

**REPERTORY OF PRACTICE OF UNITED NATIONS ORGANS  
SUPPLEMENT No. 7**

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**Volume IV**

**ARTICLE 60**

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### TEXT OF ARTICLE 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

### INTRODUCTORY NOTE

1. As in the case of the *Repertory* studies and its *Supplements Nos. 1, 2, 3, 4, 5 and 6*, the specific functions exercised by the General Assembly and the Economic and Social Council in the discharge of their responsibilities under Article 60 are dealt with in this *Supplement* under the Articles which set forth the functions or powers of these two organs. This study on Article 60 treats certain general aspects of the functioning and interrelationship of the General Assembly and the Economic and Social Council. A close relationship exists between Article 60 and Article 66 (1), and it is therefore advisable to examine the two Articles together”.<sup>1</sup>

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<sup>1</sup> See *Repertory Supplement No. 3*, under Article 60.

## I. GENERAL SURVEY

2. During the period under review, the resolutions and decisions of the General Assembly and the Economic and Social Council made no explicit reference to Article 60.

3. As in the past, there was no change during this period in the manner in which the General Assembly and the Economic and Social Council exercised their responsibilities under Article 60.

### A. Relationship between the General Assembly and the Economic and Social Council

4. The general pattern of relationship between the General Assembly and the Economic and Social Council underwent no change during the period under review. The General Assembly continued on occasion to make requests for action to be taken by the Economic and Social Council.

5. On one occasion, the General Assembly requested<sup>2</sup> the Economic and Social Council, in discharging its responsibilities as defined in the annex to General Assembly resolution,<sup>3</sup> to assist the Assembly in establishing overall strategies, policies and priorities for the United Nations system as a whole in respect of operational activities, and to formulate suggestions and recommendations at the time of its consideration of the 1986 comprehensive policy review. In pursuance of this request, the Economic and Social Council decided<sup>4</sup> “to intensify its efforts to ensure overall co-ordination of the operational activities for development of the United Nations system...”. The General

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<sup>2</sup> G A resolution 40/211.

<sup>3</sup> G A resolution 32/197, Sect. II., para. 5.

<sup>4</sup> E S C resolution 1986/74.

Assembly, at its forty-first session, having considered the parts of the report of the Economic and Social Council for the year 1986 that concerned the policy review of operational activities for development,<sup>5</sup> endorsed<sup>6</sup> Council resolution 1986/74 entitled “Policy review of operational activities for development”.<sup>7</sup>

6. On another occasion, the General Assembly requested<sup>8</sup> “the Economic and Social Council, at its organizational session for 1987, to suspend, on an exceptional basis, rule 2 of its rules of procedure to enable its second regular session of 1987 to be held from 23 June to 9 July at Geneva, and to convene a resumed second regular session, not exceeding three days, in September in New York”. As a follow-up to the request of the General Assembly, the Economic and Social Council decided<sup>9</sup> to comply with this request.

7. In another instance, the General Assembly requested<sup>10</sup> “the Economic and Social Council at its first regular session of 1987 to examine in depth the functioning and programme of work of the United Nations in crime prevention and criminal justice, taking into account the results of the review undertaken by the Secretary-General”.<sup>11</sup> In pursuance of the request of the General Assembly, the Economic and Social Council endorsed<sup>12</sup> the recommendations contained in paragraph two of the report<sup>13</sup> of the Secretary-General on this topic. The General Assembly, at its forty-second session,

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<sup>5</sup> See *Official Records of the General Assembly, Supplement No.3 (A/41/3), chap. VI, sect.B.*

<sup>6</sup> G A resolution 41/171.

<sup>7</sup> For text, see annex to G A resolution 41/171.

<sup>8</sup> G A resolution 41/188.

<sup>9</sup> E S C decision 1987/107.

<sup>10</sup> G A resolution 41/107.

<sup>11</sup> See *Official Records of the Economic and Social Council, 1986, Supplement No. 5 (E/1986/25), chap. IV.*

<sup>12</sup> E S C resolution 1987/53.

<sup>13</sup> E/1987/43.

approved<sup>14</sup> “the recommendations contained in the Economic and Social Council resolutions 1986/11 of 21 May 1986 and 1987/53 of 28 May 1987...”.

8. On another occasion, the General Assembly requested<sup>15</sup> the Economic and Social Council, during the Second Decade to Combat Racism and Racial Discrimination “to submit annual reports to the General Assembly, containing, *inter alia*: (a) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade ...; (b) A review and appraisal of those activities ; (c) Its suggestions and recommendations”. Pursuant to this resolution, the Economic and Social Council requested<sup>16</sup>

“the Secretary-General to submit to the General Assembly at its forty-second session a comprehensive and updated report on the implementation of the Programme of Action for the Second Decade and a revised report outlining a proposed plan of activities to be implemented during the second half (1990-1993) of the Second Decade to Combat Racism and Racial Discrimination, taking into account the relevant comments and observations made during the deliberations of the Council”.

The General Assembly, at its forty-second session, “having considered<sup>17</sup> the report<sup>18</sup> of the Secretary-General, and the study<sup>19</sup> submitted within the framework of the implementation of the Programme of Action for the Second Decade, .... approved<sup>20</sup> the plan of activities proposed for the period 1990-1993 ...”.

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<sup>14</sup> G A resolution 42/59.

<sup>15</sup> G A resolution 41/94.

<sup>16</sup> E S C resolution 1987/2.

<sup>17</sup> G A resolution 42/47.

<sup>18</sup> A/42/493.

<sup>19</sup> A/42/492.

<sup>20</sup> G A resolution 42/47, para. 17.

9. The General Assembly, in a number of instances, endorsed the work of the Economic and Social Council.

10. On one occasion, the General Assembly endorsed<sup>21</sup> Economic and Social Council resolution 1987/79 in which the Council decided “to strengthen its co-ordinating function in the field of science and technology to assist the organizations and organs of the United Nations system in harmonizing their efforts, taking into account the need to avoid overlap and duplication”.

11. On another occasion, the General Assembly, at its forty-third session, endorsed<sup>22</sup> the recommendation of Economic and Social Council resolution 1988/67 and thus declared<sup>23</sup> the period 1991-2000 the Second Transport and Communications Decade in Africa.

12. In another instance, the General Assembly, at its forty-third session, endorsed<sup>24</sup> “Economic and Social Council resolution 1988/29, in which the Council requested the Secretary-General to convene a seminar on women and rural development, using the resources available in the Trust Fund for Preparatory Activities of the 1985 World Conference to Review and Appraise the Achievements of the United Nations Decade for Women established under Council decision 1983/132”.

### **B. Reconsideration of decisions by the Economic and Social Council at the request of the General Assembly**

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<sup>21</sup> G A resolution 42/192.

<sup>22</sup> G A resolution 43/179.

<sup>23</sup> Ibid., para. 2.

<sup>24</sup> G A resolution 43/101.

13. In one instance during the period under review, the General Assembly asked the Economic and Social Council to reconsider a decision, and the latter fully accepted this recommendation.

14. The General Assembly, at its fortieth session, invited<sup>25</sup> “the Economic and Social Council to reconsider its decision to allow the Committee on Economic, Social and Cultural Rights to meet in New York in 1988”. In response, the Economic and Social Council,

“having reconsidered its resolution 1985/17 of 28 May 1985 in pursuance of section VII of General Assembly resolution 40/252 of 18 December 1985, decided<sup>26</sup> that sessions of the Committee on Economic, Social and Cultural Rights should be held at Geneva, in accordance with the principle laid down in paragraph 4 of section I of Assembly resolution 31/140 of 17 December 1976”.

### **C. The General Assembly exercising its authority at the request of the Economic and Social Council**

15. As in the past, there were several instances in which the Economic and Social Council asked the General Assembly to take a specific action during the period under review.

16. For example, in one instance, the Economic and Social Council recommended<sup>27</sup> “the General Assembly to take a decision at its forty-second session on the question of enlarging the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from forty-one to forty-three”. Acting upon

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<sup>25</sup> G A resolution 40/252, sec. VII.

<sup>26</sup> E S C decision 1986/102.

<sup>27</sup> E S C resolution 1987/89.

the recommendation of the Economic and Social Council, the General Assembly, at its forty-second session decided<sup>28</sup> “to comply with this recommendation, and requested “the Economic and Social Council to elect the two additional members at its first regular session of 1988”. In pursuance of the request of the General Assembly, the Council held<sup>29</sup> elections to fill vacancies in the Executive Committee, including seats for two additional members.

17. In another instance, the Economic and Social Council recommended<sup>30</sup> that the General Assembly, at its forty-second session, consider the request of the Committee on the Elimination of Discrimination against Women for additional meetings, on an exceptional basis, as contained in its report,<sup>31</sup> taking into account the views expressed by delegations, the financial situation of the United Nations and the priorities identified by the Secretary-General in the proposed programme budget for the biennium 1988-1989. As a follow-up to the recommendation of the Council, the General Assembly, at its forty-second session, decided,<sup>32</sup> “on an exceptional basis, that the Committee may hold no more than eight additional meetings during its session in 1988 in order to advance consideration of reports already submitted to it”.

18. On another occasion, the Economic and Social Council .... recommended<sup>33</sup> the General Assembly “to approve the change of the name of the United Nations Fund for Population Activities to United Nations Population Fund , while retaining the abbreviation UNFPA...”. At its 96<sup>th</sup> plenary meeting, the General Assembly, having

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<sup>28</sup> G A resolution 42/130.

<sup>29</sup> E S C decision 1988/150.

<sup>30</sup> E S C resolution 1987/3.

<sup>31</sup> *Official Records of the General Assembly, Forty-second Session, Supplement No. 38 (A/42/38)*.

<sup>32</sup> G A resolution 42/60.

<sup>33</sup> E S C decision 1987/175.



noted Economic and Social Council decision 1987/175, decided<sup>34</sup> to approve the change in the name.

**D. Address by the General Assembly directly to a subsidiary organ of the Economic and Social Council**

19. During the period under review, there were several instances where the General Assembly addressed itself directly to subsidiary bodies of the Economic and Social Council.

20. On one occasion, the General Assembly invited<sup>35</sup> “the Committee on the Development and Utilization of New and Renewable Sources of Energy, at its fourth session, to review its working methods so as to ensure further improvement in the fulfilment of its mandate”. At its 38<sup>th</sup> plenary meeting, the Economic and Social Council took note<sup>36</sup> of the report<sup>37</sup> of the Committee. Subsequently, the General Assembly, at its forty-third session, took note<sup>38</sup> of the report of the Committee on its fourth session and endorsed the resolutions and decisions contained therein.

21. On another occasion, the General Assembly directly requested<sup>39</sup> the Commission on Human Settlements, as the body designated to co-ordinate implementation of the Global Strategy for Shelter to the Year 2000, “to report biennially to the General Assembly on progress made in its implementation”. In the same resolution, the General Assembly also requested the Commission “to strengthen, within existing resources, its

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<sup>34</sup> G A decision 42/430.

<sup>35</sup> G A resolution 41/170.

<sup>36</sup> E S C decision 1988/157.

<sup>37</sup> *Official Records of the General Assembly, Forty-third Session, Supplement No. 36(A/43/36).*

<sup>38</sup> G A resolution 43/192.

<sup>39</sup> G A resolution 43/181.

role in regard to the promotion of innovative measures by which bilateral and multilateral financial institutions may support the shelter strategies of developing countries...”.<sup>40</sup>

22. In another instance, the General Assembly, at its forty-second session, invited<sup>41</sup> “the Committee on Crime Prevention and Control at its tenth session to accord priority to preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to ensure adequate follow-up to the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice undertaken by the Economic and Social Council”.

23. At its forty-third session, the General Assembly took note<sup>42</sup> of “the report<sup>43</sup> of the Secretary-General on the implementation of Assembly resolution 42/59 and of the relevant recommendations contained therein made by the Committee on Crime Prevention and Control ”, and decided<sup>44</sup> to consider this subject at its forty-fourth session under the item entitled “Crime prevention and criminal justice”.

**\*\* E. The competence of the Economic and Social Council under Article 60**

**\*\* II. ANALYTICAL SUMMARY OF PRACTICE**

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<sup>40</sup> Ibid., para. 8.

<sup>41</sup> G A resolution 42/59.

<sup>42</sup> G A resolution 43/99.

<sup>43</sup> A/43/572.

<sup>44</sup> G A resolution 43/99, para. 12.