ARTICLE 61

CONTENTS

Text of Article 61

Introductory note ........................................1

I. General survey .............................................2-6
   A. Article 61 (1-3) ......................................2-6
   **B. Article 61 (4) ......................................

II. Analytical summary of practice ..........................7-14
   **A. Question of the date of expiry of the term of office of members of the Council
   B. Question of associating with the Council’s activities the largest number of members compatible with its efficacy ......................................7-14
   **C. Question of the representation of a Member State
   **D. Question of whether the Council can meet with a vacancy in its membership
ARTICLE 61

TEXT OF ARTICLE 61

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.1

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

INTRODUCTORY NOTE

1. This study supplements previous studies of Article 61 in the Repertory and its Supplements Nos. 1, 2, 3, 4 and 5. The former headings have essentially been maintained.

I. GENERAL SURVEY

A. Article 61 (1-3)

2. During the period under review, the procedure followed by the General Assembly at its thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth and thirty-ninth sessions for electing one third of the members of the Economic and Social Council did not vary from that described in rule 145 of the rules of procedure of the General Assembly.2

3. The following Member States were elected members of the Economic and Social Council during the period under review:

1979: Australia, Bahamas, Belgium, Bulgaria, Chile, Ethiopia, Iraq, Italy, Jordan, Libyan Arab Jamahiriya, Malawi, Mexico, Nepal, Nigeria, Thailand, United States of America, Yugoslavia and Zaire.3

1980: Argentina, Bangladesh, Burundi, Byelorussian Soviet Socialist Republic, Canada, China, Denmark, Fiji, India, Kenya, Nicaragua, Norway, Peru, Poland, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United Republic of Cameroon.4

1981: Austria, Benin, Brazil, Colombia, France, Germany, Federal Republic of, Greece, Japan, Liberia, Mali, Pakistan, Portugal, Qatar, Romania, Saint Lucia, Swaziland, Tunisia and Venezuela.5

1982: Algeria, Botswana, Bulgaria, Congo, Djibouti, Ecuador, German Democratic Republic, Lebanon, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Saudi Arabia, Sierra Leone, Suriname, Thailand and United States of America.6

1983: Argentina, Canada, China, Costa Rica, Finland, Guyana, Indonesia, Papua New Guinea, Poland, Rwanda, Somalia, Sri Lanka, Sweden, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yugoslavia and Zaire.7

1984: Bangladesh, Brazil, Colombia, France, Germany, Federal Republic of, Guinea, Haiti, Iceland, India, Japan, Morocco, Nigeria, Romania, Senegal, Spain, Turkey, Venezuela and Zimbabwe.8

4. The following lists show, for the period under review, the frequency of application of the provision of Article 61,
paragraph 2, of the Charter of the United Nations whereby “[a] retiring member shall be eligible for immediate re-election.”

**Member States regularly re-elected to the Council since its inception:**

- France, Union of Soviet Socialist Republics, United Kingdom and United States.

**Member States which have been re-elected at the expiry of their terms of office:**

<table>
<thead>
<tr>
<th>Country</th>
<th>Terms of Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>1949-1951, 1952-1954</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>1983-1985</td>
</tr>
<tr>
<td>Canada</td>
<td>1975-1977, 1984-1986</td>
</tr>
<tr>
<td>Chile</td>
<td>1946-1948, 1949-1951</td>
</tr>
<tr>
<td>Colombia</td>
<td>1977-1978 (elected for three years)</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>1975-1977</td>
</tr>
<tr>
<td>Iran</td>
<td>1977-1978 (elected for three years)</td>
</tr>
<tr>
<td>Iraq</td>
<td>1980-1982</td>
</tr>
<tr>
<td>Italy</td>
<td>1977-1978 (elected for three years) 1980-1982</td>
</tr>
<tr>
<td>Jamaica</td>
<td>1977-1978 (elected for three years)</td>
</tr>
<tr>
<td>Kenya</td>
<td>1975-1977</td>
</tr>
<tr>
<td>Lebanon</td>
<td>1946 (elected for one year), 1947-1949</td>
</tr>
<tr>
<td>Mexico</td>
<td>1977-1978 (elected for three years)</td>
</tr>
<tr>
<td>Peru</td>
<td>1946-1948, 1949-1951</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>1966 (elected for one year) 1967-1969</td>
</tr>
<tr>
<td>Thailand</td>
<td>1983-1985</td>
</tr>
<tr>
<td>Uganda</td>
<td>1976-1978</td>
</tr>
<tr>
<td>United Republic of Cameroon</td>
<td>1981-1983</td>
</tr>
<tr>
<td>United Republic of Tanzania</td>
<td>1966 (elected for one year) 1967-1969</td>
</tr>
<tr>
<td>Zaire</td>
<td>1974 (elected for one year) 1975-1977</td>
</tr>
</tbody>
</table>

5. Since its inception, of the 115 Member States which have served on the Economic and Social Council, apart from four which have served continuously: one has served 10 terms of office; three have served nine terms; five have served eight terms; two have served seven terms; four have served six terms; 13 have served five terms; nine have served four terms; 18 have served three terms; 18 have served two terms; 11 have served one term; 14 have served two terms; 11 have served three terms; 11 have served four terms; 13 have served five terms; 10 have served six terms; 11 have served seven terms; 9 have served eight terms; 10 have served nine terms; 14 have served 10 terms of office. Following the practice of the original Repertory, reference here is to terms of office of one, two or three years, which actually commenced prior to 31 December 1984.

Following the practice of the original Repertory, reference here is to terms of office of one, two or three years, which actually commenced prior to 31 December 1984.

10 France, Union of Soviet Socialist Republics, United Kingdom and United States.
11 China.
12 India, Pakistan and Yugoslavia.
13 Argentina, Brazil, Canada, Poland and Venezuela.
14 Japan and Mexico.
15 Chile, Greece, Netherlands and Peru.
16 Algeria, Australia, Belgium, Bulgaria, Colombia, Ecuador, Indonesia, Italy, New Zealand, Norway, Sweden, Turkey and Zaire.
17 Denmark, Ethiopia, Finland, Germany, Federal Republic of, Iran, Kenya, Lebanon, Romania and Sudan.
18 Austria, Cameroon, Congo, Cuba, Egypt, Iraq, Jamaica, Jordan, Malaysia, Philippines, Senegal, Sierra Leone, Spain, Thailand, Tunisia, Uganda, United Republic of Tanzania and Uruguay.
29 have served for two terms; 31 have served one term. 20

6. With regard to Member States which had not previously served on the Economic and Social Council, at the thirty-fourth session of the General Assembly, three such Member States 21 were elected to membership. At the thirty-sixth session, three such Member States 22 were elected to membership. At the thirty-seventh session, four such Member States 23 were elected to membership. At the thirty-eighth session, two such Member States 24 were elected to membership. At the thirty-ninth session, two such Member States 25 were elected to membership.

**B. Article 61 (4)**

7. At the thirty-fourth session of the General Assembly, the Second Committee of the Assembly considered a draft resolution sponsored by the delegations of Argentina and Jamaica concerning the implementation of section II of the annex to Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system. In the draft resolution, the General Assembly would recognize the need to extend the composition of the Economic and Social Council to all States Members of the United Nations and would decide to adopt, in accordance with Article 108 of the Charter of the United Nations, the following amendment to the Charter and to submit it for ratification by the States Members of the United Nations:

"Article 61

1. The Economic and Social Council shall consist of all the States Members of the United Nations.

2. Each member of the Economic and Social Council shall have one representative."

8. Introducing the draft resolution 27 in the Second Committee, the representative of Jamaica stated that the purpose of the proposal had come from paragraph 13 of the annex to General Assembly resolution 32/197. 28 He stated that the main obstacle to the Council's attempts at streamlining its subsidiary machinery and giving effective assistance and support to the Assembly had been its lack of universality: as a result, the organ had initiated a proliferation of bodies which had rendered the United Nations intergovernmental machinery unmanageable and ineffective. 29 Following consultations within the Committee, however, the sponsors withdrew the draft resolution and decided to submit a draft decision 30 which would defer consideration of the draft resolution, annexed thereto, to the thirty-fifth session in view of the seriousness of the matter and the need to allow some delegations to study the issue in detail. The General Assembly, on the recommendation of the Second Committee, adopted the draft as its decision 34/453.

9. Thus, at the thirty-fifth session of the General Assembly, the Second Committee again considered the issue of universalizing the membership of the Economic and Social Council. Sponsored by the same delegations, the text of the draft resolution 33 was substantially the same as that before the Committee during the prior session of the Assembly. A number of delegations expressed their concern

20Afghanistan, Bangladesh, Byelorussian SSR, Benin, Bolivia, Burkina Faso, Burundi, Costa Rica, Dominican Republic, Fiji, Gabon, Ghana, Guatemala, Hungary, Ireland, Liberia, Libyan Arab Jamahiriya, Luxembourg, Mali, Morocco, Nigeria, Portugal, Rwanda, Somalia, Sri Lanka, Trinidad and Tobago, Ukrainian SSR, Yemen and Zambia.

21Bahamas, Barbados, Botswana, Central African Republic, Chad, Côte d'Ivoire, Cyprus, Djibouti, El Salvador, Guinea, Haiti, Kuwait, Lesotho, Madagascar, Malawi, Malta, Mauritania, Mongolia, Nepal, Nicaragua, Niger, Panama, Papua New Guinea, Qatar, Saint Lucia, Saudi Arabia, Suriname, Swaziland, Syrian Arab Republic, Togo and United Arab Emirates.

22Nicaragua.

23Qatar, Saint Lucia and Swaziland.

24Botswana, Djibouti, Saudi Arabia and Suriname.

25Guyana and Papua New Guinea.

26Iceland and Zimbabwe.

27A/C.2/34/L.103.

28The paragraph states, in part: "All States Members wishing to participate in the work of the Economic and Social Council should be enabled to do so to the fullest possible extent. In addition, consideration should be given to ways and means of making the Council fully representative." G A resolution 32/197.

29A/C.2/34/SR.55, paras. 10-17.

30A/C.2/34/SR.58.

31A/C.2/34/SR.58.

32A/C.2/34/SR.58, paras. 63-64.

with regard to the proposal. It was held by some that universalizing the membership of the Council would create a conflict with the work of the Second and Third Committees. One delegation stated that, under the terms of the draft resolution, the Council would perform functions identical to those of the Second and Third Committees of the General Assembly; the responsibility for activities in the field of international economic and social cooperation, vested in the General Assembly under Article 60 of the Charter of the United Nations, would become meaningless. He went on to state that past experience with bodies with a large membership demonstrated that their work "dissipated in sterile discussion". He added that another alternative to universalization — the expansion of the membership of the sessional committees of the Council — amounted to a de facto amendment of the Charter, and would inevitably give rise to the same complications.

10. The General Assembly, on the recommendation of the Second Committee, adopted a decision to resume consideration of the draft resolution annexed thereto at its thirty-sixth session. The decision for the postponement was based on the views of some delegations that considered that the question of restructuring of the Economic and Social Council was a far-reaching one and called for most careful reflection by Governments.

11. At its thirty-sixth session, the General Assembly, on the recommendation of its Second Committee, decided to transmit the draft resolution annexed to its decision 35/439 to its thirty-seventh session through the Economic and Social Council, and requested the Council to submit its recommendations to the Assembly at its thirty-seventh session.

12. In pursuance of the request of the General Assembly, the Economic and Social Council requested its President to continue consultations with Member States on questions relating to all aspects of the implementation of section II of the annex to General Assembly resolution 32/197 and to report the results of those consultations to the Council in 1983. In its decision 1983/181, the Council, bearing in mind the oral report made by its President, requested the latter to continue consultations with delegations on the matter and to report to the Council thereon in 1984. The Council, in its decision 1984/177, took note of the oral report made by the President on the consultations he had held with delegations.

13. At its thirty-seventh session, the General Assembly welcomed Economic and Social Council resolution 1982/50 and decided to refer to its thirty-ninth session, for consideration, the draft resolution on the implementation of section II of the annex to General Assembly resolution 32/197.

14. The General Assembly, on the recommendation of its Second Committee, referred to its forty-second session for consideration the draft resolution entitled "Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system", since no consensus had been reached on the informal consultations in the Second Committee.

**C. Question of the representation of a Member State**

**D. Question of whether the Council can meet with a vacancy in its membership**

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34 A/C.2/35/SR.35, paras. 9 and 10.
35 Ibid., para. 10.
36 Ibid., para. 11.
37 Ibid., para. 14.
38 G A decision 35/439.
40 G A decision 36/445.

41 E S C resolution 1982/50.
42 G A decision 37/442.
43 G A decision 39/436.
44 A/C.2/39/SR.61, para. 23.