

**REPERTORY OF PRACTICE OF UNITED NATIONS ORGANS  
SUPPLEMENT No. 8**

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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, 6* and *7*, 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>

### 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 (a) to dissolve the Committee on Crime Prevention and Control, (b) to establish the commission on crime prevention and criminal justice as a new functional commission of the Council, in accordance with the recommendations contained in the statement of principles and programme of action annexed to the resolution, and (c) to endorse the role and functions of the United Nations congresses on the prevention of crime and the treatment of offenders, in accordance with the recommendations contained in the statement of principles and programme of action. In pursuance of that request, the Economic and Social Council adopted<sup>3</sup> the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, and took the specific decisions requested by the General Assembly.

6. On another occasion, the General Assembly requested<sup>4</sup> the Economic and Social Council, at its organizational session for 1993, to set up a high-level Commission on Sustainable Development as a functional commission of the Council, in accordance with Article 68 of the Charter of the United Nations, in order to ensure effective follow-up to the United Nations Conference on Environment and Development, as well as to enhance

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

<sup>2</sup> G A resolution 46/152 of 18 December 1991.

<sup>3</sup> E S C resolution 1992/1 of 6 February 1992.

international cooperation and rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, in order to achieve sustainable development in all countries. At its organizational session for 1993,<sup>5</sup> the Economic and Social Council decided to establish the Commission on Sustainable Development with the functions as enumerated in paragraphs 3 to 5 of Assembly resolution 47/191 of 22 December 1992.

7. In another instance, the General Assembly requested<sup>6</sup> the Economic and Social Council at its coordination segment in 1994 to examine the status of international cooperation within the United Nations system against the illicit production, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances in order to recommend ways and means to improve such cooperation, and to report thereon to the Assembly at its forty-ninth session. The Economic and Council examined the question at its substantive session of 1994, and adopted the agreed conclusions<sup>7</sup> on coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system related to international cooperation within the United Nations system against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances. The agreed conclusions were included in the annual report of the Council to the Assembly.

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<sup>4</sup> G A resolution 47/191 of 22 December 1992.

<sup>5</sup> E S C decision 1993/207 of 12 February 1993.

<sup>6</sup> G A resolution 48/12 of 28 October 1993.

<sup>7</sup> For the text of the agreed conclusions, see *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 3 (A/49/3/Rev.1)*, para. 34.

8. On another occasion, the General Assembly decided<sup>8</sup> that the Economic and Social Council, in assisting the Assembly, would promote an integrated approach, provide system-wide coordination and guidance in the monitoring of the implementation of the Programme of Action of the International Conference on Population and Development and make recommendations thereon. It also decided that the Commission on Population and Development, a functional commission of the Council, should meet on an annual basis, beginning in 1996, and recommended that the Council review, at its substantive session of 1995, the Commission's terms of reference and mandate. At its substantive session of 1995, the Council<sup>9</sup> complied with those requests.

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<sup>10</sup> endorsed Economic and Social Council resolution 1989/50 of 24 May 1989 and also endorsed the draft programme of United Nations activities related to the tenth anniversary of the adoption of the International Plan of Action on Aging, in 1992, as contained in annex II to Council resolution 1989/50.

11. On another occasion, the General Assembly endorsed<sup>11</sup> Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission on the Status of Women act as the preparatory body for the world conference.

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<sup>8</sup> G A resolution 49/128 of 19 December 1994.

<sup>9</sup> E S C resolution 1995/55 of 28 July 1995.

<sup>10</sup> G A resolution 44/67 of 8 December 1989.

<sup>11</sup> G A resolution 45/129 of 14 December 1990.

12. In another instance, the General Assembly endorsed<sup>12</sup> Economic and Social Council resolution 1992/37 of 30 July 1992, in which the Council decided to convene the International Conference on Population and Development at Cairo from 5 to 13 September 1994.

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

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

13. 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.

14. In one instance, the Economic and Social Council recommended<sup>13</sup> that the General Assembly proclaim 1993 as an international year for the world's indigenous people. At its forty-fifth session, the General Assembly proclaimed<sup>14</sup> 1993 as International Year for the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health.

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<sup>12</sup> G A resolution 47/176 of 22 December 1992.

<sup>13</sup> E S C decision 1990/248 of 25 May 1990.

<sup>14</sup> G A resolution 45/164 of 18 December 1990.

15. In another instance, the Economic and Social Council requested<sup>15</sup> the General Assembly to establish a voluntary fund on contemporary forms of slavery. At its forty-sixth session, the General Assembly decided<sup>16</sup> to establish the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and established the criteria for its functioning.

16. On one occasion, the Economic and Social Council recommended<sup>17</sup> that the General Assembly convene a world summit for social development, at the level of heads of State or Government, to be held in early 1995, and also recommended that the Assembly, at its forty-seventh session, take action on the proposed summit, including appropriate decisions on the agenda, means of preparation for the summit and other relevant modalities. At its forty-seventh session, the General Assembly decided<sup>18</sup> to convene a World Summit for Social Development early in 1995. It also decided upon the objectives of the Summit and the modalities for its preparation.

17. On another occasion, the Economic and Social Council approved<sup>19</sup> the draft declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities and recommended it to the General Assembly for adoption and further action. At its forty-seventh session, the General Assembly adopted<sup>20</sup> the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was annexed to the resolution.

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<sup>15</sup> E S C resolution 1991/34 of 31 May 1991.

<sup>16</sup> G A resolution 46/122 of 17 December 1991.

<sup>17</sup> E S C resolution 1992/27 of 30 July 1992.

<sup>18</sup> G A resolution 47/92 of 16 December 1992.

<sup>19</sup> E S C resolution 1992/4 of 20 July 1992.

<sup>20</sup> G A resolution 47/135 of 18 December 1992.

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

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

19. In one instance, the General Assembly, at its forty-fourth session, requested<sup>21</sup> the Commission on the Status of Women during its session in 1990 to consider the role of women in and their contribution to development so as to ensure adequate attention to issues concerning women in the process of preparing for the special session of the Assembly devoted to international economic cooperation, in particular to the revitalization of economic growth and development of the developing countries, and the international development strategy for the fourth United Nations development decade. The General Assembly also requested the Commission to consider at its session in 1990 the question of holding in 1995 a world conference on women and to report thereon to the Assembly at its forty-fifth session. The Commission complied with those requests in its report to the Economic and Social Council.<sup>22</sup> In its turn, the Economic and Social Council recommended<sup>23</sup> that a world conference on women be held in 1995 and requested the Commission on the Status of Women to act as preparatory body for the world conference.

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<sup>21</sup> G A resolution 44/77 of 8 December 1989.

<sup>22</sup> For the report of the Commission, see *Official Records of the Economic and Social Council, 1990, Supplement No. 5 (E/1990/25)*.

<sup>23</sup> E S C resolution 1990/12 of 24 May 1990.

20. In another instance, the General Assembly requested<sup>24</sup> the Committee on Crime Prevention and Control to provide guidance and assistance to Member States in the development of legislation that would enable giving effect to the obligations in such treaties as are to be negotiated on the basis of the Model Treaty on Extradition, which was annexed to the resolution. The General Assembly made the same request<sup>25</sup> to the Committee with regard to the Model Treaty on Mutual Assistance in Criminal Matters.

21. At its forty-fifth session, in relation to the enhancement of the United Nations structure for drug abuse control, the Assembly made requests<sup>26</sup> both to the Commission on Narcotic Drugs and to the Economic and Social Council. It requested the Commission, at its thirty-fourth regular session, to consider ways and means of improving its functioning as a policy-making body and to submit its recommendations to the Economic and Social Council at its first regular session of 1991. The General Assembly requested the Economic and Social Council, as a matter of urgency at its first regular session of 1991, giving due consideration to the recommendations of the Commission, to undertake a review of the functioning of the Commission and decide on the appropriate changes needed to improve it.

22. At its first regular session of 1991, having considered the report of the Commission on Narcotic Drugs,<sup>27</sup> the Economic and Social Council adopted two resolutions<sup>28</sup> on the terms of reference of the Commission and on its functioning. The General Assembly, at its forty-sixth session, endorsed<sup>29</sup> Economic and Social Council

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<sup>24</sup> G A resolution 45/116 of 14 December 1990.

<sup>25</sup> G A resolution 45/117 of 14 December 1990.

<sup>26</sup> G A resolution 45/179 of 21 December 1990.

<sup>27</sup> *Official Records of the Economic and Social Council, 1991, Supplement No. 4 (E/1991/24)*.

<sup>28</sup> E S C resolutions 1991/38 of 21 June 1991 and 1991/39 of 21 June 1991.

<sup>29</sup> G A resolution 46/104 of 16 December 1991.

resolution 1991/38 of 21 June 1991, in which the Council had called upon the Commission to give policy guidance to the United Nations International Drug Control Programme and to monitor its activities.

23. At its forty-sixth session, the General Assembly requested<sup>30</sup> the Commission on the Status of Women, when considering the priority theme relating to development during its thirty-sixth and subsequent sessions, to ensure its early contribution to the work of forthcoming major international conferences such as the United Nations on Environment and Development, to be held in 1992, the World Conference on Human Rights, to be held in 1993, and the International Conference on Population and Development, to be held in 1994, and to address the impact of technologies on women.

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

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

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<sup>30</sup> G A resolution 46/98 of 16 December 1991.