resolutions on the operation of the Trusteeship Council, for example on petitions, visiting missions and participation of the indigenous inhabitants in the Council's work.

61/ G A (III/1), 4th Com., 68th and 74th mtgs., pp. 192 and 268-270, relevant statements by India, Mexico, United Kingdom and United States. The text of the amendment, by Cuba (A/C.4/146) is reproduced on p. 192.

62/ The wording in each case was slightly different: at the third session, the Assembly expressed its confidence that the Council... "will effectively contribute"; at the fifth session that it will... "continue to contribute effectively" and at the sixth session that it will... "continue to contribute - and with increased effectiveness". At the fifth session the words "will continue to contribute" were voted on separately in the Fourth Committee and were retained by 25 votes to 9, with 11 abstentions, whereas the draft resolution as a whole was adopted by 31 votes to none, with 17 abstentions.

63/ At the fifth session in committee and in plenary, and at the eighth session in committee; see also para. 47 below.

64/ G A (II), 4th Com., 34th mtg., p. 22, statement by the USSR.

65/ G A (VII), 4th Com., 296th mtg., p. 336, statement by Argentina.

66/ For example, G A (VI), Plen., 361st mtg., p. 350, statement by Brazil; G A (VIII), Plen., 471st mtg., p. 453, statement by Pakistan.

67/ G A (IV), Plen., 239th and 240th mtgs., pp. 173-192.

68/ G A resolutions 321 (IV), 432 (V), 434 (V), 435 (V), 552 (VI), 553 (VI), 554 (VI), 653 (VII) and 751 (VIII).

38. As a general rule, in considering the reports of ad hoc subsidiary bodies, the General Assembly has discussed the subject-matter of the report and the work of these bodies. On the basis of this consideration, it has adopted resolutions containing recommendations to Members and further instructions to the subsidiary body involved. In some instances it has approved the report, referred to particular parts of it, or commended and commented upon the work of the organ. 69/

39. The question of the Assembly's consideration of reports was raised at the seventh and eighth sessions in connexion with the question of measures to limit the duration of regular sessions of the General Assembly.

40. In his memorandum 70/ submitted to the General Assembly at its seventh session, the Secretary-General suggested that it might assist in a more selective establishment of the Assembly's agenda if the Assembly were to indicate, in resolutions calling for reports, whether it was intended that the report in question should be submitted to the General Assembly for consideration or to Members for their information. In the first case it would be included in the provisional agenda of the following session, in the second case not. In the cases where it had not been stipulated that a report should be included in the provisional agenda of a session, any Member would have the right to request that a report which had been circulated, or any specific matter covered by the report, should be included in the agenda.

41. As regards the reports of the Economic and Social Council and the Trusteeship Council, the Secretary-General stated he would not wish to propose any measures which might restrict the opportunities of the Assembly to review the reports, adopt resolutions by Members on topics covered by them or make its own recommendations. He suggested, however, that the Councils should be encouraged to continue the practice of indicating in their annual reports those matters on which they desired that the Assembly should take action and that there should be an early time-limit for the presentation of draft resolutions on matters contained in the reports.

42. These recommendations were embodied in the report 71/ of the Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly submitted at the eighth session, the suggestions relating to the work of the Councils being accepted by a majority of that Committee. A draft resolution was submitted in the Sixth Committee, 72/ recommending that an attached outline of the practices recommended by the Special Committee be annexed to the rules of procedure. The suggestions concerning reports were included in the draft annex. An amendment 73/ proposing the deletion of the relevant paragraph of the draft resolution was, however, adopted by 32 votes to 13, with 4 abstentions. 74/

43. Varying views were expressed on these suggestions during the seventh and eighth sessions. As regards the reports of the subsidiary organs, it was suggested, 75/

69/ G A resolutions 195 (III), 214 (III), 288 (IV), 299 (IV), 318 (IV), 362 (IV), 373 (IV), 382 B (V), 394 (V), 512 (VI), 570 (VI), 646 (VII) and 721 (VII).

70/ G A (VII), Annexes, a.i. 50, pp. 2-7, A/2206, paras. 16-24.

71/ G A (VIII), Annexes, a.i. 54, pp. 2-7, A/2402, paras. 16-18, 22 and 23.

72/ G A (VIII), a.i. 54, pp. 7-9, A/C.6/L.292/Rev.1, revised draft resolution submitted by Norway.

73/ G A (VIII), a.i. 54, p. 10, A/C.6/L.296, amendments by Ecuador and Guatemala to the amendments submitted by Brazil and France (A/C.6/L.293) to the Norwegian draft resolution.

74/ G A (VIII), 6th Com. 366th mtg., para. 33.

75/ G A (VII), Plen., 387th mtg., para. 51.

on the one hand, that reports made in response to an Assembly resolution should not be placed on the agenda unless some representative so moved, and, on the other, it was maintained 76/ that it would be contrary to Article 15 for the Assembly not to consider the reports of other organs; the suggestion for limiting such consideration would, it was thought, deprive the General Assembly of its right to deal with matters within its competence, its prerogative to improve the work of the other organs and its power of initiative in the interests of furthering the work of the United Nations.

44. As regards the reports of the Economic and Social Council, and the Trusteeship Council, some representatives 77/ expressed agreement with the suggestions of the Secretary-General and the Committee. It was stated 78/ in this connexion that while some Members not represented on the Economic and Social Council and the Trusteeship Council might wish to express their views on the matters contained in the Councils' reports, in point of fact it had generally been the members of those Councils which had been the most active in the discussions in the Committees of the Assembly; and that there was no proof that the Assembly's contribution to the questions in the jurisdiction of those Councils had been constructive or novel. Emphatic disagreement was expressed 79/ with this view, and it was further maintained that it was the duty of the Assembly to judge and discuss the work of its permanent organs, in which a minority of countries represented the whole Organization. For the Councils rather than the Assembly to decide what questions in their reports should be discussed would, it was also stated, 80/ limit the rights of the Assembly and be contrary to the Charter. It was also objected 81/ that the recommendation for a time-limit on the presentation of draft resolutions on the reports of the Councils might prevent representatives from submitting draft resolutions in the course of the debate.

3. Reports as basis for consideration of individual questions

45. No draft resolutions concerning individual questions have been submitted under the agenda items relating to the annual reports of the Secretary-General 82/ and the Security Council. On the other hand, many of the draft resolutions subsequently adopted by the General Assembly have been presented during the consideration of the annual reports of the Economic and Social Council and the Trusteeship Council. A total of twenty-six of the forty-one resolutions adopted by the General Assembly on trusteeship questions (not counting those relating to the actual operation of the Council, for which see above, para. 36) have been introduced in connexion with the item relating to the regular annual reports of that Council. The practice has been 83/ for the Assembly's Fourth Committee, following its general debate on the report, to

76/ G A (VIII), 6th Com., 361st mtg., para. 17.

77/ G A (VII), Plen., 387th mtg., para. 34; G A (VIII), 6th Com., 361st mtg., para. 41.

78/ G A (VII), Plen., 387th mtg., para. 34.

79/ *Ibid.* paras. 63-65.

80/ *Ibid.* 388th mtg., para. 43.

81/ G A (VIII), 6th Com., 363rd mtg., para. 4.

82/ Reference was however made to the Secretary-General's annual report in resolution 114 (II) on relations of Members of the United Nations with Spain.

83/ At every session after the second, when one resolution was adopted following consideration of the report.

consider the various draft resolutions submitted under this item. Parts of the Council's report have also sometimes formed the subject of separate agenda items. 84/

46. In the case of the Economic and Social Council, also, draft resolutions on individual questions have been submitted in committee. They account for thirty-three resolutions subsequently adopted by the General Assembly (not counting those relating to the actual operation of the Council, for which see para. 33 above). Parts of the Council's report have also formed the subject of other agenda items. 85/

C. Procedure for consideration of reports 86/

1. Consideration directly in plenary meeting and in committee

47. The annual report of the Security Council was considered at the first part of the first session and at the second session in the First Committee, at the second part of the third session 87/ and at the fourth 87/ fifth and sixth sessions in the Ad Hoc Political Committee and at the seventh and eighth sessions in plenary meeting without reference to a Committee.

48. The annual report of the Economic and Social Council was considered at the second part of the first session in the Joint Second and Third Committee. 88/ Thereafter, various chapters of the report were referred to different Committees, the chapter or chapters dealing with economic questions being considered in the Second Committee and the chapter or chapters dealing with social questions being considered in the Third Committee. 89/ At the second, 90/ third, fourth, fifth and sixth sessions, other

84/ For example, at the sixth session the parts of the Council's report relating to the rural economic development of the Trust Territories (agenda item 33) and administrative unions affecting Trust Territories (agenda item 35) formed the subject of separate agenda items.

85/ For example, at the eighth session of the General Assembly, the parts of the Council's report on the economic development of under-developed areas (agenda item 26) and the Expanded Programme of Technical Assistance for the economic development of under-developed countries (agenda item 27) were the subject of separate agenda items. The subjects of other items, for example, the question of assistance to Libya (agenda item 60) were also discussed on the basis of the Council's annual report.

86/ For allocation of agenda items, see G A (I/2), Plen., 46th mtg., p. 933; G A (II), Plen., 91st mtg., p. 302; G A (III/1), Plen., 142nd mtg., p. 110; G A (IV), Plen., 224th mtg., p. 23; G A (V), Plen., vol. I, 285th mtg., p. 119; G A (VI), Plen., 342nd mtg., p. 104; G A (VII), Plen., 382nd mtg., p. 73; G A (VIII), Plen., 435th mtg., p. 33.

87/ Allocated to 1st Com. and then re-allocated to Ad Hoc Political Com.; G A (III/1), Plen., 158th mtg., p. 473; G A (IV), Plen., 238th mtg., p. 172.

88/ The Chairman of the Committee, however, suggested that, since the major parts of the items included in the report had been referred to various Committees, the Joint Committee should limit its discussion to the items not already assigned to other Committees (G A (II/1), Joint 2nd and 3rd Com., 1st mtg., p. 1).

89/ In some instances part of the report formed the subject of a separate agenda item, for example, chapter II A on economic development, considered at the fourth session.

90/ At the second session these chapters were initially allocated to the Second Committee, but the Second and Third Committees were authorized to establish a Joint Second and Third Committee and to refer to it such matters as they considered necessary.

chapters of the report, e.g., those dealing with constitutional and organizational questions, questions of co-ordination with specialized agencies, relations with non-governmental organizations and general economic and social questions were referred to a Joint Second and Third Committee. At the fourth, fifth and sixth sessions 91/ the part of the report relating to co-ordination with specialized agencies was allocated for consideration in a joint meeting of the Fifth Committee with the Joint Second and Third Committee. At the fourth and sixth sessions, the chapters relating to budgetary implications of the Council's decisions were specifically allocated to the Fifth Committee. At the seventh and eighth sessions no Joint Second and Third Committee was established and those parts of the report not allocated to the Second or the Third Committees were considered directly in plenary meeting.

49. The annual report of the Trusteeship Council was at each session referred to the Fourth Committee.

50. Reports of principal organs on individual subjects and reports of subsidiary organs have been allocated according to their subject-matter.

2. Linking with other agenda items and other reports

51. The General Assembly has not linked its consideration of the annual reports of the Security Council with that of any other matter, but frequently it has considered parts of the annual report of the Economic and Social Council simultaneously with other reports before it. 92/ Parts of the Council's report have frequently been considered in conjunction with reports from the Secretary-General. 93/ Parts of the report of the Council on co-ordination between the United Nations and the specialized agencies have also been considered, for example, at the fifth session, under agenda item 29, in conjunction with a report of the Advisory Committee on Administrative and Budgetary Questions as well as with the Annex to the budget estimates and a report from the Secretary-General. 94/

52. More rarely have parts of the Trusteeship Council's report been considered in conjunction with other matters, but at the fourth session the chapter relating to South West Africa was considered under agenda item 34 together with a letter from the Deputy Permanent Representative of the Union of South Africa to the Secretary-General; 95/ at the sixth session, part of the report on the abolition of corporal punishment in Trust Territories was considered together with a memorandum submitted by the United Kingdom 96/ under the relevant agenda item.

91/ At the third session it was subsequently agreed that parts of the report relating to programme, budgetary and administrative co-ordination should be considered at joint meetings of the Joint Second and Third Committee and of the Fifth Committee (see G A (III/1), Plen., Annexes, p. 327, A/11 and Corr.1, para. 2).

92/ For example see G A (VIII), Annexes, a.i. 12, p. 11, A/2573 and Corr.1, para. 2; chapters IV and V of the Council's report were considered in conjunction with agenda items 28, 62, 63, 65, 66 and 69.

93/ For example, at the eighth session agenda items 26, 27 and 61 were considered by the Second Committee on the basis jointly of chapters of the Council's report and of a memorandum by the Secretary-General (A/2447 and Corr.1).

94/ G A (V), Joint 2nd and 3rd Com., 48th-51st mtgs., pp. 21-46.

95/ G A (IV), 4th Com., Annexes, pp. 7-12, a.i. 34, A/929.

96/ G A (VI), Annexes, a.i. 34, p. 1, A/1965.

53. Reports from subsidiary organs have also frequently been considered jointly; for example, at the sixth session the First Committee considered together 97/ the report of the United Nations Commission for the Unification and Rehabilitation of Korea and the report of the United Nations Agent General for Korean Reconstruction (agenda items 17 and 27) and the Third Committee considered together 98/ the reports of the International Refugee Organization, the United Nations High Commissioner for Refugees and the part of the Economic and Social Council's report relating to refugees (agenda items 30 and 31).

3. Voting on reports

54. The General Assembly has frequently adopted draft resolutions taking note of the Security Council's annual report "in the absence of objections" or "unanimously". Such draft resolutions were, however, voted on at the fourth, fifth and sixth sessions 99/ in committee and at the third, fifth and sixth sessions 100/ in plenary meeting, abstentions being recorded in each instance.

55. Draft resolutions or motions taking note of the annual report of the Economic and Social Council, or part of it, have not usually been voted on in committee, although such a draft resolution was voted on 101/ at the second part of the first session in the Joint Second and Third Committee and at the first part of the third session in the Third Committee, votes against and abstentions being recorded in the first instance and abstentions in the second. At the fifth session, 102/ although a formal vote was not taken, one representative requested that his abstention be recorded. Draft resolutions to take note of the report were voted on in plenary meeting at the first, fourth and fifth sessions, 103/ abstentions being recorded at the first and fifth sessions; at the second and third sessions 104/ such resolutions were adopted without objection and at the sixth, seventh and eighth sessions 105/ no resolution on the report as a whole was adopted.

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- 97/ G A (VI), 1st Com., 507th and 508th mtgs. (held jointly with the Joint 2nd and 3rd Com.), pp. 287-301.
- 98/ G A (VI), 3rd Com., 373rd-386th mtgs., pp. 151-233.
- 99/ G A (I/2), Plen., 55th mtg., p. 1133, 1st Com., 41st mtg., p. 283; (II), Plen., 122nd mtg., p. 1216, 1st Com., 116th mtg., p. 527; (III/2), Ad Hoc Pol. Com., 32nd mtg., p. 47; (IV), Plen., 252nd mtg., p. 334; (VII), Plen., 390th mtg., p. 178; (VIII), Plen., 455th mtg., p. 262.
- 100/ G A (III/2), Plen., 199th mtg., p. 211; (IV), Ad Hoc Pol. Com., 40th mtg., p. 227; (V), Plen., vol. I, 325th mtg., p. 681, Ad Hoc Pol. Com., 78th mtg., p. 500; (VI), Plen., 370th mtg., p. 470, Ad Hoc Pol. Com., 54th mtg., p. 307.
- 101/ G A (I/2) Joint 2nd and 3rd Com., 3rd mtg., p. 22; (III/1), 3rd Com., 180th mtg., p. 898.
- 102/ G A (V) Joint 2nd and 3rd Com., 56th mtg., p. 76.
- 103/ G A (I/2), Plen., 69th mtg., p. 1414; (IV), Plen., 272nd mtg., p. 565; (V), Plen., vol. I, 325th mtg., p. 666.
- 104/ G A (II), Plen., 117th mtg., p. 1025; (III/2), Plen., 211th mtg., p. 427.
- 105/ G A (VII), Plen., 409th mtg., p. 452; (VIII), Plen., 471st mtg., p. 457.

56. The practice of the General Assembly with respect to the report of the Trusteeship Council has also varied. Thus, at the second and sixth sessions in the Fourth Committee and at the second, third and sixth sessions in plenary meeting, the draft resolution on the report as a whole was adopted without a vote. ^{106/} At the third session it was unanimously adopted by vote in committee; at the fifth, seventh and eighth sessions ^{107/} abstentions were recorded both in committee and in plenary meeting.

ANNEX I

**Reports of principal organs to the General Assembly
with the relevant agenda items**

<u>Reports of the Security Council to the General Assembly, covering period:</u>		<u>Agenda Item</u>
17 January to 15 July 1946	G A (I/2), Suppl. No. 1 (A/93)	7
16 July 1946 to 15 July 1947	G A (II), Suppl. No. 2 (A/366)	10
16 July 1947 to 15 July 1948	G A (III/1), Suppl. No. 2 (A/620)	10
16 July 1948 to 15 July 1949	G A (IV), Suppl. No. 2 (A/945)	10
16 July 1949 to 15 July 1950	G A (V), Suppl. No. 2 (A/1361)	11
16 July 1950 to 15 July 1951	G A (VI), Suppl. No. 2 (A/1873)	10
16 July 1951 to 15 July 1952	G A (VII), Suppl. No. 2 (A/2167)	10
16 July 1952 to 15 July 1953	G A (VIII), Suppl. No. 2 (A/2437)	11
<u>Reports of the Economic and Social Council, covering period:</u>		
23 January to 3 October 1946	G A (I/2), Suppl. No. 2 (A/125)	46
3 October 1946 to 17 August 1947	G A (II), Suppl. No. 3 (A/382)	11
18 August 1947 to 29 August 1948	G A (III/1), Suppl. No. 3 (A/625)	11
30 August 1948 to 15 August 1949	G A (IV), Suppl. No. 3 (A/972)	11
16 August 1949 to 16 August 1950	G A (V), Suppl. No. 3 (A/1345)	12
16 August 1950 to 21 September 1951	G A (VI), Suppl. No. 3 (A/1884)	11
22 September 1951 to 1 August 1952	G A (VII), Suppl. No. 3 (A/2172)	11
2 August 1952 to 5 August 1953	G A (VIII), Suppl. No. 3 (A/2430)	12
<u>Reports of the Trusteeship Council, covering:</u>		
Its first session 26 March to 28 April 1947	G A (II), Suppl. No. 4 (A/312)	12
Its second and third sessions 29 April 1947 to 5 August 1948	G A (III/1), Suppl. No. 4 (A/603)	12

^{106/} G A (II), Plen., 104th mtg., p. 569, 4th Com., 34th mtg., p. 24; (III/1), Plen., 159th mtg., p. 430; (VI), Plen., 361st mtg., p. 350; 4th Com., 241st mtg., p. 271.

^{107/} G A (III/1), 4th Com., 74th mtg., p. 271; (V), Plen., vol. I, 316th mtg., p. 547; 4th Com., 154th mtg., pp. 65 and 66; (VII), Plen., 410th mtg., p. 472; 4th Com., 299th mtg., p. 355; (VIII), Plen., 471st mtg., p. 455; 4th Com., 392nd mtg., p. 523. No general resolution was adopted at the fourth session.

Its fourth and fifth sessions 6 August 1948 to 22 July 1949	G A (IV), Suppl. No. 4 (A/933)	12
Its first special session, its second special session, and its sixth and seventh sessions 23 July 1949 to 21 July 1950	G A (V), Suppl. No. 4 (A/1306)	13
Its third special session and its eighth and ninth sessions 22 November 1950 to 30 July 1951	G A (VI), Suppl. No. 4 (A/1856)	12
Its fourth special session and its tenth and eleventh sessions 18 December 1951 to 24 July 1952	G A (VII), Suppl. No. 4 (A/2150)	12
Period from 4 December 1952 to 21 July 1953	G A (VIII), Suppl. No. 4 (A/2427)	13
<u>Reports of the Secretary-General on the Work of the Organization:</u>		
30 June 1946	A/65	6
14 July 1947	G A (II), Suppl. No. 1 (A/315)	9
1 July 1947 - 30 June 1948	G A (III/1), Suppl. No. 1 (A/565)	9
1 July 1948 - 30 June 1949	G A (IV), Suppl. No. 1 (A/930)	9
1 July 1949 - 30 June 1950	G A (V), Suppl. No. 1 (A/1287)	10
1 July 1950 - 30 June 1951	G A (VI), Suppl. No. 1 (A/1844)	9
<u>Introduction</u>	G A (VI), Suppl. No. 1 A (A/1844/Add.1)	9
1 July 1951 - 30 June 1952	G A (VII), Suppl. No. 1 (A/2141)	9
<u>Introduction</u>	G A (VII), Suppl. No. 1 A (A/2141/Add.1)	9
1 July 1952 - 30 June 1953	G A (VIII), Suppl. No. 1 (A/2404)	10

ANNEX II

Special reports of the Security Council to the General Assembly

	<u>Agenda Item</u>
Admission of new Members. Special report by the Security Council. (A/108, mimeographed document, submitted during second part of first session)	9
Admission of new Members; note by the Secretary-General. (G A (II), 1st Com., Annexes, p. 529, annex I, A/350)	17
Admission of new Members; special report of the Security Council. (G A (II), 1st Com., Annexes, pp. 567-571, annex 10, A/406)	17

	<u>Agenda Item</u>
Applications of Transjordan and Italy for membership in the United Nations: letter from the President of the Security Council to the President of the General Assembly. (G A (II), Plen., vol. II, p. 1455, annex 3b, A/515)	17
Admission of new Members. Reconsideration of the applications of Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Mongolian People's Republic, Portugal, Romania and Transjordan: special report of the Security Council to the General Assembly. (G A (III/1), Plen., Annexes, pp. 69 and 70, A/617)	14
Admission of new Members. Application of Ceylon for membership in the United Nations; special report of the Security Council... (G A (III/1), Plen., Annexes, pp. 70 and 71, A/618)	14(d)
Letter dated 7 March 1949 from the President of the Security Council to the President of the General Assembly concerning the application of Israel for membership in the United Nations. (G A (III/2), Plen., Annexes, pp. 30-31, A/818)	20
Admission of new Members. Application of the Republic of Korea for membership in the United Nations. Special report of the Security Council. (G A (IV), <u>Ad Hoc</u> Pol. Com., Annexes, vol. 1, pp. 2-6, A/968)	17
Admission of new Members. Application of Nepal for membership in the United Nations. Special report of the Security Council. (G A (IV), <u>Ad Hoc</u> Pol. Com., Annexes, vol. 1, p. 6, A/974)	17
Admission of new Members. Reconsideration of the applications of Albania, Austria, Bulgaria, Ceylon, Finland, Hungary, Ireland, Italy, Mongolian People's Republic, Portugal, Romania and Transjordan for membership in the United Nations: special report of the Security Council. (G A (IV), <u>Ad Hoc</u> Pol. Com., Annexes, vol. 1, pp. 6 and 7, A/982)	17
Letter dated 27 September 1950 from the President of the Security Council addressed to the President of the General Assembly. (G A (V), Annexes, a.i. 19, p. 3, A/1402)	19
Admission of new Members. Special report of the Security Council. (G A (VII), Annexes, a.i. 19, pp. 1 and 2, A/2208)	19