

# ARTICLE 57

## Table of Contents

|  | <u>Paragraphs</u> |
|--|-------------------|
| Text of Article 57   |                   |
| Introductory Note . . . . .  | 1 - 3             |
| <b>** I. General Survey</b>  |                   |
| II. Analytical Summary of Practice . . . . .   | 4 - 27            |
| A. Relationship with the United Nations . . . . .  | 4 - 26            |
| 1. The International Atomic Energy Agency . . . . .  | 5 - 24            |
| 2. The International Finance Corporation . . . . .   | 25                |
| 3. The Organization for Trade Co-operation . . . . .   | 26                |
| <b>** B. The mandatory character of Article 57</b>   |                   |
| C. Other inter-governmental organizations . . . . .  | 27                |
| <b>Annexes</b>   |                   |
| I. Study of the question of the relationship of the International Atomic Energy Agency to the United Nations |                   |
| II. Extract from the Statute of the International Atomic Energy Agency                                       |                   |

### TEXT OF ARTICLE 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

### INTRODUCTORY NOTE

1. The material included in this supplementary study on Article 57 is treated under the same general headings as in volume III of the Repertory.

2. The only material bearing on Article 57 requiring treatment is dealt with in the Analytical Summary of Practice under sections II, A (relationship with the United Nations) and II, C (other inter-governmental organizations). No material for inclusion in the General Survey or under section II, B (the mandatory character of Article 57) of the Analytical Summary of Practice has been found during the period under review.

3. The relationship between the United Nations and the proposed International Atomic Energy Agency is dealt with in this study because the General Assembly, during the period under review, considered whether this relationship should be similar to that existing with the specialized agencies. The inclusion of this matter in the present study does not prejudice the question whether an eventual agreement bringing the proposed agency into relationship with the United Nations would constitute an application of Article 57.

## **\*\* I. GENERAL SURVEY**

### **II. ANALYTICAL SUMMARY OF PRACTICE**

#### **A. Relationship with the United Nations**

4. During the period under review, the question of the relationship between the International Atomic Energy Agency and the United Nations was discussed. Reports were submitted on the relationship between the International Finance Corporation and the proposed Organization for Trade Co-operation, on the one hand, and the United Nations, on the other, but the matter was not discussed and no action was taken.

##### *1. The International Atomic Energy Agency*

5. The question of the relationship between a proposed International Atomic Energy Agency and the United Nations was considered by the General Assembly at its ninth and tenth sessions.

6. By resolution 810 A (IX), the General Assembly suggested that "once the Agency is established, it negotiate an appropriate form of agreement with the United Nations". By resolution 912 II (X), the General Assembly requested the Secretary-General, in consultation with the Advisory Committee on the Peaceful Uses of Atomic Energy, established by resolution 810 B (IX), "to study the question of the relationship of the International Atomic Energy Agency to the United Nations, and to transmit the results of their study to the Governments concerned before the conference <sup>1/</sup>on the final text of the statute of the International Atomic Energy Agency<sup>2/</sup> is convened".

7. No reference was made, either in these two resolutions, or in the draft resolutions and amendments voted upon in plenary meeting or the Assembly's First Committee, to Article 57 in general or to that part of it which states that "the various specialized agencies ... shall be brought into relationship with the United Nations in accordance with the provisions of Article 63". During the discussion in the First Committee, however, a reference was made to Articles 57 and 63 in support of a provision which was subsequently deleted by its sponsors (see paragraph 12 below), and a reference was made to Chapters IX and X of the Charter, of which Articles 57 and 63 form a part, to support the view that these two Chapters did not envisage the required kind of relationship with the Agency under consideration (see paragraph 16 below).

8. The proceedings which led to the adoption of the two above-mentioned resolutions of the General Assembly are examined below, in so far as they dealt with the question of relationship between the proposed Agency and the United Nations.

9. At the request of the United States, <sup>1/</sup> an item entitled "International co-operation in developing the peaceful uses of atomic energy: report of the United States of America" was included in the agenda of the ninth session of the General Assembly.

---

<sup>1/</sup> G A (IX), annexes, a.i. 67, p. 1, A/2734.

10. A draft resolution, <sup>2/</sup> introduced in the First Committee by Australia, Belgium, Canada, France, Union of South Africa, the United Kingdom and the United States provided that the General Assembly, noting that negotiations were in progress for the establishment of an International Atomic Energy Agency,

"Suggests that, once the Agency is established, it negotiate an appropriate form of agreement with the United Nations, similar to those of the specialized agencies;"

11. Pursuant to a request <sup>3/</sup> made in the First Committee, the Secretary-General submitted to the Committee a document <sup>4/</sup> entitled "Summary of internal Secretariat studies of constitutional questions relating to agencies within the framework of the United Nations". In that document, the existing agencies within the framework of the United Nations were classified and their relationship with the United Nations analysed. The last paragraphs of the document read as follows: <sup>5/</sup>

"From the foregoing, it is apparent that various forms of organization, degrees and types of relationship with the United Nations, and methods of establishing such a relationship, may be envisaged in the creation of any new international agency. In making a choice, certain interrelated objectives should be taken fully into account, namely, that the agency, while enjoying fullest autonomy in its operations if that is deemed essential, should have a sufficiently close relationship to the United Nations to ensure effective co-ordination of its programmes and activities with those of other bodies in the United Nations framework.

"Furthermore, theoretical possibilities will need to be carefully examined and weighed in the light of experience, especially since experience with existing forms has indicated that actual practice may sometimes deviate widely from original intent.

"There may be good reasons why the pattern provided by the specialized agencies will not adequately serve the desired objectives. Moreover, it may appear that neither the form of a subsidiary organ, nor that of any special body so far devised would be appropriate. It may, therefore, be found advisable, if not necessary, to chart a new course - to depart from precedent in an effort to find the form and relationship best adapted to new and unprecedented circumstances."

12. During the discussion, the sponsors of the joint draft resolution and certain other representatives expressed the view <sup>6/</sup> that a relationship should be established between the proposed Agency and the United Nations similar to that of the specialized agencies and the United Nations, or that the Agency, when created, should be brought into some appropriate relationship with the United Nations, perhaps as a specialized agency. One of these representatives stated <sup>7/</sup> that "when the Agency had been established, it should negotiate an agreement with the United Nations, in accordance with Articles 57 and 63 of the Charter, similar to those of the specialized agencies".

<sup>2/</sup> Ibid., p. 20, A/C.1/L.105.

<sup>3/</sup> G A (IX), 1st Com., 710th mtg., para. 23.

<sup>4/</sup> G A (IX), annexes, a.i. 67, p. 13, A/C.1/758.

<sup>5/</sup> Ibid., p. 17.

<sup>6/</sup> For texts of relevant statements, see G A (IX), 1st Com., 707th mtg., paras. 29, 42 and 94; 708th mtg., para. 35; 710th mtg., para. 36; 712th mtg., paras. 28 and 37; 713th mtg., para. 5.

<sup>7/</sup> G A (IX), 1st Com., 707th mtg., para. 94.

13. Some representatives asserted 8/ that the twofold character of atomic energy, namely, its peaceful and its military aspects, required that the proposed Agency should be responsible to the General Assembly and, in the cases provided for in the Charter, to the Security Council. In determining the nature and relationship of the new Agency to the United Nations, account should be taken of the significance of the problems so closely linked to the security of nations.

14. At the 715th meeting, the representative of the United States explained 9/ that his delegation did not object to a link between the proposed Agency and the Security Council, but expressed the hope that the plan would not be frustrated by the veto. He added, at the 717th meeting, 10/ that if a question relating to the peaceful uses of atomic energy threatened peace and international security, the United Nations — which meant the General Assembly as well as the Security Council — would doubtless deal with it as it dealt with other similar questions. Therefore, in the interests of international security, it was probable that some relationship would be established between the Agency and the Security Council, the General Assembly and the Secretary-General.

15. At the 720th meeting, the representative of India suggested 11/ the deletion of the words "similar to those of the specialized agencies" from the joint draft resolution (see paragraph 10 above) in order not to exclude the possibility of a relationship with the Security Council. This suggestion was accepted by the sponsors of the draft resolution, and the phrase "similar to those of the specialized agencies" was deleted from their revised draft. 12/ On behalf of the co-sponsors of the joint draft resolution, the representative of the United States explained 13/ that since several delegations, including that of the Soviet Union, objected to the notion of assimilating the proposed Agency to a specialized agency, it seemed desirable not to decide at that stage the nature of the relationship between the United Nations and the future Agency.

16. The representative of the Soviet Union welcomed 14/ the deletion of the phrase "similar to the specialized agencies" and considered it necessary to find a formula which would make it clear that the Agency was answerable to the General Assembly and the Security Council. The relations between the United Nations and the specialized agencies envisaged in Chapters IX and X of the Charter were too loose and looked solely to consultation, co-ordination and recommendations through the Economic and Social Council.

17. At the 724th meeting, the Soviet delegation submitted an amendment 15/ to the revised draft resolution to replace the paragraph on the question of relationship by the following provision:

---

8/ G A (IX), 1st Com., 715th mtg., paras. 32-36 and 44; 716th mtg., paras. 19 and 39; 717th mtg., paras. 18 and 19; 718th mtg., paras. 37 and 38; 719th mtg., para. 18; 720th mtg., paras. 22, and 31-44; 723rd mtg., paras. 6 and 26; 724th mtg., para. 10; 725th mtg., para. 70.

9/ Ibid., 715th mtg., para. 47.

10/ G A (IX), 1st Com., 717th mtg., para. 38.

11/ Ibid., 720th mtg., para. 22.

12/ G A (IX), annexes, a.i. 67, p. 20, A/C.1/L.105/Rev.1.

13/ G A (IX), 1st Com., 722nd mtg., para. 6.

14/ Ibid., para. 13.

15/ G A (IX), annexes, a.i. 67, p. 21, A/C.1/L.106/Rev.1.

"Recommends that the Agency should be established as an agency responsible to the General Assembly and, in the cases provided for by the Charter of the United Nations, to the Security Council."

At the 725th meeting, the USSR amendment was opposed by the sponsors of the revised draft resolution. The representative of the United States speaking on behalf of the sponsors observed 16/ that, having agreed not to prejudge the negotiations by specifying the relationship between the Agency and the United Nations, they could hardly accept a formula which would make the Agency responsible to the General Assembly or the Security Council. In taking that stand the sponsors were not denying the obvious truth that the Security Council had the primary responsibility for the maintenance of international peace and security, and that the General Assembly also had responsibilities in that field. If a situation arose in connexion with the peaceful uses of atomic energy which endangered international peace and security, any State would have the right to raise the question in either body. The Soviet amendment was rejected 17/ by 43 votes to 5, with 12 abstentions. The paragraph contained in the revised joint draft resolution was adopted 18/ by 55 votes to none, with 5 abstentions. The revised joint draft resolution as a whole was adopted 19/ unanimously.

18. Upon the recommendation of the First Committee, the General Assembly adopted resolution 810 (IX) with the provision quoted in paragraph 6 above.

19. At the tenth session of the General Assembly, during the discussion by the First Committee of the agenda item "International co-operation in developing the peaceful uses of atomic energy: report of the United States of America", a revised draft resolution 20/ was submitted by sixteen States 21/ which contained a provision to the effect that the General Assembly would request the Secretary-General, in consultation with the Advisory Committee established by resolution 810 (IX), "to study the question of the relationship of the International Atomic Energy Agency to the United Nations, and to transmit the results of their study to the Governments sponsoring the Agency" before the conference on the final text of the statute of the Agency was convened.

20. An amendment to the draft resolution submitted by the Soviet Union proposed 22/ to insert the words "bearing in mind that this agency will be established within the framework of the United Nations" between the words "United Nations" and "to transmit the results". The interpretation of the phrase "within the framework of the United Nations" was discussed at length. One opinion was 23/ that the phrase should be construed in its broadest sense as meaning "the whole United Nations complex, which included the specialized agencies." Another view was 24/ that the relationship of the proposed Agency to the United Nations should be of an integral character, and that the General Assembly should be in a position to examine the functions and organization of

16/ G A (IX), 1st Com., 725th mtg., paras. 11 and 12.

17/ Ibid., para. 60.

18/ Ibid., para. 61.

19/ G A (IX), 1st Com., 725th mtg., para. 66.

20/ G A (X), annexes, a.i. 18, p. 5, A/C.1/L.129/Rev.1 and Add. 1 to 4; page 11, A/3008, para. 15.

21/ Argentina, Australia, Belgium, Brazil, Canada, Denmark, Iceland, Israel, Mexico, Netherlands, Norway, Peru, Sweden, Union of South Africa, the United Kingdom, and the United States. This draft resolution was later revised and Turkey and Luxembourg joined in sponsoring it.

22/ G A (X), annexes, a.i. 18, p. 8, A/C.1/L.136.

23/ G A (X), 1st Com., 762nd mtg., para. 34; 770th mtg., para. 41.

24/ Ibid., 767th mtg., paras. 27 and 28; 768th mtg., paras. 16-18.

the Agency and to communicate records of proceedings and discussions of United Nations organs to the Agency. The Secretary-General, having been asked for his opinion, made a statement 25/ of which the following is an official summary:

"In general terms there was agreement that the relationship of the Agency to the United Nations should be as close as possible, in conformity with their respective responsibilities. The phrase must mean that the Agency should be within the United Nations family, and not less close than a specialized agency co-operating with the United Nations in the Administrative Committee on Co-ordination (ACC) and with the ACC Atomic Sub-Committee. He did not interpret the phrase as meaning that the Agency should necessarily be a specialized agency in the technical sense of the word — that is, a body reporting in accordance with the special procedure set up for the purpose — nor that it should be a division of the Organization proper. The Agency should not, in his view, be considered a priori as a part of the United Nations Organization, but it should definitely be part of the United Nations system working with the United Nations itself in such a way as to guarantee fruitful co-operation and a division of responsibilities. Whatever phrase was put into the draft resolution, such co-operation and division of responsibilities would certainly lead to a kind of link between the United Nations and the Agency which would differ quite considerably in practice from the links with other specialized agencies."

21. When put to the vote, the Soviet amendment was rejected 26/ by 40 votes to 11, with 8 abstentions.

22. Upon the recommendation of the First Committee, the General Assembly adopted resolution 912 (X), section II of which contained the provision concerning the relationship of the Agency to the United Nations quoted in paragraph 6 above.

23. In response to the request made by the General Assembly in resolution 912 (X), the Secretary-General, in consultation with the Advisory Committee on the Peaceful Uses of Atomic Energy, prepared a study of the question of the relationship of the International Atomic Energy Agency to the United Nations. 27/ The study was presented in the form of the basic principles which should be included in the agreement to be entered into between the United Nations and the Agency. It was stated that the principles which were fully consistent with the provisions of the Charter of the United Nations and of the proposed Statute of the Agency, took into account certain unusual features which were involved in the relationship between the United Nations and the Agency. The following principle bearing on the responsibilities of the General Assembly and the Security Council in the field of international peace and security appears to reflect the "unusual features" referred to in the introduction to the Secretary-General's study: 28/

"Recognition by the Agency of the responsibilities of the United Nations in the fields of international peace and security and economic and social development, and accordingly, assumption by the Agency of the obligation to keep the United Nations informed of its activities. The Agency should be required to submit reports on its activities to the General Assembly at its

---

25/ G A (X), 1st Com., 770th mtg., para. 45.

26/ Ibid., 771st mtg., para. 79.

27/ A/3122.

28/ The principles set forth in the Secretary-General's study are quoted in full in annex I to this study.

regular sessions, to the Security Council when appropriate; and to the Economic and Social Council and to other organs of the United Nations on matters within the competence of these organs."

24. In accordance with General Assembly resolution 912 II (X), the Secretary-General's study was submitted to "the Governments concerned". It was also submitted to and considered by the Conference on the Statute of the International Atomic Energy Agency which convened on 20 September 1956. The Statute of the Agency was adopted by the Conference on 26 October 1956. 29/

### 2. *The International Finance Corporation*

25. The Articles of Agreement of the International Finance Corporation, which were prepared by the International Bank for Reconstruction and Development in pursuance of a request 30/ made by the General Assembly at its ninth session and on which the Bank reported 31/ to the Economic and Social Council, at its twentieth session, contain a provision 32/ whereby "The Corporation, acting through the Bank, shall enter into formal arrangements with the United Nations...". 33/

### 3. *The Organization for Trade Co-operation*

26. In a report entitled "International machinery for trade co-operation", which was prepared pursuant to a request 34/ made by the Council at its resumed twentieth session, the Secretary-General referred to the question of relations between the proposed Organization for Trade Co-operation (OTC) and the United Nations, as follows: 35/

"Under the terms of the organizational Agreement drawn up by the CONTRACTING PARTIES [to GATT] in 1954/55, the proposed Organization for Trade Co-operation is required to make 'arrangements with inter-governmental bodies and agencies which have related responsibilities to provide for effective co-operation and the avoidance of unnecessary duplication of activities'. In pursuance of this objective, 'the organization may, by an agreement approved by the Assembly [of the new OTC], be brought into relationship with the United Nations, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations'. The desirability of establishing such a relationship was recognized by the Working Party responsible for the drafting of the organizational Agreement. In its report, adopted by the CONTRACTING PARTIES on 28 February, 5 and 7 March 1955, the position was held that, 'subject to a satisfactory agreement being negotiated, it would be desirable for the new Organization to be brought into a specialized agency relationship with the United Nations. The establishment of this relationship by such a formal agreement, under Article 63 of the Charter, would serve to safeguard the autonomy and independence of the Organization within the co-ordinated pattern of the United Nations and the specialized agencies already in existence.'"

29/ For the relevant provisions of the Statute of the Agency (IAEA/CS/13), see annex II to this study.

30/ G A resolution 823 (IX), para. 3(a).

31/ E/2770.

32/ Ibid., annex A, article IV, section 7, entitled "Relations with Other International Organizations".

33/ The Agreement constituting the International Finance Corporation entered into force on 20 July 1956, and the Corporation began operations on 24 July 1956, in accordance with the provisions contained in Article IX of the Articles of Agreement of the Corporation.

34/ E S C resolution 592 (XX).

35/ E/2897, part II, para. 68.

**\*\* B. The mandatory character of Article 57****C. Other inter-governmental organizations**

27. The Secretary-General submitted a note 36/ to the Economic and Social Council in 1956, at its resumed twentieth session, pointing out that information concerning inter-governmental organizations was provided in detail and kept up to date in the Yearbook of International Organizations, published biennially by the Union of International Associations, in Brussels. The Yearbook provides information on the inter-governmental organizations in the economic and social fields included in the most recent list 37/ submitted to the Council at its fifteenth session, and described the relations between these organizations, on the one hand, and the United Nations and the specialized agencies, on the other. The Secretary-General proposed not to issue a further list of inter-governmental organizations in the economic and social fields, unless the Council should so desire.

**ANNEX I****Study of the question of the relationship of the International Atomic Energy Agency to the United Nations a/**

"...

**"Principles**

"3. The Agreement bringing the Agency into relationship with the United Nations, which will be entered into by the General Assembly on behalf of the United Nations and the General Conference on behalf of the Agency, should be based on the Charter of the United Nations and the relevant articles of the Statute of the IAEA, and should contain provisions covering the following points.

"4. Recognition by the United Nations of the IAEA as the agency, under the aegis of the United Nations as specified in the following paragraphs, responsible for taking action under its Statute for the accomplishment of the objectives set forth therein, and recognition that by virtue of its inter-governmental character and international responsibilities, the IAEA should function as an autonomous international organization under its statute, and in the working relationship with the United Nations and the specialized agencies set out in the Agreement.

"5. Recognition by the Agency of the responsibilities of the United Nations in the fields of international peace and security and economic and social development, and accordingly, assumption by the Agency of the obligation to keep the United Nations informed of its activities. The Agency should be required to submit reports on its activities to the General Assembly at its regular sessions, to the Security Council when appropriate; and to the Economic and Social Council and to other organs of the United Nations on matters within the competence of these organs.

---

36/ E/2808.

37/ E/2361 and Corr.1; E/2361/Add.1 and Corr.1. See also in the Repertory vol. III, under Article 57, annex, for the Council's most recent list of these organizations.



"6. The Secretary-General of the United Nations should report to the United Nations as appropriate on the development of the relations and on the common activities of the United Nations and the Agency.

"7. The Agency should be required to consider resolutions relating to the Agency adopted by the General Assembly or any of the Councils of the United Nations and, when requested, to submit reports on action taken by the Agency or by its Members, in accordance with the Statute, as a result of such consideration.

"8. The Agency should co-operate with the Security Council in furnishing to it such information and assistance as may be required for the maintenance and restoration of international peace and security.

"9. The Agency should undertake to co-operate, in accordance with its Statute, in whatever measures may be recommended by the United Nations in order to ensure effective co-ordination of its activities with those of the United Nations and of the specialized agencies. Co-ordination should aim at avoiding overlapping and duplication of activities. The Agency furthermore should participate in such bodies as the Administrative Committee on Co-ordination and should maintain close working relationships with the secretariats of the United Nations and of the specialized agencies.

"10. The Secretary-General of the United Nations or his representative should be entitled to attend and to participate without vote on matters of common interest in sessions of the General Conference of the Agency and of the Board of Governors. He also should be invited as appropriate to such other meetings as the Agency may convene at which matters of interest to the United Nations are under consideration. Representatives of the Agency should be entitled to attend and participate without vote in meetings of the General Assembly and its committees, meetings of the Economic and Social Council and Trusteeship Council, and of their respective subsidiary bodies. At the invitation of the Security Council, representatives of the Agency may attend its meetings to supply it with information or give it other assistance with regard to matters within the competence of the Agency.

"11. The Agency should include in the agendas of the General Conference or the Board of Governors items proposed by the United Nations. The Agency should have the right to bring questions before the United Nations in the following manner: the Secretary-General, in accordance with his authority, should bring to the attention of the General Assembly, the Security Council, the Economic and Social Council or the Trusteeship Council, as appropriate, questions proposed for their consideration by the Agency.

"12. The United Nations and the Agency should arrange for the fullest and promptest exchange of appropriate information and documents between the Agency and the United Nations.

"13. The Agency should undertake to consult from time to time with the United Nations concerning administrative matters of mutual interest, particularly the most efficient use of facilities, staff and services, and with a view to securing, within the limits of the pertinent provisions of the statutes of the two organizations, as much uniformity in these matters as shall be found practicable. These consultations shall cover the most equitable manner in which special services furnished by one organization to the other should be financed.

"14. The General Assembly, the Economic and Social Council or the Secretary-General, as may be appropriate, should take action as necessary to extend to the Agency the various administrative rights and facilities enjoyed by other organizations within the United Nations system.

"15. The General Assembly should take action in each case to enable a legal question arising within the scope of the activities of the Agency to be submitted, at the request of the Board of Governors of the Agency in accordance with its Statute, to the International Court for an advisory opinion."

---

a/ A/3122.

## ANNEX II

### Extract from the Statute of the International Atomic Energy Agency a/

#### "Article III

#### "Functions

"A. The Agency is authorized:

"....

"6. To establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property (including such standards for labour conditions), and to provide for the application of these standards to its own operations as well as to the operations making use of materials, services, equipment, facilities, and information made available by the Agency or at its request or under its control or supervision; and to provide for the application of these standards, at the request of the parties, to operations under any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

"....

"B. In carrying out its functions, the Agency shall:

"....

"4. Submit reports on its activities annually to the General Assembly of the United Nations and, when appropriate, to the Security Council; if in connexion with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security, and may also take the measures open to it under this Statute, including those provided in paragraph C of article XII;

---

a/ IAEA/CS/13.

"5. Submit reports to the Economic and Social Council and other organs of the United Nations on matters within the competence of these organs.

"....

"Article XVI

"Relationship with other organizations

"A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency.

"B. The agreement or agreements establishing the relationship of the Agency and the United Nations shall provide for:

"1. Submission by the Agency of reports as provided for in sub-paragraphs B-4 and B-5 of article III;

"2. Consideration by the Agency of resolutions relating to it adopted by the General Assembly or any of the Councils of the United Nations and the submission of reports, when requested, to the appropriate organ of the United Nations on the action taken by the Agency or by its members in accordance with this Statute as a result of such consideration.

"Article XVII

"Settlement of disputes

"....

"B. The General Conference and the Board of Governors are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities."

"....

