

ARTICLE 59

Table of Contents

	<u>Paragraphs</u>
Text of Article 59	
Introductory Note	1
I. General Survey	2 - 6
A. The Inter-Governmental Maritime Consultative Organization	2
** B. The International Trade Organization	
C. The Organization for Trade Co-operation	3 - 5
D. The International Atomic Energy Agency	6
II. Analytical Summary of Practice	
** A. The question of appropriateness	
** B. Method of initiating negotiations	
** C. Initiation of negotiations among the States concerned	

TEXT OF ARTICLE 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

INTRODUCTORY NOTE

1. The structure of this study is similar to that of Article 59 in the Repertory, except that the subheadings have been modified to conform with the nature of the additional material, which supplements the earlier Repertory studies. During the period under review there was no new material requiring discussion in the Analytical Summary of Practice.

I. GENERAL SURVEY

A. Inter-Governmental Maritime Consultative Organization

2. The Convention on the Inter-Governmental Maritime Consultative Organization (IMCO), drawn up by the United Nations Maritime Conference in Geneva during meetings from 19 February to 6 March 1948, was deposited with the Secretary-General of the United Nations and was opened 6 March 1948 for signature and acceptance. The Convention came into force on 17 March 1958, upon its acceptance by the required twenty-one States, including seven with a total tonnage of at least a million gross tons of shipping apiece. On 13 January 1959, IMCO was brought into relationship with the United Nations

as a specialized agency, upon the entry into force of the Agreement between IMCO and the United Nations. 1/

**** B. The International Trade Organization**

C. The Organization for Trade Co-operation 2/

3. In its resolution 614 A (XXII), the Economic and Social Council invited Governments to comment on international machinery for trade co-operation. At its eleventh session, the General Assembly adopted a resolution 3/ endorsing this Council resolution and stating that it:

"Looks forward with interest to the establishment of the Organization for Trade Co-operation and urges States Members of the United Nations and members of the specialized agencies to act with a view to approving the agreement establishing the Organization for Trade Co-operation."

4. At its twenty-fourth session, the Council considered the replies which had been received from Governments in response to its resolution 614 A (XXII). In resolution 654 A (XXIV), it requested the Secretary-General to keep under review developments in the field of trade co-operation, particularly with respect to international machinery for trade co-operation; and arranged for a further report on the subject from the Secretary-General. It also expressed the hope that Governments would co-operate fully in making the international machinery for trade co-operation as effective as possible.

5. At its twelfth session, the General Assembly adopted a resolution 4/ in which it recalled and reaffirmed earlier recommendations on the subject, both by the General Assembly and by the Council, endorsed Council resolution 654 A (XXIV) and urged "the Governments of Member States to take action with a view to approving the Agreement on the Organization for Trade Co-operation at as early a date as possible."

D. The International Atomic Energy Agency

6. On 23 October 1956, representatives of eighty-one States adopted the Statute of the International Atomic Energy Agency (IAEA). The General Assembly, in its resolution 1115 (XI), welcomed this action. 5/

II. ANALYTICAL SUMMARY OF PRACTICE

**** A. The question of appropriateness**

**** B. Method of initiating negotiations**

**** C. Initiation of negotiations among the States concerned**

1/ ST/SG/1 (United Nations Publication, Sales No.: 1951.X.1, p. 124); see also this Supplement, under Article 63.

2/ For a report on the proposed agreement to establish OTC as a permanent organization, see E S C (XXII), Annexes, a.i. 2, E/2897, paras. 11-26, 58-61, 67 and 68. See also Repertory, Supplement No. 1, vol. II, under Article 59, paras. 8 and 9.

3/ G A resolution 1027 (XI).

4/ G A resolution 1156 (XII).

5/ For the question of the relationship of IAEA with the United Nations, see the study under Article 57 in this Supplement.