ARTICLE 60

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** II. Analytical Summary of Practice
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, 7 and 8, 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.¹

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.

¹ See Repertory, Supplement No. 3, under 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, at its fiftieth session, recommended\(^\text{2}\) that the Economic and Social Council consider the draft international agreement on illicit payments at its substantive session of 1996 and report to the Assembly at its fifty-first session. At its resumed substantive session of 1996, the Economic and Social Council recommended\(^\text{3}\) to the General Assembly the adoption of a draft resolution entitled “United Nations Declaration against Corruption and Bribery in International Commercial Transactions”. At its fifty-first session, the General Assembly adopted\(^\text{4}\) the Declaration, which was annexed to the resolution. In the same resolution, the General Assembly requested the Economic and Social Council and its subsidiary bodies, in particular the Commission on Crime Prevention and Criminal Justice: (a) to examine ways, including through legally binding international instruments, without in any way precluding, impeding or delaying international, regional or national actions to further the

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\(^\text{2}\) G A resolution 50/106 of 20 December 1995.

\(^\text{3}\) E S C resolution 1996/51 of 20 November 1996.

\(^\text{4}\) G A resolution 51/191 of 16 December 1996.
implementation of the resolution and the annexed Declaration, so as to promote the
criminalization of corruption and bribery in international commercial transactions; (b) to
keep the issue of corruption and bribery in international commercial transactions under
regular review; and (c) to promote the implementation of the resolution.

6. On another occasion, the General Assembly, at its fifty-second session, in a
resolution entitled “Renewing the United Nations: a programme for reform”, invited the
Economic and Social Council to consider, at its organizational and substantive sessions in
1998, as part of the review of the mandates, composition, functions and working methods
of its functional commissions and expert groups and bodies, as mandated by the General
Assembly in its resolution 50/227 of 24 May 1996, the recommendations of the
Secretary-General relating to the reform of its subsidiary bodies, including a time-frame
for implementation of its decisions thereon, as well as his recommendations relating to
the organization and methods of work of the Council, and to report thereon to the
Assembly as early as possible during its fifty-second session. At the same time, the
General Assembly invited the Economic and Social Council, in consultation with
Member States and appropriate intergovernmental regional bodies, to conduct a general
review of the regional commissions at its substantive session of 1998, bearing in mind the
relevant provisions of resolution 50/227 and the individual reviews each commission had
already carried out, in order to consider the competencies of the regional commissions,
taking into account the competencies of global bodies and other regional and subregional
intergovernmental bodies, and to submit a report thereon to the General Assembly before
the end of its fifty-second session. The Economic and Social Council, at its substantive
session of 1998, recalling General Assembly resolutions 50/227 and 52/12 B of 19
December 1997, adopted \(^6\) three texts entitled “Subsidiary bodies identified for restructuring and revitalization”, “Functional commissions of the Economic and Social Council with specific responsibilities for the follow-up to the major United Nations conferences” and “Regional commissions”, all of which were annexed to the resolution. At its fifty-third session, the General Assembly took note \(^7\) of the relevant chapters of the report of the Economic and Social Council. \(^8\)

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


9. In another instance, also at its fiftieth session, the General Assembly, in its consideration of the implementation of the outcome of the World Summit for Social Development, endorsed \(^10\) Economic and Social Council resolution 1995/60 of 28 July 1995, and called upon the Commission for Social Development, when developing at its next session its multi-year programme of work for the follow-up to the Summit: (a) to adapt its mandate in order to ensure an integrated approach to social development; (b) to integrate the current sectoral issues on its agenda in the multi-year programme; (c) to

\(^5\) G A resolution 52/12 B of 19 December 1997.
\(^7\) G A decision 53/451 of 17 December 1998.
\(^9\) G A resolution 50/120 of 20 December 1995.
\(^10\) G A resolution 50/161 of 22 December 1995.
review and update its methods of work and to make recommendations to ensure an effective follow-up to the Summit; (d) to establish the practice of inviting experts to contribute to its work; and (e) to consider integrating into its work high-level representatives on social development issues and policies. At its substantive session of 1996, on the recommendation of the Commission for Social Development at its special session,\textsuperscript{11} the Economic and Social Council, taking into account, inter alia, General Assembly resolution 50/161 of 22 December 1995, adopted\textsuperscript{12} a resolution entitled “Follow-up to the World Summit for Social Development and the future role of the Commission for Social Development”. At its fifty-first session, the General Assembly took note\textsuperscript{13} of Economic and Social Council resolution 1996/7 of 22 July 1996.

**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

10. 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.

\textsuperscript{12} E S C resolution 1996/7 of 22 July 1996.
\textsuperscript{13} G A resolution 51/202 of 17 December 1996.
11. On one occasion, the Economic and Social Council, at its substantive session of 1995, recommended\textsuperscript{14} the adoption by the General Assembly of a draft resolution on the revision of the General Regulations of the World Food Programme and reconstitution of the Committee on Food Aid Policies and Programmes as the Executive Board of the World Food Programme. At its fiftieth session, the General Assembly adopted\textsuperscript{15} the draft resolution. Similarly, the Economic and Social Council, at its substantive session of 1997, endorsed\textsuperscript{16} another revision of the General Regulations of the World Food Programme, which was endorsed\textsuperscript{17} by the General Assembly at its fifty-second session.

12. On another occasion, the Economic and Social Council decided\textsuperscript{18} to recommend that the General Assembly (a) convene a special session in order to consider the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, and to propose new strategies, methods, practical activities and specific measures to strengthen international cooperation in addressing the problem of illicit drugs, (b) review, at its special session, its resolution S-17/2 of 23 February 1990, in particular the progress made in implementing the Global Programme of Action annexed thereto, and (c) address the issues on the basis of the principle of shared responsibility and with full respect for the principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States. The Economic and Social Council also decided to propose that the special session be held for three days in 1998. The General

\textsuperscript{14} E S C decision 1995/227 of 6 June 1995.
\textsuperscript{15} G A resolution 50/8 of 1 November 1995.
\textsuperscript{16} E S C decision 1997/217 of 8 July 1997.
\textsuperscript{17} G A decision 52/449 of 18 December 1997.
\textsuperscript{18} E S C resolution 1996/17 of 23 July 1996.
Assembly, at its fifty-first session, decided\textsuperscript{19} to convene the special session and, as recommended by the Economic and Social Council, decided upon its objectives and modalities. At its substantive session of 1997, the Economic and Social Council recommended\textsuperscript{20} to the General Assembly that the special session be held from 8 to 10 June 1998. At its fifty-second session, the General Assembly set\textsuperscript{21} those dates for the special session.

13. In one instance, the Economic and Social Council recommended\textsuperscript{22} that the General Assembly, at its fifty-second session, decide on the process and modalities, including the possibility of convening a special session of the Assembly in 1999, for reviewing and appraising the implementation of the Programme of Action of the International Conference on Population and Development. The General Assembly, at its fifty-second session, decided\textsuperscript{23} to convene a special session for a duration of three days from 30 June to 2 July 1999, at the highest possible level of participation, in order to review and appraise the implementation of the Programme of Action.

14. In another instance, the Economic and Social Council, at its substantive session of 1997, recommended\textsuperscript{24} that the General Assembly adopt a decision whereby, beginning in 1998, the report of the Council of the United Nations University would be considered directly by the Second Committee of the General Assembly in accordance with its programme of work. At its fifty-second session, the General Assembly complied\textsuperscript{25} with that recommendation.

\textsuperscript{19} G A resolution 51/64 of 12 December 1996.  
\textsuperscript{20} E S C decision 1997/238 of 21 July 1997.  
\textsuperscript{21} G A resolution 52/92 of 12 December 1997.  
\textsuperscript{22} E S C resolution 1997/42 of 22 July 1997.  
\textsuperscript{23} G A resolution 52/188 of 18 December 1997.  
\textsuperscript{24} E S C resolution 1997/43 of 22 July 1997.  
\textsuperscript{25} G A decision 52/450 of 18 December 1997.
15. In yet another instance, the Economic and Social Council, at its substantive session of 1998, recommended\(^{26}\) that the General Assembly decide that, starting from the year 1999, proposals for the proclamation of international years should be submitted directly to the Assembly for consideration and action, unless the Assembly decided to bring them to the attention of the Council for evaluation in accordance with the provisions of the relevant guidelines. At its fifth-third session, the General Assembly made such a decision.\(^{27}\)

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

16. On one occasion, the General Assembly, at its forty-ninth session, requested\(^{28}\) the Commission for Social Development at its thirty-fourth session to consider further the draft world programme of action for youth towards the year 2000 and beyond as a matter of priority and to submit it, through the Economic and Social Council, to the General Assembly at its fiftieth session. At its resumed substantive session of 1995, the Economic and Social Council, on the recommendation of the Commission for Social Development at its thirty-fourth session,\(^{29}\) recommended\(^{30}\) to the General Assembly the adoption of a draft resolution entitled “World Programme of Action for Youth to the Year

\(^{26}\) E S C resolution 1998/1 of 6 February 1998.
\(^{27}\) G A resolution 53/199 of 15 December 1998.
\(^{28}\) G A resolution 49/152 of 23 December 1994.
2000 and Beyond”, which the General Assembly adopted at its fiftieth session. The World Programme of Action was annexed to the resolution.

17. Also at its fiftieth session, the General Assembly, in its consideration of follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action, requested the Commission on the Status of Women to develop its multi-year programme of work for the period 1996-2000 at its fortieth session so that it could review the critical areas of concern in the Platform for Action and to consider how it could integrate into its programme of work the follow-up to the Conference and how it could develop its catalytic role in mainstreaming a gender perspective in United Nations activities, taking into account the need for a focused and thematic approach to the review of the Platform for Action and the contribution that could be made by all other functional commissions of the Council. The General Assembly also requested the Commission on the Status of Women to forward its recommendations on the multi-year programme of work to the Economic and Social Council so that the Council could take a decision on the programme of work at its meeting in 1996, reviewing, coordinating and harmonizing the different programmes of work, including the reporting systems of all the commissions in the area of the advancement of women. At its substantive session of 1996, the Economic and Social Council, on the recommendation of the Commission for the Status of Women at its fortieth session, decided that the Commission on the Status of Women should: (a) assist the Council in monitoring, reviewing and appraising progress achieved and

31 G A resolution 50/81 of 14 December 1995.
32 G A resolution 50/203 of 22 December 1995.
34 E S C resolution 1996/6 of 22 July 1996.
problems encountered in the implementation of the Beijing Declaration and the Platform for Action of the Conference at all levels, and advise the Council thereon; (b) continue to ensure support for mainstreaming a gender perspective in United Nations activities and develop further its catalytic role in this regard in other areas; (c) identify issues where United Nations system-wide coordination needed to be improved in order to assist the Council in its coordination function; (d) identify emerging issues, trends and new approaches to issues affecting the situation of women or equality between women and men that required urgent consideration and make substantive recommendations thereon; and (e) maintain and enhance public awareness and support for the implementation of the Platform for Action.

18. On another occasion, the General Assembly, at its fifth-second session, during its consideration of preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, requested the Commission on Crime Prevention and Criminal Justice, at its seventh session, to finalize the programme for the Tenth Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly, taking into account the fact that the Tenth Congress should deal with a limited number of precisely defined substantive topics reflecting the urgent needs of the world community and should include practical technical workshops on well-focused issues relating to the substantive agenda items. At its substantive session of 1998, on the recommendation of the Commission at its seventh session, the Economic and Social Council recommended to the General Assembly the adoption of a

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draft resolution entitled “Preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders”. At its fifth-third session, the General Assembly adopted\textsuperscript{38} the draft resolution.

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

**II. ANALYTICAL SUMMARY OF PRACTICE**

\textsuperscript{38} G A resolution 53/110 of 9 December 1998.