# Article 22

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Text of Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

Introductory note

1. The structure and format of the present Supplement maintains the style of presentation of supplements under Article 22 newly adopted in Supplements Nos. 7 and 8. The text provides a succinct overview of trends in the application of Article 22 of the Charter during the period under review and emphasizes relevant examples that demonstrate the dynamics of such application, focusing on the subsidiary organs of the General Assembly itself rather than on the subsidiary organs of various organs of the Assembly, and on providing a list of subsidiary organs with detailed information regarding various aspects of their functioning, composition, procedural and technical details. References are made to other relevant publications and materials, most of which are easily available in electronic format, so as to enable users to acquire more detailed information on the listings, functioning and composition of the above organs.

2. During the period under review, the General Assembly continued\(^2\) the practice of utilizing various previously established bodies found to be necessary to assist it in the performance of its functions;\(^3\) those composed of representatives of States, such as the Special Committee on Peacekeeping Operations, the United Nations Scientific Committee on the Effects of Atomic Radiation, the Ad Hoc Committee on the Indian Ocean and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,\(^4\) as well as those composed of independent experts, such as the International Law Commission, the International Civil Service Commission and the United Nations Panel on Opportunity and Participation.\(^5\)

\(^1\) See Repertory, Supplements Nos. 7 and 8, vol. 2, under Article 22, para 1.


\(^3\) For the list of such bodies and relevant information regarding their work and composition see “Subsidiary and ad hoc bodies” in appendix III to the Yearbook of the United Nations for the years 1995 to 1999.

\(^4\) See GA resolutions 2006 (XIX), 50/30, 51/136, 52/69, 53/58, 54/81 A and B (see also A/50/230, A/51/130 and Corr.1, A/52/209 and A/53/127); 913 (X), 50/26, 51/121 (annex, section XII, para. 38), 52/55, 53/44, 54/66 (see also A/50/46, A/51/46, A/52/46, A/53/46 and A/54/46); 2992 (XXVII), 50/76, 51/51, 52/44, 54/47 (see also A/50/29, A/51/29, A/52/29 and A/54/29); 3499 (XXX), 50/52, 51/209, 52/161, 53/106, 54/106 (see also A/50/33, A/51/33, A/52/33, A/53/33 and A/54/33). For the list of such bodies and relevant information regarding their work and composition see “Subsidiary and ad hoc bodies” in appendix III to the Yearbook of the United Nations for the years 1995 to 1999. For the list providing, inter alia, a reference to the composition of relevant organs established by the General Assembly in 1995 see GA (49), Suppl. No. 49, vol. I, annex I.

\(^5\) See, in this connection, GA resolutions 174 (II), 50/45, 51/160, 52/156, 53/102, 54/111; 3042 (XXVII), 50/208, 51/216, 52/216, 53/209, 54/238; 48/60, 50/108 (see also GA decision 49/434 and A/49/541 and A/50/501). See also “Subsidiary and ad hoc bodies” in appendix III to the Yearbook of the United Nations for the years 1995 to 1999. For the list providing, inter alia, a reference to the composition of relevant organs established by the General Assembly in 1995; see also GA (49), Suppl. No. 49, vol. I, annex I.
3. The bodies composed of representatives of States continued the practice of accepting as their members either a limited number of States Members or all States Members of the United Nations. The practice of inviting observers was also continued.

4. The functioning of some subsidiary organs of the Assembly also continued to be relevant to the work of other organs of the United Nations. Thus, the Assembly encouraged the Joint Inspection Unit to take full advantage of its system-wide competence, and instructed it to continue to report both to itself and to the competent organs of other United Nations organizations. The Advisory Committee on the

5. The Assembly continued to monitor the work of the established bodies, not only by approving the necessary changes in their membership, but also by guiding their substantive work aimed at the implementation of their corresponding mandates. The Assembly also continued to perform its guiding functions utilizing various techniques. The Assembly in some instances would invite its relevant body to examine its mandate and make recommendations regarding its future work. Thus, the Assembly requested the Ad Hoc Committee on the Indian Ocean to examine its future work and to make recommendations for consideration by the Assembly. In some cases, the Assembly made direct reference to the implementation of a mandate of a relevant body, providing specific guidance as regards the priorities in its work, deciding on the dates of its next session and highlighting the importance of certain elements of its work. Thus, in its resolution 51/209, the Assembly took note of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, decided that the Committee should convene its next session in the following year and requested the Committee to

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8. See resolutions 50/46, para. 2; 50/52, para. 5; 51/210, para. 9; and 54/196, para. 5. See also among others, GA resolution 54/33.

9. See Repertory, Supplement No. 8, vol. II, under Article 22, para. 3. Thus, Nepal, South Africa and Sweden participated in the work of the Ad Hoc Committee on the Indian Ocean as observers. See, in this connection, A/50/29, A/51/29, A/52/29, A/54/29. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization also continued the practice of allowing observers of States to participate (see GA resolution 50/52). The Assembly went one step further with observer status in the Special Committee on Peacekeeping Operations in the period under consideration, inviting States that had participated in Special Committee meetings as observers at the 1996 session, as well as States that had contributed peacekeeping personnel to the United Nations operations, to become full members of the Special Committee (see GA resolution 51/136). In addition, the practice of granting observer status to entities other than States was also continued. Thus, the Assembly invited intergovernmental organizations with relevant competencies to participate in the meetings of the United Nations informal consultative process on ocean affairs, founded during this period (see GA resolution 54/33). The Assembly also decided to invite intergovernmental organizations to participate in the debate in the plenary meetings of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (see GA resolution 50/52, para. 6).


11. See GA resolutions 50/233 and 54/16; see also A/50/34.
consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter. In 1996, for instance, the Assembly also requested the Special Committee, among other things, to ensure that it would accord appropriate time for the consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects.\(^\text{19}\)

In its resolution 50/45, the Assembly, inter alia, requested the International Law Commission to examine the procedures of its work for the purpose of further enhancing its contribution to the progressive development and codification of international law.\(^\text{20}\) In its resolution 51/160, the Assembly, inter alia, requested the Commission to undertake the substantive study of the topic “Nationality in relation to the succession of States”; took note with appreciation of paragraphs 143 to 244 of the report of the Commission concerning its procedures and working methods; and encouraged the Commission, in relation to its internal matters, to take decisions which could contribute to its efficiency and productivity.\(^\text{21}\)

6. The Assembly expressly stated its regret when a body had been unable to implement its mandate to date and requested with added urgency that the body exert the effort necessary to achieve conclusion of its goals.\(^\text{22}\) Thus, in 1995, the Assembly noted “with regret” that the United Nations Conciliation Commission for Palestine had been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), which provides for repatriation and compensation of the refugees, and requested the Commission to exert continued efforts towards the implementation of that paragraph.\(^\text{23}\) Similarly, the Assembly noted “with regret” that the Disarmament Commission was not able to reach a consensus on the item entitled “The fourth special session of the General Assembly devoted to disarmament”.\(^\text{24}\)

7. In other cases the Assembly commended the work of its relevant bodies. Thus, in connection with the work of the United Nations Scientific Committee on the Effects of Atomic Radiation, the Assembly commended the Committee for the valuable contribution it had been making in the course of the past 40 years, since its inception, to wider knowledge and understanding of the levels, effects and risks of atomic radiation and for fulfilling its original mandate with scientific authority and independence of judgement.\(^\text{25}\) Similarly, the Assembly commended the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;\(^\text{26}\) the Committee on the Elimination of Racial Discrimination for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and its contribution to the preparation for the Third Decade to Combat Racism and Racial Discrimination;\(^\text{27}\) the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization for having completed the final text of the United Nations Model Rules for the Conciliation of Disputes between States;\(^\text{28}\) and the Disarmament Commission for the successful conclusion of its consideration of the items entitled “The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned” and “Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N of 10 December 1996”.\(^\text{29}\)

The Assembly also expressed its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the

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19 See GA resolutions 50/52, para. 4 (a) and 51/209, para. 3 (a).
20 See also, in this connection, GA resolution 50/52, para. 5.
21 See GA resolution 50/45, para. 9 (a).
22 See, in this connection, GA resolution 51/160, paras. 8 and 9.
24 See GA resolution 50/28 A, para. 3. See also GA resolutions 194 (III), 51/124, 52/57, 53/46 and 54/69.
25 See GA resolution 54/56 A, para. 3.
26 See GA resolution 50/26, para. 1. See also GA resolutions 51/121, para. 2, 52/55, 53/44 and 54/66.
27 See GA resolution 50/29 A, para. 1.
28 See GA resolution 50/137, para. 1.
29 See GA resolution 50/50, para. 1.
30 See GA resolution 54/56 A, para. 2.
tasks assigned to it by the General Assembly.\textsuperscript{30} Furthermore, the Assembly took note with appreciation of the final report prepared on behalf of the Intergovernmental Negotiating Committee on a Framework Convention on Climate Change by its Chairman, on the completion of the Committee's work.\textsuperscript{31}

8. In other instances, the Assembly requested its subsidiary organs to continue their work, in accordance with relevant resolutions\textsuperscript{32} and plans. Thus, in 1995 the Assembly requested the Committee on the Peaceful Uses of Outer Space to continue its work “in accordance with the present resolution”.\textsuperscript{33} The Assembly also requested, on an annual basis, the Committee on Relations with the Host Country to continue its work, in conformity with General Assembly resolution 2819 (XXVI).\textsuperscript{34} Furthermore, the Assembly requested the United Nations Scientific Committee on the Effects of Atomic Radiation to continue its work and endorsed its intentions and plans.\textsuperscript{35}

9. During the period under review, the Assembly continued\textsuperscript{36} to view the efficiency of the work of its subsidiary organs as an important component of the efficiency of the entire Organization and entrusted relevant organs with tasks aimed at enhancing the effectiveness of the United Nations. In this connection, the Assembly continued to view the effectiveness of its subsidiary organs by requesting them to improve their working methods and by coordinating their functioning and consolidating their role within the Organization. Thus, the Assembly requested the Special Committee on the Charter to continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation.\textsuperscript{37} The Assembly invited the Joint Inspection Unit to issue its reports well in advance of meetings of the legislative organs of participating organizations so that the reports could be thoroughly and effectively utilized by these organs.\textsuperscript{38} The Assembly also pointed out that accountability and intergovernmental oversight would be improved by periodic coordination meetings between the Board of Auditors, the Advisory Committee on Administrative and Budgetary Questions and the Joint Inspection Unit, with appropriate input from the Office of Internal Oversight Services.\textsuperscript{39} The Assembly established an open-ended high-level working group to address the issues of the revitalization, strengthening and reform of the United Nations system and instructed it to act without in any way duplicating the work of the other working groups dealing with various specific aspects of those issues, and requested its Bureau to maintain regular contacts with the Bureaux of those working groups.\textsuperscript{40} The Assembly also decided to consolidate the role of the Committee on Information as its main subsidiary body mandated to make recommendations relating to the work of the Department of Public Information of the Secretariat.\textsuperscript{41} General Assembly resolution 52/40 B was devoted to strengthening the role and the ways and means to enhance the functioning of the Disarmament Commission, focusing on such issues as its mandate, agenda items, duration of the substantive session, organization of work of the session and its reporting mechanism.

10. In the context of the overall revitalization of the Organization, the Assembly requested the Special Committee on the Charter to accord appropriate time for the consideration of all proposals, including the proposal on the strengthening of the role of the Organization and enhancing its effectiveness.\textsuperscript{42} In 1995, the Assembly invited the Special Committee on the Charter to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, and to discuss how to offer its assistance to the working groups of the General Assembly in this field.\textsuperscript{43} The Assembly invited the Special Committee on the...
11. In its resolution 50/227, the Assembly adopted a text on the restructuring and revitalization of the United Nations in the economic, social and related fields which included provisions regarding the use, restructuring and revitalization of the relevant subsidiary machinery of the Assembly and the Economic and Social Council.\(^{48}\) Thus, it encouraged the relevant body to promote the use of innovative mechanisms within the United Nations: the High-level Open-ended Working Group on the Strengthening of the United Nations System should be encouraged to consider, in the context of the debate on all the Main Committees of the General Assembly, promoting the use of innovative mechanisms, in accordance with the rules of procedure of the General Assembly, such as panel discussions with delegations and interactive debates, with the active participation of Secretariat and agency representatives, as well as outside experts.\(^{49}\) It was also stated that the Economic and Social Council would determine the theme for the general debate of its high-level segment,\(^{50}\) and it was pointed out that the functions of the current joint meetings of the Administrative Committee on Coordination and the Committee for Programme and Coordination, which were discontinued, should be assigned to this segment.\(^{51}\) Relevant changes were also requested under the functional and regional and expert groups, such as:

- The functions of the World Food Council shall be absorbed by the Food and Agriculture Organization of the United Nations and the World Food Programme, and consequently the World Food Council is discontinued.\(^{52}\)

- The role and the working methods of the Committee for Programme and Coordination should be considered by the High-level Open-ended Working Group on the Strengthening of the United Nations System within the context of General Assembly decision 47/454 of 23 December 1992, with a view to finding ways of

\(^{48}\) See GA resolution 50/227, annex I.
\(^{49}\) Ibid., para. 19.
\(^{50}\) Ibid., para. 53. The “High-level segment” (subsection B) was explained, among other segments, such as “Coordination segment” (C), “Operational activities for development segment” (D) and “General segment” (E) in the context of section IV “Economic and Social Council” of annex I of GA resolution 50/227 dealing with the strengthening of the role of the Economic and Social Council in accordance with the Charter of the United Nations.
\(^{51}\) Ibid., para. 58.
\(^{52}\) Ibid., para. 72.

Charter at its session in 1999 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose, and to continue considering ways and means of improving its working methods.\(^{44}\) The Assembly also adopted the text proposed by the Open-ended High-level Working Group on the Strengthening of the United Nations System, and called upon the relevant intergovernmental bodies to implement fully the measures specified in the text to strengthen the work of the United Nations system, in particular the General Assembly and the Secretariat.\(^{45}\) The text was focused on improving the capacity of the General Assembly to discharge effectively its functions, role and powers and that of the Secretariat to carry out effectively and efficiently the mandates of intergovernmental processes with the necessary transparency and accountability.\(^{46}\) It contains a section on subordinate machinery requesting, inter alia, the Disarmament Commission to continue to consider ways to organize its work better, including rationalizing the duration of its sessions; the International Atomic Energy Agency and the World Health Organization to consider the functions and role of the United Nations Scientific Committee on the Effects of Atomic Radiation (which was asked to submit its report to those institutions as well as to the Assembly); and the Ad Hoc Committee of the Whole of the General Assembly for the Mid-term Review of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s to conduct its final review and appraisal during the fifty-seventh session of the General Assembly.\(^{47}\)
improving programme coordination functions throughout the United Nations system. In this context, consideration should be given, inter alia, to the roles and responsibilities of the Economic and Social Council and the Committee for Programme and Coordination with respect to coordination.\textsuperscript{53}

- The Economic and Social Council shall provide for the review of the regional commissions, with a view to strengthening and enhancing their effectiveness as action- and policy-oriented bodies in the economic and development fields with better response to the conditions and environments unique to the specific regions; improving their coordination with the entire United Nations system, including the specialized agencies, the Bretton Woods institutions and the regional development banks; strengthening their active participation relating to the implementation at the regional level of the results of major United Nations conferences; and shall encourage them also to undertake their own management and functional assessments towards these ends.\textsuperscript{54}

12. The Assembly, by establishing, restructuring and utilizing its subsidiary organs, also addressed the issue of enhancing its effectiveness not only within the framework of the entire Organization, but also in certain specific areas of its functioning. Stressing the need for a process that will take stock of various efforts on financing for development, the Assembly decided to create an ad hoc open-ended working group on financing for development, in order to undertake an in-depth examination of all the inputs requested, with a view to formulating a report containing recommendations on the form, scope, and agenda of the high-level international intergovernmental consideration of the topic of financing for development.\textsuperscript{55} The Assembly also decided that a preparatory committee of the whole was to be established at its fifty-second session to organize the preparatory process of the special session on an overall review and appraisal of the implementation of the outcome of the World Summit for Social Development, and instructed this committee to initiate its substantive activities in 1999 on the basis of inputs by the Commission for Social Development and the Economic and Social Council.\textsuperscript{56} Furthermore, the Assembly undertook to establish an intergovernmental preparatory committee to carry out the substantive preparations for the high-level intergovernmental event on financing for development in 2001.\textsuperscript{57} The Assembly also concerned itself with establishing development ventures that were region-specific. To this effect, the Assembly requested its President to establish an open-ended ad hoc working group on the causes of conflict and the promotion of durable peace and sustainable development in Africa, asking the working group to monitor the implementation of the recommendations made by the Secretary-General in his report to the Assembly and the Security Council on the causes of conflict and the promotion of durable peace and sustainable development in Africa, as well as the implementation of agreed conclusions 1999/2 and of Economic and Social Council decision 1999/270, as well as poverty eradication, debt relief, the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and support to countries in post-conflict situations.\textsuperscript{58}

13. Continuing its previous practice,\textsuperscript{59} the Assembly, in addition to the newly established bodies already mentioned in the paragraphs above, also set up various other new bodies to assist it in the performance of its functions and mandated them to deal with other issues under its consideration. A number of those bodies were tasked either to make preparations for various international conferences and other events, or to elaborate international conventions. Thus, in 1995, the Assembly, by its resolution 50/160, established an ad hoc committee of the whole of the fiftieth session of the General Assembly, to be held no later than 30 June 1996, to consider and adopt the necessary arrangements for its work regarding, inter alia, the midterm review of the implementation of the New Agenda for the Development of Africa in the 1990s.\textsuperscript{60} In 1999, by its resolution 54/93, the Assembly also established an open-ended preparatory committee to address organizational issues, including the form, the participation of a broad range of relevant actors and the agenda, and to prepare for the outcome of the special session of the General Assembly to review the

\textsuperscript{53} Ibid., para. 73.
\textsuperscript{54} Ibid., para. 74.
\textsuperscript{55} See GA resolution 52/179, para. 6.
\textsuperscript{56} See GA resolution 51/202, para. 46 (b).
\textsuperscript{57} See GA resolution 54/196, paras. 2, 3 and 5.
\textsuperscript{58} See GA resolution 54/234, paras. 6 and 7.
achievement of the goals of the World Summit for Children.\textsuperscript{61}

14. Stressing the need to further strengthen international cooperation in order to prevent, combat and eliminate terrorism, the Assembly established an Ad Hoc Committee to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear terrorism, to supplement related existing international instruments, and thereafter to address means of further developing a comprehensive legal framework of conventions dealing with international terrorism.\textsuperscript{62} With regard to criminal matters the Assembly established an intersessional open-ended intergovernmental group of experts for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime.\textsuperscript{63} The Assembly also acted in the field of international criminal law through the establishment of a preparatory committee open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, to discuss further the major substantive and administrative issues arising out of the draft statute prepared by the International Law Commission and, taking into account the different views expressed during the meetings, to draft texts, with a view to preparing a widely acceptable consolidated text of a convention for an international criminal court as a next step towards consideration by a conference of plenipotentiaries.\textsuperscript{64}

15. During the period under consideration, the Assembly also decided to terminate the mandate of certain subsidiary bodies. Thus, in 1995, the Assembly approved the report of the Preparatory Committee for the Fiftieth Anniversary of the United Nations and took note with deep appreciation of the successful conclusion of its work.\textsuperscript{65} In 1997, the Assembly decided that the Open-ended High-level Working Group on the Strengthening of the United Nations System had completed its work as mandated in resolution 49/252.\textsuperscript{66} The General Assembly also decided, for the purpose of integrating the goals of the United Nations Educational and Training Programme for Southern Africa with the overall multilateral development programmes of the United Nations Development Programme, to transfer management and funds of the Programme and decision-making authority to the Administrator of the United Nations Development Programme and endorsed the recommendation that the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa should be discontinued.\textsuperscript{67}

\textsuperscript{60} See GA resolution 50/160, paras. 4 and 5.
\textsuperscript{61} See GA resolution 54/93, paras. 1 and 6.
\textsuperscript{62} See GA resolution 51/210, para. 9.
\textsuperscript{63} See GA resolution 52/85, para. 14.
\textsuperscript{64} See GA resolution 50/46, para. 2.
\textsuperscript{65} See GA resolution 50/59, para. 6.
\textsuperscript{66} See GA resolution 51/241, para. 6.
\textsuperscript{67} See GA resolution 50/131, paras. 3 and 6.