ARTICLE 62 (1)

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TEXT OF ARTICLE 62 (1)

The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

INTRODUCTORY NOTE

1. The material in this study concerns studies and reports made or initiated by the Economic and Social Council with respect to international economic, social, cultural, educational, health, and related matters, and recommendations made with respect to any such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned. In general, only such studies and reports as are made by or initiated through direct action of the Economic and Social Council are dealt with. In addition to studies and reports and the recommendations relating to or otherwise connected with them, the present study covers other means or methods used by the Council for gathering data or information. Recommendations by the Council to others than the General Assembly, Member States and specialized agencies are also included. Matters relating to human rights are dealt with in this Repertory under Article 62 (2).

2. Activities of the Council under other Articles of the Charter are included only in so far as matters relating thereto have some bearing on the exercise by the Council of its powers under Article 62 (1). Thus, the present study does not deal with the following: annual reports submitted to the General Assembly by the Council under Article 15 (2); / regular reports submitted by the specialized agencies to the Council, as well as reports from Member States and specialized agencies concerning implementation of the recommendations of the Council and the General Assembly on economic and social matters which are provided for under Article 64; / agreements with specialized agencies, co-ordination of their policies and activities, recommendations made pursuant to Articles 58 and 63; / recommendations relating to arrangements for consultation with non-governmental organizations under Article 71; / matters relating to functions and powers of the regional and functional commissions and sub-commissions, ad hoc or other bodies which are established under the terms of Article 68 or of decisions of the Council; / the functions entrusted to the Secretary-General by the Economic and Social Council, / under Article 98; and the general scope given the terms "international economic, social, cultural, educational, health, and related matters". /
The General Survey below is divided into two parts and contains an illustrative account of the various ways in which the Council has exercised its powers under Article 62 (1) during its first eighteen sessions. Part A, concerning studies and reports, deals with the types of studies and reports made or initiated by the Economic and Social Council, their subject-matter and scope, their initiation, their object, their preparation, the organs or bodies to which they are submitted, and the action taken by the Council on them. Part B, concerning recommendations, deals with the form and terminology used in making recommendations and in their initiation, to whom they are addressed, their subject-matter and the types of action envisaged in them.

An Analytical Summary of Practice follows the General Survey. The questions treated in the Analytical Summary relate to the following: the relation of Article 2 (7) to Article 62 (1); studies and reports involving field surveys or investigations within the territories of States; the power of the Council to make or initiate studies and recommendations which concern Trust Territories; the competence of the Council to deal with matters relating to the restitution of vessels or to navigation on the River Danube; the power of the Council to consider particular disputes between States, to make recommendations to individual Members or groups of Members of the United Nations, and to make recommendations to States involving matters connected with the reduction of armaments and national budgets; recommendations by the Council relating to policies of individual Members of the United Nations; the power of the Council to make recommendations to specialized agencies; the power of the Council to make recommendations to others than the General Assembly, Members of the United Nations and the specialized agencies; the delegation by the Council to its regional economic commissions of power to make recommendations to Governments and to specialized agencies; and the question of the terminology used by the Council in making recommendations.

I. GENERAL SURVEY

A. Studies and reports

1. General

The power to make or to initiate studies and reports has been used most extensively by the Council.

In the course of its first eighteen sessions, the Council has initiated or recommended numerous studies. Examples of resolutions requesting such studies are given in the relevant footnotes below. The studies have included general and concrete studies, special studies, preliminary studies, periodic studies, periodic studies...

8/ Resolution 416 F (XIV) requested the Secretary-General to continue his general and concrete studies of the economic development of the under-developed countries.

9/ Resolution 5, I (III) requested the Secretary-General to undertake forthwith, special studies of the needs of the devastated countries of the United Nations for long-term and short-term financing on favourable conditions of urgent reconstruction requirements.

10/ Resolution 42 (IV) requested the Secretary-General to make preliminary studies on migration questions.

11/ Resolution 405 (XIII) recommended that the Food and Agriculture Organization of the United Nations (FAO) maintain its periodic studies of the problem of food shortages in individual countries.
comparative studies, 12/ analytical studies, 13/ technical studies, 14/ on-the-spot studies, 15/ surveys, 16/ and analyses. 17/ It has also called for scientific research 18/ and experiments, 19/ for field surveys 20/ and field investigations, 21/ and for the collection and analysis of information, 22/ data, 23/ views or comments. 24/

12/ Resolution 378 C (XIII) requested the Secretary-General to undertake comparative studies on taxation of foreign nationals, assets and transactions.

13/ Resolution 171 C (XV) invited the Governments of those countries and territories where population censuses have recently been taken, or will be taken in the near future, to prepare analytical studies based on either complete or sample tabulations of census results.

14/ Resolution 280 C, II (XI) requested the Secretary-General to appoint a group of three to five experts to make technical studies on the international impact of recessions.

15/ Resolution 512 C, I (XVII) on land reform, recommended that FAO and other specialized agencies concerned, in consultation with the Secretary-General, take further steps to set up working parties for making on-the-spot studies of special problems.

16/ Resolution 149 D (VII) recommended that the Secretary-General, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO), other interested specialized agencies, the International Statistical Institute and other appropriate international organizations, arrange for a survey of the needs for education and training in statistics.

17/ Resolution 145 (VII) invited the Economic Commission for Europe to submit to the Council at an early date a factual analysis of the possibilities of economic reconstruction, through the development of the under-industrialized countries and an expansion of trade between the countries of Europe.

18/ Resolution 290 F (IX) requested the Secretary-General to further, within the means available, research on the methods of determining the origin of opium.

19/ Resolution 548 F, II (XVIII) invited Governments concerned to conduct experiments with a view to studying the possibility of finding a plant which does not contain harmful resin to replace Cannabis sativa L. in the production of fibre.

20/ Resolution 38 (IV) requested the Secretary-General to make a field survey, with the concurrence of the Governments and administrations concerned and at their request, of the reconstruction problems of Ethiopia and other devastated territories not included in the reports of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas.

21/ Resolution 159, IV (VII) approved the dispatch of a commission of inquiry to Peru at the earliest possible date to investigate the effects of chewing the coca leaf and the possibilities of limiting its production and controlling its distribution.

22/ Resolution 370 (XIII) requested the Secretary-General, in co-operation with the specialized agencies concerned, to obtain periodically information on progress in land reforms by means of a questionnaire, to analyse the information received and to present conclusions and recommendations to the Council.

23/ Resolution 294 (XI) recommended that the International Monetary Fund be requested to assemble and analyse, in consultation with the International Bank for Reconstruction and Development, and when appropriate with other interested international agencies, the statistical and other data bearing upon the capacity of under-developed countries to service investments of foreign capital.

24/ Resolution 483 B (XVI) requested the Secretary-General to invite each Member State to indicate before 1 December 1953, its views on the measures it may consider necessary to prevent foreseeable adverse effects on its economy or on those of other Member States arising from reductions in its defence expenditures.
Paragraph 7

7. The Council has also requested the preparation of regular reports, 25/ periodic reports, 26/ general reports, 27/ special reports, 28/ progress reports, 29/ preliminary reports, 30/ an interim report, 31/ a final report, 32/ supplementary reports, 33/ emergency reports, 34/ analytical reports, 35/ factual reports, 36/ summary reports, 37/ provisional reports, 38/ and technical reports. 39/

25/ Resolution 26 (IV) requested the Economic and Employment Commission to initiate regular reports to the Council on world economic conditions and trends.
26/ Resolution 40 (IV) requested the Secretary-General to make periodic reports at sessions of the Statistical Commission on progress achieved in developing administrative instruments, procedures, and agreements through which effective statistical co-operation might be secured between the United Nations and the specialized agencies.
27/ Resolution 22 (III) invited the Secretary-General to submit to the Council a general report on the problem of establishing United Nations research laboratories.
28/ Resolution 53 (IV) requested UNESCO to submit a report concerning translation of the classics.
29/ Resolution 143 (VII) invited the Economic Commission for Europe to submit to the Council a progress report on its activities in the field of industrial development and trade.
30/ Resolution 2/6 of 21 June 1946 authorized the Sub-Commission on the Economic Reconstruction of Devastated Areas, with the assistance of the Secretariat, to make inquiries with the consent of the Government concerned, in countries which had been occupied or devastated by war, except Germany and Japan, with a view to making a preliminary report on the problems of economic reconstruction in the countries visited.
31/ By resolution 179 (VIII) the Council decided to present to the General Assembly at its fourth session, an interim report covering the most urgent problems of economic development of under-developed countries.
32/ Resolution 5 (IV) (III) instructed the Temporary Sub-Commission (Working Group for Europe and Africa) to prepare its final report.
33/ Resolution 434 A (XIV) requested the Secretary-General to prepare for publication in 1954 a supplementary report dealing with a survey of national and international measures taken to improve social conditions throughout the world.
34/ Resolution 405 (XIII) recommended that FAO, in instances of pending critical food shortages or famine, make emergency reports thereon.
35/ Resolution 104 (VII) requested the Secretary-General to prepare an analytical report concerning maintenance of full employment and economic activity.
36/ Resolution 103 (VI) requested FAO to present a factual report on the measures taken by Member States, regional commissions and the specialized agencies to alleviate the world food crisis.
37/ Resolution 259 C (IX) requested the Secretary-General to submit a summary report to the General Assembly at its fourth session giving an illustrative account of the more important concrete results achieved on questions of substance.
38/ By resolution 337 (XI), the Council appointed a temporary committee of seven of its members to examine all available material on the probable needs of Korea for relief and rehabilitation and to submit to the Council, as soon as possible, a provisional report on the scale of the programme required for such period as might be appropriate, together with an estimate of the cost.
39/ Resolution 535 B (XVIII) requested the Secretary-General to prepare a technical report on the practical conditions under which effect might usefully be given to resolution 5 (IX) of the Economic Commission for Europe on inter-regional co-operation.
Article 62 (l)

8. The Council has called for studies and reports on its own initiative, on recommendation of its subsidiary organs or of specialized agencies, or upon request of the General Assembly. Studies and reports have also been initiated by the Council on the suggestion of non-governmental organizations.

9. Studies and reports called for by the Council have related to the following subjects: world economic conditions and trends, the world social situation, economic reconstruction, economic development of under-developed countries, full employment and economic stability, international trade and finance, conservation and utilization of resources, primary commodity problems, transport and communications, statistics, fiscal and public finance questions, population, migration, social welfare, social security, prevention of crime and treatment of offenders, housing and town and country planning, control of narcotic drugs, land reform, educational, scientific and cultural matters, health, food and agriculture, cartography, and the study of the economic conditions of Africa, which the Secretary-General had been requested under resolution 266 (X) to include in the world economic report, was proposed by the World Federation of United Nations Associations, a non-governmental organization in category A, having consultative status.

40/ The study of the economic conditions of Africa, which the Secretary-General had been requested under resolution 266 (X) to include in the world economic report, was proposed by the World Federation of United Nations Associations, a non-governmental organization in category A, having consultative status.

41/ Resolution 26 (IV).

42/ Resolution 309 F (XI).

43/ Resolutions 2/6, 5, I and III (III), 34 (IV), 38 (IV) and 143 (VII).

44/ Resolutions 179 (VIII), 180 (VIII), 222 D and E (IX), 290 (XI), 294 D (XI), 367 (XIII), 368 D (XIII), 370 (XIII), 416 E (XIV), 461 (XV) and 512 C, II (XVII).

45/ Resolutions 26 (IV), 104 (VI), 221 D and E (IX), 290 (XI), 341 (XII), 426 B (XIV), 427 (XIV) and 483 A (XVI).

46/ Resolutions 28 (IV), 290 (XI), 371 (XIII), 375 (XIII), 378 B and C (XIII), 427 (XIV), 487 (XVI) and 531 C (XVIII).

47/ Resolutions 26 (IV), 105 (VI), 345 (XIII), 346 (XIII), 374 B (XIII), 417 (XIV) and 533 (XVIII).

48/ Resolutions 296 (XI).

49/ Resolutions 2/7, 35 (IV), 73 (V), 147 A, D, F, H and I (VII), 227 C (IX), 298 F (XI), 379 B and F (XIII) and 468 G (XV).

50/ Resolutions 40 (IV), 149 D (VIII) and 299 F (XI).

51/ Resolutions 67 (V) 226 B (IX) and 378 D (XIII).

52/ Resolutions 41 (IV) and 308 D (XI).

53/ Resolutions 42 (IV), 156 A (VII), 308 C (XI) and 389 B (XIII).

54/ Resolutions 43 (IV), 155 A (VII) and 390 B, C and D (XIII) on social welfare administration and social services; resolutions 43 (IV) and 83 (V) on traffic in women and children; resolution 43 (IV) on assistance to indigent foreigners; resolution 309 E (XI) on social rehabilitation of the physically handicapped; resolution 122 A (VI) on child welfare; resolution 434 B (XIV) on standards of living.

55/ Resolutions 198 (VIII) and 309 D (XI).

56/ Resolutions 43 (IV) and 390 F (XIII).

57/ Resolutions 50 (IV) and 122 D (VI).

58/ Resolutions 123 (VI), 246 F (IX), 477 (XV), 505 D (XVI) and 548 F, II (XVIII).

59/ Resolutions 370 (XIII) and 512 C, I (XVII).

60/ Resolutions 22 (III), 160 (VIII) and 318 (XII) on United Nations research laboratories; resolution 53 (IV) on translation of the classics; resolutions 170 (VIII) and 314 (XII) on teaching about the United Nations; resolution 374 C (XIII) on newsprint and printing paper.

61/ Resolutions 184 (VIII), 225 (IX) and 377 (XIII).

62/ Resolutions 5, II (III), 103 (VI), 183 (VIII) and 405 (XIII).

63/ Resolution 150 (VI).
public administration. 64/

10. The geographical scope of the studies and reports has been world-wide, 65/ or limited to particular groups of States or to territories within a given geographical region, 66/ to countries faced with common economic or social problems, 67/ or to particular individual States. 68/ The Council has also decided that "in all relevant studies ... social and economic conditions in Non-Self-Governing Territories should be included" 69/ and that attention be given to the problems of Africa "whenever appropriate in the various economic studies". 70/

11. Studies and reports have been made or initiated mostly with a view to assisting the Council or its subsidiary organs in the discussion and the formulation of appropriate action on various questions within the scope of their activities. They have ranged from the analysis of a question to the provision of factual information concerning activities of States, United Nations organs and bodies, specialized agencies, inter-governmental and non-governmental organizations in given fields; they have indicated developments, progress made, work done or measures taken in certain fields, or set forth plans, programmes, methods, procedures, arrangements, resources, proposals, suggestions or recommendations. Reports by subsidiary bodies and by the Secretary-General on the progress or results of certain tasks specially assigned to them have frequently been called for by the Council.

12. Some studies and reports have also been prepared for the purpose of assisting Governments. 71/ In certain cases, the Council has requested the preparation of reports for publication. 72/ In one case, 73/ the Council requested that a study be made concerning the development of international facilities for the promotion of the science of public administration "so as to provide adequate training for an increasing..."
number of candidates of proved ability recruited on the widest possible geographical basis, but mainly from the countries in greatest need of access to the principles, procedures and methods of modern administration". In another instance, the Council invited the Secretary-General "to initiate studies with a view to amending or deleting" a particular provision of an international convention. Studies with a view to preparing or amending conventions have also been undertaken at the instance of the Council.

2. Preparation and submission

13. The preparation of studies and reports has been entrusted by the Council to the Secretary-General, to its regional economic commissions, functional commissions and sub-commissions, to ad hoc committees and working parties, to a temporary committee of the Council, to bodies of experts, and to the specialized agencies or executive heads of specialized agencies. The Council has also recommended to Governments that certain studies be made, such as research studies on the problem of pollution of sea water. In addition, the Council has authorized the convening of meetings of experts to study certain problems or of conferences for the pooling and exchange of information.

a. By the Secretary-General

14. The preparation of most studies and reports requested has been entrusted by the Council to the Secretary-General. The Secretary-General has been frequently asked to

74/ Resolution 49 (IV) concerned Article 19 of the International Opium Convention of 1925.

75/ Resolutions 43 (IV) on suppression of traffic in women and children; 73 (V) on passport and frontier formalities; 375 (XIII) on restrictive business practices; 379 E (XIII) on transport of dangerous goods; 47 (IV) on genocide.

76/ Resolution 375 (XIII) called for a report on restrictive business practices by an ad hoc committee established for the purpose.

77/ Resolution 377 (XIII) called for a report on the world's position regarding the supply of DDT to be prepared by a working party of not more than fifteen members.

78/ Resolution 337 (XI) appointed a temporary committee of seven of its members to examine all available material on the probable needs of Korea for relief and rehabilitation and to submit to the Council a provisional report on the scale of the programme required.

79/ Resolution 290 (XI) called for a report on the international impact of recessions to be prepared by a group of three to five experts.

80/ Resolution 183 (VIII) called for studies on the problem of wasting food in certain countries, to be undertaken by the Executive Heads of FAO and other specialized agencies.

81/ Resolution 379 F (XIII). Another example is provided by resolution 471 C (XV), on land reform, recommending that FAO and other specialized agencies concerned, in consultation with the Secretary-General, take further steps to arrange conferences for the pooling and exchange of information.

82/ Resolution 231 (IX) recommended that the Secretary-General consult appropriate Member Governments on convening other meetings of regional statisticians which in his judgement might provide an opportunity for the study of special technical problems arising regionally. Resolution 243 C (IX) requested the Secretary-General to arrange for a meeting of experts in 1950 in an appropriate tropical area to consider technical questions relating to housing and town planning for lower-income groups in the humid tropics.

83/ Resolution 512 C, I (XVII), on land reform, recommended that FAO and other specialized agencies concerned, in consultation with the Secretary-General, take further steps to arrange conferences for the pooling and exchange of information.
make the study or report in co-operation, collaboration or consultation with the Governments concerned,\[84/ States Members,\[85/ technical committees of the General Assembly,\[86/ the Trusteeship Council,\[87/ subsidiary organs of the Council,\[88/ specialized agencies\[89/ or the executive heads of specialized agencies,\[90/ inter-governmental organizations,\[91/ international agencies,\[92/ non-governmental organizations,\[93/ and with international and national bodies.\[94/ In practice, the Secretary-General has most frequently consulted the specialized agencies on matters of concern to them, whether or not such consultation was specifically mentioned in a

\[84/ Resolution 374 (IV) requested the Secretary-General to continue, in close collaboration with the Governments concerned and the International Monetary Fund, to study the question of the foreign exchange position of the devastated countries of the United Nations.\[85/ Resolution 368 (XIII) requested the Secretary-General, in consultation with States Members, the International Bank for Reconstruction and Development and the other competent specialized agencies, to keep under active study the problems and methods of domestic and external, including international, financing of non-self-liquidating projects in under-developed countries.\[86/ Resolution 132 (VI) recommended that the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, the International Civil Service Advisory Board, and with appropriate public and private international organizations, prepare a study concerning the development of international facilities for the promotion of the science of public administration.\[87/ Resolution 122 C (VI) requested the Secretary-General, in conjunction with the specialized agencies within their competence, and where Trust Territories were concerned, after consultation with and with the concurrence of the Trusteeship Council, to initiate immediate studies and to collect and disseminate information and reports concerning certain social problems in under-developed areas.\[88/ Resolution 147 H (VII) instructed the Secretary-General, in consultation with the specialized agencies and regional commissions concerned, to make a study of the problems of the statistical requirements in the transport field.\[89/ Resolution 370 (XIII) requested the Secretary-General, in co-operation with FAO, the International Labour Organisation (ILO) and the other competent specialized agencies, to prepare a report on agricultural co-operation. See also footnotes 84, 85, 87 and footnote 88 above, and the footnotes below.\[90/ Resolution 180 (VIII) requested the Secretary-General, in consultation with the executive heads of the interested specialized agencies through the Administrative Committee on Co-ordination, to prepare a report on an expanded co-operative programme of technical assistance for economic development.\[91/ Resolution 50 (IV) instructed the Secretary-General, in co-operation with the specialized agencies and inter-governmental organizations, to arrange for a study of housing problems.\[92/ Resolution 294 (XI) requested the Secretary-General, in co-operation with the interested international agencies and within the resources available, to undertake a study of the relation of fluctuation in the prices of primary products to the ability of under-developed countries to obtain foreign exchange.\[93/ Resolution 434 A (XIV) requested the Secretary-General, in co-operation with the specialized agencies and the appropriate non-governmental organizations, to prepare a supplementary report on world social conditions for publication in 1954, and a second edition of the report on the world social situation for publication in 1956.\[94/ Resolution 379 E (XIII) instructed the Secretary-General to examine, in consultation with the competent international and, where appropriate, national bodies, if necessary by convening a meeting, the various aspects of the problem of the transport of dangerous goods.
Council resolution. In one case, 95/ the Secretary-General and UNESCO were requested to report jointly to the Council. The Secretary-General has, in some instances, been authorized to seek the assistance or advice of or to consult experts in the preparation of studies and reports 96/ to establish an ad hoc committee of experts; 97/ or to make use of work done by experts. 98/ In one case, 99/ the Secretary-General was authorized to seek, where appropriate, the co-operation of universities, scientific institutions or learned societies on certain individual research projects of a more regional or specialized nature. In some cases, 100/ the Secretary-General has been asked to take into account the views of inter-governmental organizations, members of the Council or Member Governments.

b. By experts

15. Where the preparation of studies and reports has been entrusted to bodies of experts, the selection and appointment of such experts has in the majority of cases, been left to the Secretary-General and, in some instances, 101/ to the Secretary-General, in co-operation with specialized agencies. In certain cases, the Council has designated the kind of experts to be appointed, such as "experts in the basic sciences" 102/ or "chemical experts". 103/ In the case of the Commission of Enquiry into the Effects of Chewing the Coca Leaf, 104/ the Council requested the Commission

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25/ Resolution 203 (VIII) concerned the teaching of the Purposes and Principles, and the structure and activities of the United Nations in the schools of Member States.

96/ Resolution 461 (XV) requested the Secretary-General to continue his studies on the question of industrialization and authorized him, if necessary, to consult with experts for the purpose of such studies.

97/ Resolution 345 A (XII) requested the Secretary-General to initiate a programme designed to promote the systematic survey and inventory of non-agricultural natural resources, authorized him to seek the advice of suitable experts and, in this connexion, to establish, as necessary, small ad hoc committees of experts to consider specific resource survey and inventory problems.

98/ Resolution 226 B (IX) concerned studies on fiscal matters. Resolution 378 G (XIII) requested the Secretary-General to consider the publication of a world tax service and the possible co-operation of universities in this undertaking. Resolution 557 A (XVIII) invited the Secretary-General to take appropriate action to put his suggestions contained in his memorandum (E/2553), into effect, one of which concerned the taking over, under the guidance of the Secretary-General of certain research, training and other tasks by universities and other private institutions.

99/ Resolution 265 B (IX) concerned studies on fiscal matters. Resolution 378 G (XIII) requested the Secretary-General to consider the publication of a world tax service and the possible co-operation of universities in this undertaking. Resolution 557 A (XVIII) invited the Secretary-General to take appropriate action to put his suggestions contained in his memorandum (E/2553), into effect, one of which concerned the taking over, under the guidance of the Secretary-General of certain research, training and other tasks by universities and other private institutions.

100/ Resolutions 35 (IV) and 102 (VI).

101/ Resolution 160 (VII) on United Nations research laboratories invited the Secretary-General to form, in co-operation with UNESCO, a small committee of experts in the basic sciences (exact, natural and social). Resolution 474 A (XIV) requested the Secretary-General, in co-operation with ILO and other appropriate specialized agencies, to convene a small group of experts to prepare a report on the most satisfactory methods of defining and measuring standards of living.

102/ Resolution 160 (VII) on United Nations research laboratories invited the Secretary-General to form, in co-operation with UNESCO, a small committee of experts in the basic sciences (exact, natural and social).

103/ Resolution 477 (XV) concerned the United Nations narcotics laboratory.

104/ Resolution 202 (VIII).
on Narcotic Drugs to select, for membership of the commission, "a team of two experts in the international administration and control of narcotic drugs, and a team of two medical experts to be chosen after consultation with the World Health Organization from the list of candidates already proposed by that organization". In another case, the Council authorized the Secretary-General to request the Governments of Member States interested in the problem of pollution of sea water to make experts in this field available to him, at the expense of those Governments. 105/ As regards preparation of studies and reports, experts have been asked, in some instances, to consult with 106/ or seek the views 107/ of specialized agencies and, in one case, 108/ the Secretary-General was authorized to invite international organizations, as he deemed appropriate, to send representatives to participate in the work of the committee of experts which was established. In several cases, the Council has specifically requested that the reports prepared by experts be submitted on their own responsibility. 109/

c. By specialized agencies

16. In several instances, the Economic and Social Council has requested or invited specialized agencies to make studies and reports. The agreements with the specialized agencies contain provisions regarding the submission by them of special reports, studies and information to the United Nations upon request; 110/ the rules of procedure of the Council provide that the Council may refer items on its agenda to a specialized agency, without preliminary debate, with the proviso that the specialized agency shall report on its work to the Council. 111/ In most cases, the Council has designated the particular agency or agencies which are to undertake the task. 112/ In some instances, the specialized agency designated has been asked to prepare studies or reports in

105/ Resolution 466 B (XV).
106/ Resolution 160 (VII) established a small committee of experts in the basic sciences to examine, in consultation with the specialized agencies, the question of the possible establishment of international research laboratories.
107/ Resolution 290 (XI) requested the Secretary-General to appoint a group of experts to make technical studies and, after seeking the views of the International Monetary Fund and the International Bank for Reconstruction and Development, to prepare a report formulating and analyzing alternative practical ways of dealing with the problem of reducing the international impact of recessions.
108/ Resolution 466 G (XV) concerned the transport of dangerous goods.
109/ Resolution 221 E (IX) concerned the preparation of a report on national and international measures required to achieve full employment.
110/ See in this Repertory under Article 63 (1). See also in this Repertory under Article 64, which includes a reference to the policy of the Council of using, as far as possible, regular reports of the specialized agencies for special information required by it, instead of requesting special reports.
111/ Rule 15 (a) of the present rules of procedure of the Economic and Social Council (United Nations Publication, Sales No.: 1953.1.21). While there have not been many cases of the referral of items to the specialized agencies under this rule, it may be noted that at its tenth session in 1950, the Council referred two items on its agenda, relating respectively to international reduction of working hours as a consequence of rising labour productivity, and abolition of discriminatory measures of an economic and social character on grounds of race or sex, to II.O "for such action as it may consider necessary". The discussion showed that the rule of procedure was not being invoked. E S C (X), 345th mtg., paras. 25-30.
112/ Resolution 103 (VI) requested FAO to present a factual report on the measures taken by Member States, regional commissions and the specialized agencies to alleviate the world food crisis.
co-operation with the United Nations and other appropriate specialized agencies, 113/
or in consultation with the Secretary-General, 114/ with experts 115/ or with certain
other designated specialized agencies 116/ and International agencies. 117/ In one
case, 118/ the Council addressed a request to the specialized agencies concerned and
to the regional economic commissions, in consultation with FAO, to study suitable
measures to increase food production. In another instance, 119/ the executive heads
of FAO and of other specialized agencies concerned, in co-operation with the Secretary-
General, were requested to undertake studies of problems and measures designed to
increase availability of food.

d. Sources of material

17. While it has not usually indicated the material to be used in the preparation of
studies and reports, the Council has, in some instances, mentioned one or more of the
following sources of such material: existing data; 120/ information at the disposal of
the United Nations and the specialized agencies; 121/ material readily available; 122/
information supplied by or collected from Member States, 123/ non-member States 124/

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113/ Resolution 313 (XI) concerned the questions of the establishment of United Nations
research laboratories.
114/ Resolution 543 F, II (XVIII) invited FAO, in consultation with the Secretariat of
the United Nations, to prepare a study on the possibility of replacing Cannabis
sativa L. by a variety of the same plant or by another plant serving similar
industrial purposes but not containing harmful resin.
115/ Resolution 313 (XI).
116/ Resolution 294 (XI) recommended that the International Monetary Fund be requested
to assemble and analyse, in consultation with the International Bank for
Reconstruction and Development, and when appropriate with other interested
international agencies, the statistical and other data bearing upon the capacity
of under-developed countries to service investments of foreign capital.
117/ See footnote 116 above.
118/ Resolution 103 (VI) on co-ordinated action to meet the world food crisis.
119/ Resolution 183 (VIII).
120/ Resolution 41 (IV) requested the Secretary-General, pending the collection of
data through questionnaires provided for under the terms of Article 88 of the
Charter, to proceed with studies of the population of Trust Territories within
the framework of existing data.
121/ Resolution 309 F (XI) requested the Secretary-General to submit a report on the
world social situation based on the information at the disposal of the United
Nations and its specialized agencies.
122/ The Secretary-General was requested by the Council, under resolution 266 (X), to
include in the world economic report, a special section relating to economic
conditions in Africa, using material readily available and such further
information as might be provided by the Governments concerned.
123/ Resolution 226 B (IX) requested the Secretary-General to compile information from
Member countries and to undertake analytical and comparative studies on the
taxation of foreign nationals, foreign transactions and foreign resources.
124/ Resolution 104 (VI) requested the Secretary-General to arrange with Members
of the United Nations and, where practicable, with non-members, for the
submission of information concerning action taken to achieve or maintain full
employment and economic stability and concerning any publicly available plans
to prevent a future decline; to arrange with the appropriate specialized
agencies for reports on plans and resources to assist members of the agency
to prevent a decline in employment and economic activity; and to prepare an
analytical report based on the information received.
or Governments concerned;\textsuperscript{125} reports of the specialized agencies;\textsuperscript{126} documents received from Member Governments.\textsuperscript{127}

18. Information from Governments has usually been collected by means of questionnaires and other appropriate means. In this connexion, Governments have, in some instances,\textsuperscript{126} been specifically invited by the Council to give their full co-operation or assistance.

e. Submission

19. Studies and reports have, for the most part been submitted to the Council or to its subsidiary organs or to both.\textsuperscript{129} The Council has also asked that certain studies and reports be submitted or transmitted to an agency or agencies to be established or designated by the General Assembly,\textsuperscript{130} to the General Assembly,\textsuperscript{131} to the Trusteeship Council,\textsuperscript{132} to the Secretary-General,\textsuperscript{133} to specialized agencies,\textsuperscript{134} to an interim commission of an inter-governmental organization when it starts to function,\textsuperscript{136} or to Member Governments.\textsuperscript{137}

\textsuperscript{125} See footnote 122 above.
\textsuperscript{126} See footnote 124 above.
\textsuperscript{127} Resolution 378 C (XIII) requested the Secretary-General to prepare comparative studies on the basis of the information and documents received from Member Governments under a questionnaire on the taxation of foreign nationals, assets and transactions.
\textsuperscript{128} Resolution 221 E (IX) concerned full employment and resolution 266 (X) concerned studies and data relating to the economic situation in Africa.
\textsuperscript{129} Resolution 309 F (XI) called for the report on the world social situation which was to be submitted to the Social Commission and to the Council.
\textsuperscript{130} Resolution 5, II (III) requested the Secretary-General to undertake the collection and analysis of information relating to certain subjects, with a view to the submission of the data to the agency or agencies to be established or designated by the General Assembly.
\textsuperscript{131} Resolution 132 (VI) concerned international facilities for the promotion of training in public administration. The Secretary-General was requested to submit a report to the Economic and Social Council or to the General Assembly as might be appropriate. Resolution 221 F (IX) requested the Secretary-General to submit to the General Assembly the latest available information on the world economic situation and on national and international action to achieve or maintain full employment and economic stability.
\textsuperscript{132} Resolution 122 C (VI) requested the Secretary-General to initiate immediate studies on certain social problems in under-developed countries with a view to enabling both the Economic and Social Council and the Trusteeship Council to make such recommendations as might be within their respective jurisdictions.
\textsuperscript{133} Resolution 290 (XI) requested that the report on the international impact of recession, to be prepared by a group of experts, be submitted to the Secretary-General.
\textsuperscript{134} Resolution 377 (XIII) requested that the report of the working party of Government representatives concerning the supply and requirements of insecticides for public health purposes be distributed promptly to Governments and specialized agencies.
\textsuperscript{135} Resolution 227 C (IX).
\textsuperscript{136} Resolutions 379 E (XIII) and 488 B (XV).
\textsuperscript{137} Resolution 221 E (IX) requested that the report on national and international measures required to achieve full employment, to be prepared by a group of experts, be transmitted to Member Governments.
Action taken by the Council

20. Action taken by the Council on studies and reports has varied. The Council has, for example, approved reports or has merely taken note of them; it has asked that studies be continued or extended in scope, or that further studies be made; it has brought some studies and reports to the attention of or transmitted them to Governments, the General Assembly, the specialized agencies, inter-governmental organizations, non-governmental organizations or the subsidiary organs of the Council for consideration, examination, comment or appropriate action. In some cases, it has commended studies and reports to Governments, specialized agencies and non-governmental organizations for serious consideration. In most cases, however, studies and reports have led to or have formed the basis of recommendations by the Council or by its subsidiary organs.

21. Attention is also drawn to certain actions of the Council connected with studies and reports not initiated by it. The Council has, for instance, "noted", "noted with approval", "endorsed" or "welcomed" proposals or arrangements for studies by its subsidiary organs or by the specialized agencies. It has requested that certain studies undertaken on the initiative of its subsidiary organs or of the specialized agencies be continued, or maintained, or pressed forward. It has called for the submission of programmes of studies in certain fields. In the supervision of the

138/ Resolution 253 (IX) approved the report of the Secretary-General concerning the structure and functions of the International Centre for Training in Public Administration.
139/ Resolutions 60 (IV) and 71 (V).
140/ Resolution 34 (IV) requested the Secretary-General to continue, in close collaboration with the Governments concerned and the International Monetary Fund, the study of the financial needs of under-developed countries, and to extend the study to all devastated areas of the United Nations.
141/ Resolutions 434 A (XIV), 482 A (XVI) and 487 (XVI).
142/ Resolutions 267 B (X), 297 (XI), 422 (XIV) and 553 (XVIII).
143/ Resolution 147 D (VII) noted that the Economic Commission for Latin America had instructed the Executive Secretary to prepare an economic survey on Latin America. Resolution 301 (XI) noted with approval the resolution of the Economic Commission for Latin America calling for a study on ways and means to expand trade between Latin America and Europe. Resolution 155 C (VII) endorsed the opinion of the Social Commission that, in view of the importance of the study, on an international basis, of the problem of the prevention of crime and treatment of offenders, the United Nations should assume leadership in promoting this activity. Resolution 223 (IX) welcomed the studies being undertaken by FAO on the underlying circumstances which might lead to local surpluses.
144/ Resolution 483 A (XVI) invited ILO to continue its study of wage policies, including the question of wage policy in relation to the problem of inflation, and to inform the Council from time to time, as appropriate, of the results of its work in this connexion. Resolution 405 (XIII) recommended that FAO maintain its periodic studies of the problem of food shortages in individual countries.
145/ Resolution 155 F (VII) called for the submission of an effective and integrated programme of study and activity in the field of housing and town and country planning.
work of its subsidiary organs, it has considered and approved their work programmes which have usually included the making of studies. 146/ In one case, 147/ the Council has asked that a report, requested by the General Assembly, concerning the problems of arid zones be enlarged to cover the entire field of water control and utilization as related to the problem of arid zones. In another case, 148/ it has requested the inclusion in a report, called for by the General Assembly, on repatriation, resettlement and immigration of refugees and displaced persons, of a special account of the situation of children removed from their country of origin during the course of the war.

B. Recommendations

1. General

22. During the course of its first eighteen sessions, the Economic and Social Council has adopted some 300 recommendations besides recommendations connected with studies and reports and obtaining information and data. 149/ The majority of the recommendations have been addressed to States; over seventy have been addressed to Member States and some eighty to Member and non-member States. Over seventy-five recommendations have been made to the General Assembly and some sixty recommendations to the specialized agencies. In making recommendations, the Council has seldom made a direct reference to Article 62 (1) 150/.

23. The Council does not appear to have followed any general pattern in the use of terminology; while the term "recommends" has been used in a great number of recommendations, other terms have also been employed. The differences in the terminology employed, however, do not appear to be of any particular significance, 151/ though a particular phraseology may have been considered as more appropriate to the problem involved, and the use of certain terminology may have resulted from the nature of the substance of the recommendation and the type of action recommended. Among the terms used have been the following: "urges", "urges most earnestly", "calls upon", "invites", "calls the attention", "draws the attention", "decides to bring to the attention", "commends", "commends to the attention of", "stresses the importance", "emphasizes", "suggests", "reaffirms", "recalls", "transmits", "directs a pressing appeal", "endorses the appeal", "expresses the view", "is of the view", "expresses its belief", "expresses

146/ It is to be noted, in this connexion, that the terms of reference of the regional economic commissions, functional commissions and sub-commissions of the Council have usually provided for the making of studies. See in this Repertory under Article 68.

147/ Resolution 346 (XII).
148/ Resolution 122 (VI).
149/ See para. 1 above.
150/ Such a reference was made in resolution 21 (III) on national Red Cross societies. Article 62 was referred to in resolution 293 J (XI) on implementation of the decisions of the Atlantic City Telecommunications Conferences of 1947. In resolution 51 (IV), on expert assistance to Member Governments, Article 62 was referred to in conjunction with Article 66. Articles 62 and 55 were referred to in resolution 139 A (VII) on expert assistance in connexion with economic development.

151/ Reference may be made to the fact that the procedures evolved by the General Assembly and the Economic and Social Council pursuant to the provision of Article 64 (1), with regard to obtaining reports from Member States on the steps taken to give effect to the recommendations of the Council and to recommendations on matters falling within its competence made by the General Assembly, have not, in requesting such reports, differentiated between the various recommendations on the grounds of the language in which such recommendations were couched. See also paragraphs 99-105 below, and in this Repertory under Article 64.
concern", "expresses hope", "expresses the wish", "trusts", "considers" and "requests". Often recommendations have been channelled through the Secretary-General; the terminology used in such cases has included the following phrases: "requesting the Secretary-General, on behalf of the Council, to inform"; "requests the Secretary-General to invite, on behalf of the Council"; "instructs the Secretary-General to request"; "requests the Secretary-General to draw the attention of"; "instructs the Secretary-General to bring to the attention of"; or simply "requests the Secretary-General to". All these terms have been employed in addressing recommendations to Governments, whether of Member or non-member States, and many of them have also been used in recommendations to the specialized agencies and the General Assembly. In the case of the latter, the Council has most often used the term "recommends", and such terms as "transmits", "submits", and "decides to request" or "requests". The terms "invites" or "urges" have been frequently employed in recommendations to the specialized agencies. Recommendations to inter-governmental and non-governmental organizations, private individuals or to peoples have most often contained the terms "express its hope", "invites" or "urges".

24. Recommendations have been made by the Economic and Social Council on its own initiative, or as a result of referrals by the General Assembly, the specialized agencies, international conferences convened by the United Nations, inter-governmental bodies such as the United Nations Relief and Rehabilitation Administration (UNRRA), and by subsidiary bodies of the Council, the Secretary-General, and non-governmental organizations in category A, having consultative status with the Council. Recommendations have also been made on the basis of such matters as have come before the Council pursuant to its resolutions and decisions. In particular, the Council has made many recommendations on the basis of numerous draft recommendations submitted to it by its functional commissions, and on the basis of studies and reports submitted to it. In practice, many variations and combinations of the above-mentioned bases may be found. 152/

Reference may be made to recommendations, some of which are cited below by way of example, which have been addressed to the specialized agencies as a result of the consideration by the Council of the following types of studies and reports: studies, as in the case of resolution 290 (XI) on full employment; regular reports, as in the case of resolution 167 E (VIII) on the regular report of the International Bank for Reconstruction and Development; special reports, as in the case of resolution 416 C (XIV) on an international finance corporation, which was based on a special report submitted by the Bank; reports emanating from the specialized agencies, as in the case of resolution 425 (XIV) on food and famine, based on action by FAO; or reports emanating from other bodies, as in the case of resolution 5, I (III) on economic reconstruction of devastated areas, based on a report by a temporary sub-commission of one of the functional commissions of the Council.

Recommendations have also been made as a result of proposals and recommendations of various organs and bodies. These have included the following: conferences convened by the Council, as in the case of resolution 104 (VI), based on a resolution of the United Nations Conference on Trade and Employment; special and subsidiary organs of the Council, as in the case of resolution 201 (VIII), based on a recommendation of the Permanent Central Opium Board, and resolution 231 C (IX) based on a report of the Statistical Commission; and the Secretary-General, as in the case of resolution 557 B, II (XVIII).

Recommendations have further been made pursuant to General Assembly requests and instructions, as in the case of resolution 505 C, I (XVII) on land reform, adopted pursuant to General Assembly resolutions 524 (VI) and 625 (VII), or on the basis of proposals submitted to the Council itself, as in the case of resolution 254 (IX) in connexion with the earthquake in Ecuador.
25. The Council has made recommendations in accordance with the terms of Article 62 (1) to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned. A large number of recommendations have been made to States Members and non-members of the United Nations. In addition, the Council has made recommendations to subsidiary organs 153/ or other bodies 154/ established by the General Assembly, the Trusteeship Council, international conferences convened by the United Nations, 155/ inter-governmental organizations 156/ and officers thereof 157/ or special inter-governmental bodies, 158/ international organizations and institutions 159/

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153/ Resolution 123 D (VI) recommended that the Advisory Committee on Administrative and Budgetary Questions should examine, in the light of the resolution adopted by the Commission on Narcotic Drugs, the question of the remuneration of the members of the Permanent Central Opium Board during their term of office and submit recommendations to the General Assembly.

154/ The Council, by resolution 542 B, III (XVIII) requested that, in order to facilitate the advance-planning, on an assured basis, of the Expanded Programme of Technical Assistance for 1955, the United Nations Negotiating Committee for Extra-Budgetary Funds, appointed under General Assembly resolution 759 (VIII), undertake negotiations with Governments regarding their pledges to the Special Account for 1955 as soon as possible, and that the fifth Technical Assistance Conference be held as early as possible during the ninth session of the General Assembly. See also resolution 492 C, II (XVI), section A.

155/ Resolution 29 (IV) expressed the view that it would be appropriate for the International Trade Organization (ITO) to assume the functions relating to economic development as described in article 11 (3) of the draft charter appended to the report of the Preparatory Committee of the United Nations Conference on Trade and Employment. The Council expected that careful consideration would be given by the Conference on Trade and Employment to the final formulation of that paragraph in the light of the agreed purposes and functions of ITO, bearing in mind the terms of reference established by the Council for the Economic and Employment Commission and its Sub-Commission on Economic Development, and the responsibility in that field of inter-governmental organizations which were qualified to be specialized agencies under Article 57 of the Charter.

156/ Resolutions 171 (VII), 262 (IX), 286 (X) and 333 (XI) concerned relations with inter-governmental organizations. Resolution 412 A, II (XIII) requested the Secretary-General to invite the President of the Central Bureau of the International Map of the World on the Millionth Scale to seek the assent of those Governments which had maintained contact with the Central Bureau since the end of the Second World War to transfer the work of the Central Bureau to the United Nations Cartographic Office. See also resolution 425 (XIV).

157/ Resolution 44 (IV) invited the Director-General of UNRRA to inform the Executive Board of the United Nations International Children's Emergency Fund (UNICEF) what measures had been taken to implement resolution 103 of the UNRRA Council. See also resolution 10 (III).

158/ Resolution 462 A (XV) recommended that the Interim Co-ordinating Committee for International Commodity Arrangements should continue to review international commodity problems. Resolution 468 H (XV) instructed the Secretary-General to bring to the notice of the Contracting Parties to the General Agreement on Tariffs and Trade (GATT) the relevant resolutions of the Council and of the Transport and Communications Commission and the study by the Secretary-General on discrimination in transport insurance, for possible action.

159/ By resolution 294 c (XI) the Council addressed recommendations on the subject of methods of financing economic development of under-developed countries to inter-governmental credit organizations and to institutions providing international loans.
non-governmental organizations, voluntary agencies, national committees, peoples and individuals. For instance, by resolution 314 (XI) the Council invited the Trusteeship Council to consider that resolution, which related to the teaching of the Purposes and Principles, the structure and activities of the United Nations and specialized agencies in schools and other educational institutions of Member States, in order to ensure its implementation in the Trust Territories. Under other resolutions, the Council has expressed its hope that voluntary agencies would be able to contribute to UNICEF, and it has also recommended to them that they act in concert, promptly and effectively, with Governments and inter-governmental organizations, in the event of emergency famines arising from natural causes. The Council has urged the full support and fullest participation by all people of national activities organized in favour of the United Nations Appeal for Children. By resolution 134 J (XIV) the Council called the attention of private individuals to the urgent need of meeting the target programme established by UNICEF for the year 1952-1953.

The paragraphs which follow offer a brief indication of the recommendations made to States, whether Members or non-members of the United Nations, to the General Assembly and to the specialized agencies, of the subject-matter of these recommendations and of the diverse forms of action envisaged in them.

2. To States

Recommendations have been addressed to Member States in general, to categories or groups of Member States and to particular Member States, depending upon the problem under consideration. Similar variations are to be found among recommendations made to States, whether or not Members of the United Nations. Thus, apart from recommendations to all Member States, the Council has addressed recommendations to interested Member Governments and to Member Governments concerned such as Member States having similar problems relating to internal migration; Member States proposing to hold censuses in or around 1950; Member States, especially the more developed countries; Member States possessing surpluses; Member States possessing certain technical facilities for research; Member countries producing coal and mining equipment.

Resolution 314 (XI) invited interested organizations to continue their valuable co-operation in the activities connected with the teaching about the United Nations and specialized agencies. Resolution 417 (XIV) recommended interested organizations to co-operate with the Secretary-General in the execution of the programme on international co-operation on water control and utilization and on the development of arid land. See also resolutions 156 A (VII), 231 C (IX), 267 (X) and 345 (XII).

Resolution 162 (VII) drew the attention of national committees, established by a number of countries in connexion with the United Nations appeal for children, to the desirability of recognizing UNICEF as the main recipient of the proceeds of national appeals for children.

For other resolutions addressed to the Trusteeship Council, see in this Repertory under Articles 56 (3) and 91.

Resolutions 79 (V) and 425 (XIV).

Resolutions 80 (V) and 207 (VIII).

Resolution 131 (VI) on cartography.

Resolution 471 D (XV) on internal migration.

Resolution 41 (IV) on international census plans.

Resolution 531 B (XVIII) on full employment.

Resolution 534 (XVIII) relating to the report of FAO.

Resolution 298 C (XI) on pollution of sea water.
and supplies; 171/ main consumers and producers of paper among Member States; 172/ devastated countries of the United Nations, requiring funds for reconstruction purposes; 173/ Members of the United Nations, to whose economy Europe's production, import or export of forest products is important, whether immediately or from the point of view of long-range development of potential resources and consumption; 174/ Member States which are members of ICAO; 175/ Members of the United Nations attending the Extraordinary Radio Conference called by the International Telecommunication Union for 1 September 1950; 176/ Member States which are members of certain inter-governmental organizations; 177/ and Members of the United Nations referred to in the Protocol for limiting and regulating the Cultivation of the Poppy Plant, the Production of International and Wholesale Trade in, and Use of Opium of 23 June 1953. 178/ The Council has addressed the Governments of France, the USSR, the United Kingdom and the United States of America with a view to having a matter brought before the Allied Control Authorities in Germany. 179/ It has also, among others, addressed the Governments of Bolivia and Peru.

28. Recommendations have been addressed to categories of States or to particular Governments concerned whether or not they were Members of the United Nations, such as the following: States participating in the Expanded Programme of Technical Assistance; 181/ Governments which receive technical assistance and countries rendering such assistance; 182/ Governments of industrialized countries; 183/ Governments of developed or highly developed countries and Governments of under-developed countries; 184/ countries able to export capital and countries seeking to attract foreign capital; 185/ Governments responsible for populations which are not economically advanced, including Governments responsible for the administering of Non-Self-Governing

171/ Resolution 5, I (III) on economic reconstruction of devastated areas.
172/ Resolution 374 A (XIII) on production and distribution of newsprint and printing paper.
173/ Resolution 5, I (III) on economic reconstruction of devastated areas.
174/ Resolution 31 (IV) on timber conference.
175/ Resolution 169 (VII) on implementation by the International Civil Aviation Organization (ICAO) of General Assembly resolutions concerning Franco Spain.
176/ Resolution 298 J (XI) on implementation of the decisions of the Atlantic City Telecommunications Conferences of 1947.
177/ Resolutions 262 A (IX), 256 (X) and 333 G (XI) on relations with inter-governmental organizations.
178/ Resolution 505 G (XVI).
179/ Resolution 49 (IV) on control of narcotic drugs in Germany.
180/ Resolution 492 C I (XVI) on the problem of the coca leaf, which was based upon studies and enquiries made on the problem at the request of the Governments concerned.
181/ Resolution 492 C, II (XVI), section A on financial arrangements for 1954 and future financing of the Expanded Programme of Technical Assistance.
182/ Resolution 492 C I (XVI) on co-ordinated country technical assistance programmes.
183/ Resolution 367 A (XIII) on the world economic situation.
184/ Resolution 368 A (XIII) on expansion of flow of capital for financing development projects in under-developed countries and increasing the capacity to absorb development capital; 436 B (XVI) on fiscal incentives to increase the international flow of private capital for the economic development of under-developed countries and 427 (XIV) on full employment and international economic stability.
185/ Resolution 368 B (XIII) on expansion and steadier flow of private foreign capital.
Territories; all countries, especially those whose economic development would otherwise suffer because of shortage of food and of means of payment necessary for food imports; Governments collecting and publishing basic industrial statistics; Governments of the opium and coca leaf producing countries; members of specialized agencies or inter-governmental organizations; Governments responsible for negotiating the peace treaties; Governments invited to attend a given United Nations conference; and States which will not be parties to an instrument after its coming into force. The Council has also addressed non-member States as such in connexion with adherence to conventions and international instruments; for example, it has addressed all those parties to conventions, agreements and other instruments, which are not Members of the United Nations, with the exception of Spain.

The subject-matter of recommendations to States has related to a wide variety of topics. The recommendations have covered the following: the world economic situation, economic stability and development, full employment, international primary commodity problems, international trade, restrictive business practices, land reform, co-operatives, economic reconstruction of devastated areas and many aspects of economic development of under-developed countries.

186/ Resolution 370 (XIII) on land reform.
187/ Resolution 183 (VIII) on the problem of wasting food in certain countries.
188/ Resolution 469 C (XV) on definitions in basic industrial statistics.
189/ Resolution 436 H (XIV) on the report of the Permanent Central Opium Board.
190/ Resolution 377 (XII) on invitations to Member States and other States to appoint experts in accordance with the provisions of the plan for integration of the International Penal and Penitentiary Commission.
191/ Resolution 48 (IV) on control of narcotic drugs in Japan.
192/ Resolution 298 I (XI) on international road transport.
193/ Resolution 505 G (XVI) on the Protocol for limiting and regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium.
194/ Resolution 49 (IV) on the transfer of the functions of the League of Nations to the United Nations under international agreements and conventions relating to narcotic drugs.
195/ Resolutions 102 (VI), 341 A (XII) and 367 A (XIII).
196/ Resolutions 29 (IV) on the functions of ITO regarding economic development and 221 D (IX) on economic stability and development.
197/ Resolutions 104 (VI), 221 E (IX), 267 B and C (X), 290 (XI), 427 (XIV), 483 A and D (XVI) and 531 B (XVIII).
198/ Resolutions 30 (IV), 373 (XIII) and 462 (XV).
199/ Resolution 531 C (XVIII).
200/ Resolution 375 (XIII).
201/ Resolutions 378 (XIII) and 512 C, I (XVII).
202/ Resolution 512 C, II (XVII).
203/ Resolution 5 (III).
Paragraph 29

Article 62 (1)

countries, 204/ food, 205/ agriculture, 206/ water and other resources, 207/ production and distribution of newsprint, 208/ timber shortage, 209/ questions of transport and communications, 210/ statistical problems, 211/ fiscal questions, 212/ various aspects of UNICEF, 213/ technical assistance, 214/ advisory social welfare services, 215/ training for apprentices and technical workers, 216/ population, 217/ migration problems, 218/ housing, town and country planning, 219/ family and child welfare, 220/ a world social report, 221/ training for social work, 222/ social rehabilitation of

204/ Resolutions 294 (XI), 368 (XIII), 416 (XIV), 482 (XVI), 486 B (XVI), 512 B (XVII) and 532 (XVIII).

205/ Resolutions 6 (III) on the setting up of a World Food Board; 103 (VI) on world food crisis; 183 (VIII) on the problem of wasting food in certain countries and 425 (XIV) on food and famine.

206/ Resolution 534 (XVIII) concerning agricultural production, expanded consumption of agricultural products and the problem of agricultural surpluses.

207/ Resolutions 53 (XVIII) on international co-operation with respect to water resource development; 417 (XIV) on water control and utilization and on the development of arid land; 345 (XII) and 465 (XV) on international action for conservation and utilization of non-agricultural and water resources.

208/ Resolutions 574 (XIII) and 425 (XIV).

209/ Resolution 31 (IV).

210/ Resolutions 147 G (VII) on passport and frontier formalities; 293 C (XI), 379 F (XIII) and 463 B (XV) on pollution of sea water; 293 D and E (XI) on barriers to the international transport of goods; 379 G (XIII) and 463 H (XV) on discrimination in transport insurance and 468 E (XV) on licensing of motor vehicle drivers.

211/ Resolutions 149 A (VII) on international standard industrial classification of all economic activities; 299 B (XI) on standard international trade classification; 299 E (XI) on national income and social accounts; 469 B (XV) on principles for statistics of external trade; 469 C (XV) on definitions in basic industrial statistics and 469 D (XV) on principles for a vital statistics system.

212/ Resolutions 226 D (IX) on bilateral agreements for the avoidance of double taxation; 378 B (XIII) on international tax problems and 378 D (XIII) on national accounting and budgetary practices.

213/ Resolutions 45 (IV) on a proposal for contributions of one day’s pay to UNICEF and 162 (VII) on a financial appeal for children. See also resolutions 127 (VI), 162 (VII), 434 J (XIV) and 543 (XVIII).

214/ Resolutions 27 (IV) on conditions relating to technical and other assistance, 51 (IV) on expert assistance to Member Governments and 222 A (IX) on an expanded programme of technical assistance for economic development of under-developed countries. See also resolutions 180 (VIII), 400 (XIII), 435 B (XIV), 492 C, II (XVI), section A and 542 B, II (XVIII).

215/ Resolutions 155 A (VII), 243 E (IX) and 312 (XI).

216/ Resolution 293 (XI).

217/ Resolution 41 (IV) on international census plans; 308 B (XI) on demographic aspects of technical assistance and 471 B (XV) on inter-relationships between population changes and economic and social changes.

218/ Resolutions 85 (V) and 156 B (VII) on protection of migrant and immigrant labour; 396 (XIII) on methods of international financing of European emigration; 434 G (XIV) on simplification of formalities and reduction of costs for migrants; 469 E (XV) on migration statistics and 471 D (XV) on internal migration.

219/ Resolution 434 I (XIV).

220/ Resolution 434 E (XIV).

221/ Resolution 434 A (XIV).

222/ Resolutions 390 B (XIII) and 434 F (XIV).
the physically handicapped, 223/ assistance to indigent aliens, 224/ suppression of traffic in women and children, 225/ programmes of concerted practical action in the social field, 226/ probation, 227/ teaching about the United Nations and the specialized agencies in Member States, 228/ United Nations research laboratories, 229/ control of narcotic drugs, 230/ supply of insecticides, 231/ cartographic services, 232/ measures to be adopted in connexion with the earthquake in Ecuador, 233/ international traffic on the River Danube, 234/ implementation of decisions of the Atlantic City Telecommunications Conferences of 1947, 235/ and relief and rehabilitation of Korea. 236/

30. Recommendations to Governments have envisaged a wide variety of action. For instance, the Council has made recommendations of a specific nature to Governments

223/ Resolution 309 E (XI).
224/ Resolution 390 G (XII).
225/ Resolution 155 E, II (VII).
226/ Resolution 496 (XVI).
227/ Resolution 390 E (XIII).
228/ Resolutions 170 (VII), 203 (VIII), 314 (IX) and 446 (XIV).
229/ Resolution 160 (VII).
230/ Resolutions 49 (IV) on the transfer to the United Nations of the functions of the League of Nations; 159 B (VII) on abolition of opium-smoking in the Far East; 246 G (IX) on precautionary measures to be taken with regard to synthetic narcotic substances; 436 E (XIV) on the problem of the coca leaf; 548 F (XVIII) on the problem of cannabis; 548 G (XVIII) on the problem of diacetylmorphine; 548 H (XVIII) on the problem of synthetic drugs; 548 I (XVIII) on drug addiction and 548 J (XVIII) on illicit traffic.
231/ Resolutions 225 (IX) on availability of DDT insecticides for combating malaria in agricultural areas; 297 (XI) on availability of insecticides for the control of malaria; 422 (XIV) on critical shortage of insecticides for public health purposes.
232/ Resolutions 131 (VI) and 261 A (IX).
233/ Resolution 254 (IX).
234/ Resolution 7 (III).
235/ Resolution 298 J (XI).
236/ Resolutions 359 (XII) and 397 (XIII).
such as the adoption of legislative or other measures and the use of certain methods in achieving defined objectives, the establishment of certain bodies, the making of financial or other contributions, the publishing of certain statements.

Resolution 368 (XIII) dealing comprehensively with methods of financing economic development of under-developed countries recommended (a) that Governments of under-developed countries review the adequacy of their national institutions and techniques for maximizing the availability of their domestic capital for and the flow of foreign capital into essential national development programmes; (b) that Governments of developed countries similarly review the adequacy of their national institutions and techniques for expanding the flow of capital to under-developed countries for economic development; (c) that Governments of under-developed countries, as part of their over-all development programmes, take measures to increase their capacity to absorb foreign capital, such as the institution of expanded programmes of mass education, vocational technical training and agricultural extension services, training of scientists and administrators, meaningful measures of land reform and reform of agricultural credit systems, and measures to increase social mobility. The resolution also recommended that countries seeking to attract private foreign capital (a) examine domestic laws and administrative practices affecting private foreign investment with a view to removing deterrents to the inflow of private capital; (b) provide adequate assurances, through treaties or otherwise, with respect to the treatment to be accorded foreign investors; (c) undertake, through legislative or administrative measures and the negotiation of tax treaties, to safeguard foreign investors against discriminatory taxation and to resolve other taxation issues, including the issue of double taxation, provided that the provisions of sub-paragraphs (b) and (c) would be without prejudice to the right of the Government of a Member State to take any appropriate safeguards necessary to ensure that foreign investment was not used as a basis for interference in its internal affairs or national policies; and (d) develop information services and other means for informing potential foreign investors of business opportunities in their countries, and of the relevant laws and regulations governing foreign enterprise. In a number of resolutions, such as resolution 299 B (XI), relating to statistical matters, the Council has urged Governments to make use of certain systems, such as the Standard International Trade Classification of the Statistical Commission, either by adopting the system with such modifications as may be necessary to meet national requirements, without disturbing the framework of the classification, or by rearranging their statistical data in accordance with the system of classification.

Resolution 309 E (XI) recommended that Member Governments continue their efforts in the field of social rehabilitation of physically handicapped persons, including the blind, and, in cases where they had not yet done so, to consider establishing or encouraging appropriate governmental or other organs to take the lead in studying and solving the problems confronting physically handicapped persons.

Resolution 492 C, II (XVI), section A, urged States participating in the Expanded Programme of Technical Assistance to continue to give it their full support, financial and other, so as to ensure its essential and natural development and help it to meet the growing needs of the under-developed countries. Resolution 397 (XIII) reaffirmed the earnest hope expressed in resolution 359 (XII) that all Members of the United Nations would find it possible to contribute to the programme for the relief and rehabilitation of Korea drawn up by the General Assembly.
or the submission of given information, or the avoidance of or refraining from certain actions or the prohibition of certain activities.

The Council has also recommended to Governments action as may be appropriate, such as taking practicable steps, exploring possibilities, the adoption of certain policies in so far as possible, and gradual or progressive implementation of certain objectives. It has recommended Governments to stimulate, to facilitate, to

Resolution 290 B (XI), relating to full employment, in which the Council, with the object of encouraging the adoption of effective domestic full employment policies, recommended that each Government publish annually a statement of its economic objectives for the coming year or for such longer period as might be appropriate, that it publish as soon and as precisely as is practicable the standard by which it defines the meaning of full employment as a continuing objective of policy, and that it formulate, announce, and periodically review, in the light of current and foreseeable economic trends, the policies, programmes and techniques which it intends to pursue for the purpose of achieving such objectives as it may set for itself with particular reference to matters detailed in the resolution of the Council. Resolution 548 J (XVIII) drew the attention of Governments to the work of the International Criminal Police Commission, which was in a position to lend valuable assistance in the suppression of the illicit traffic in narcotic drugs by means of the distribution and immediate use of information at its disposal, and requested them to furnish that organization as promptly as possible with any information which might be of international value relating to persons involved in cases of illicit traffic in narcotic drugs.

Resolution 221 E (IX) urged all Governments, in considering measures for the promotion of full employment, to avoid as much as possible such measures as are likely to result in the restriction of international trade. Resolution 309 B (XI) recommended that Member Governments consider according to indigent aliens the same measures of social assistance as those accorded to their nationals, and refrain from removing them from their territories for the sole reason of indigency. Resolution 548 G (XVIII) urged all Governments to prohibit the manufacture, import and export of diacetylmorphine and its salts, except for such small amounts as may be necessary for scientific purposes only.

Resolution 531 C (XVIII) urged that Governments take all practicable steps to facilitate the further expansion of mutually beneficial international trade. The Council suggested, by resolution 469 D (XV), that, as facilities and resources permit, Governments review and appraise their procedures for registering vital events and compiling vital statistics, taking into consideration the principles for a vital statistics system. Resolution 548 E (XVIII) recommended that Governments concerned limit gradually and as quickly as practicable the cultivation and the export of coca leaf to medical, scientific and legitimate purposes; continue their efforts to abolish progressively the habit of coca leaf chewing in their respective countries, and limit progressively the importation of coca leaf for the purposes of chewing.
support, to develop or to promote certain activities, to continue or to intensify their efforts or to keep certain matters under review, or to join in a declaration. On occasions, it has made recommendations drawing attention to or emphasizing some matter, problem, decision or principles.

32. In a number of instances, the Council has recommended to Governments joint or co-operative action between themselves or with specialized agencies, inter-governmental organizations, the Secretary-General, non-governmental organizations and bodies within

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243/ Resolution 131 (VI) recommended that Member Governments stimulate the accurate survey and mapping of their national territories, and resolution 261 A (IX) invited them to continue their efforts to stimulate the accurate surveying and mapping of their national territories. Resolution 225 (IX) recommended that Member Governments facilitate as much as possible the freer flow into the countries where they are needed of insecticides, raw materials and equipment for their production, by measures which they deem appropriate with regard to tariffs, import and export restrictions. Resolution 542 B, III (XVIII) urged States participating in the Expanded Programme of Technical Assistance to continue to give their support to the programme, financially and otherwise, on an expanding basis. Governments were urged by resolution 454 E (XIV) to take appropriate steps to develop their child welfare programmes along the lines proposed. Resolution 130 (VIII) called upon Member Governments to promote by all appropriate means the expansion of the international exchange of technical knowledge, especially through the United Nations and its specialized agencies.

244/ Resolution 512 C, I (XVII) urged Governments to continue their efforts to implement Council resolution 370 (XIII) and General Assembly resolution 625 (VII) on land reform as expeditiously as possible.

245/ Resolution 482 A, II (XVI) recommended that Governments consider joining, at the eighth session of the General Assembly, in a declaration which read: "We, the governments of the States Members of the United Nations, in order to promote higher standards of living and conditions of economic and social progress and development, stand ready to ask our peoples, when sufficient progress has been made in internationally supervised worldwide disarmament, to devote a portion of the savings achieved through such disarmament to an international fund, within the framework of the United Nations, to assist development and reconstruction in under-developed countries."

246/ Resolution 5, I (III) drew the specific attention of the Member Governments and specialized agencies to certain matters important for the reconstruction of devastated areas. Resolution 162 (VII) drew the attention of Governments and national committees to the desirability of continuing the policy contained in General Assembly and Council decisions of recognizing UNICEF as the main recipient of the proceeds of the national appeals. Resolution 434 F (XIV) recommended that Member States give due attention to the principles adopted on the subject of in-service training in social welfare by the Social Commission.
their countries. 

Some recommendations bearing on matters involving the specialized agencies have drawn attention to or endorsed their recommendations and actions; requested support for them; recommended attendance at conferences called by them; and urged consideration or action on international instruments adopted under their auspices.

There have also been recommendations concerning

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drew the attention of Governments to the urgent need for increased national effort and international co-operation in the social field, with special emphasis on social problems which had direct bearing on economic development. Resolution 417 (XIV) recommended that Member States, specialized agencies and other interested organizations co-operate with the Secretary-General in the execution of a programme on water control and utilization and on the development of arid land. Resolution 416 E (XIV) recommended that, in the matter of raising productivity, countries within the same region should co-operate, in particular through their regional economic commissions or through the facilities available to them from the United Nations and the specialized agencies, by joint study of their common problems and, whenever possible, by joint action. Resolution 434 I (XIV) recommended Governments to encourage, with the help of interested organizations of employers and of employees, higher productivity and development of the building industry and the manufacture of building materials from local sources, including agricultural and industrial wastes and by-products. Resolution 390 G (XIII) invited Governments, in enacting any necessary legislation or taking any necessary administrative action in pursuance of its recommendations on assistance to indigent aliens, to study and, so far as practicable and reasonable, to give effect to the principles enunciated in the report of the Secretary-General on the subject, using as may be appropriate the services of non-governmental organizations.

In dealing with the question of the availability of DDT insecticides for combating malaria in agricultural areas, the Council, by resolution 225 (IX), called to the attention of Member Governments the recommendations of the World Health Organization (WHO) regarding the correct labelling of insecticides. Resolution 298 E (XI) urged all Governments to take whatever further action was necessary to apply as soon as possible wherever feasible the Standards and Recommended Practices on the Facilitation of International Air Transport of ICAO.

Resolution 293 (XI) after noting the relevant report of ILO, recommended that Member Governments give their full co-operation and support to ILO in its efforts to extend the possibilities of providing apprentices and technical workers with training abroad.

Resolution 31 (IV) urged the Members of the United Nations to whose economy Europe's production, import or export of forest products was important, whether immediately or from the point of view of long-range development of potential resources and consumption requirements, to participate in the timber conference called by FAO.

Resolution 331 C (XI) noted that the Agreement on the importation of educational, scientific and cultural materials adopted at the fifth session of the General Conference of UNESCO had been deposited with the Secretary-General of the United Nations and would be open for signature in the archives of the United Nations and drew the attention of the Member States to the practical importance of the Agreement. Resolution 169 (VII) recommended that Member States which were members of ICAO and which had not at that time ratified the Protocol of Amendment of the Convention on International Civil Aviation (article 93 bis) should deposit their instruments of ratification as soon as possible.
relationship with 252/ or establishment of 253/ inter-governmental organizations in the field of activity of the Council. Certain recommendations to Governments contemplated action relating to national, public and private organizations, institutions and persons. 254/

33. In a number of cases, the Council has urged ratification of or accession to conventions and other international instruments concluded under the auspices of the United Nations 255/ and other actions connected with these instruments, such as consideration of amendments to them. 256/ Recommendations have also concerned interim action in connexion with the subject-matter of instruments under preparation, or not

252/ Resolution 262 A (IX) recommended that Member States which were also members of the International Bureau for Technical Training take steps within that body to bring about its dissolution and transfer its assets and functions to ILO.

253/ The Council has made a number of recommendations in connexion with the establishment of the Inter-Governmental Maritime Consultative Organization (IMCO); see resolutions 298 B (XI), 468 C (XV) and 513 C (XVII).

254/ Resolution 368 B (XIII) recommended that countries able to export capital impress on investors the importance of adhering to proper standards of conduct in the operation of their foreign enterprises, and in particular of having due regard to the economic and social welfare of the capital receiving countries; and of ensuring, wherever feasible, opportunities for participation of nationals of the under-developed countries in the administrative and technical services in industry, and for their training. Resolution 375 (XIII) recommended Member States to take appropriate measures and co-operate with one another to prevent, on the part of private or public commercial enterprises, business practices affecting international trade which restrain competition, limit access to markets or foster monopolistic control, whenever such practices had harmful effects on the expansion of production or trade, on the economic development of under-developed areas or on standards of living.

255/ Resolution 436 C (XIV) requested the Secretary-General to draw the attention of Governments to the desirability, should they not already have done so, of acceding without delay to the Protocol of 19 November 1948, bringing under international control drugs outside the scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs; subsequently, resolution 548 H, I (XVIII) called upon all States which were not parties to this Protocol to become parties in accordance with article 5 thereof.

256/ Resolution 505 G (XVI) recommended all States to implement as far as may be possible the provisions of the Protocol of 23 June 1953 for limiting and regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium, pending its coming into force, and all States which would not be parties to the Protocol after its coming into force, to comply, as far as practicable, with its provisions pending their adherence to the Protocol. Resolution 468 E (XV) instructed the Secretary-General to draw attention to an amendment to the Convention on Road Traffic, concluded at Geneva on 19 September 1949, and to request the Governments of Member States which were parties to the Convention to notify him if they wished to accept the proposed amendment in accordance with article 31 of the Convention.
yet in force. 257/ Further, the Council has occasionally urged the conclusion of bilateral agreements. 258/

34. In certain instances, the Council has envisaged limitations, safeguards, or conditions for the implementation of its recommendations. 259/ It has asked Governments, in carrying out recommendations to take due account of their effects on other States or of their effects generally. 260/ Recommendations have also been made

257/ Resolution 155 E, II (VII) recommended that, in anticipation of, and as a preparation for the conclusion of a unified convention on the suppression of traffic in women and children, Member Governments be asked, where they had not already done so, to include or to encourage the inclusion in their public and voluntary social welfare services of provisions for combating the evil of prostitution both from the angle of prevention and rehabilitation, including free and confidential treatment of venereal disease in so far as medical care is not provided for otherwise; and, in so far as children and young persons are concerned, to consider the introduction of legislation, where such legislation did not already exist, which would empower the State to take re-educative and rehabilitative measures in regard to children and young persons who are in need of care and who threaten to become, or have already become, prostitutes. In a number of instances, such as in the case of resolutions 298 D (XI), 373 (XIII) and 462 A (XV), the Council has recommended the Members of the United Nations to accept principles of certain chapters of the Havana Charter for an International Trade Organization.

258/ Resolution 226 D (IX) recommended to Governments Members of the United Nations that they actively pursue a policy of negotiating bilateral agreements, wherever appropriate, for the avoidance of double taxation. Resolution 376 B II (XIII) recommended again that the conclusion of agreements for the relief of double taxation should find a place in the fiscal policy of Member States.

259/ Resolution 492 D, II (XVI) invited such participating countries as might be in a position to do so, to take steps, within their constitutional limitations to ensure the financial support of the Expanded Programme of Technical Assistance on a long-term basis. Resolution 398 (XIII) on methods of financing economic development of under-developed countries, stipulated that certain of the recommendations of the Council would be without prejudice to the right of the Government of a Member State to take any appropriate safeguards necessary to ensure that foreign investment was not used as a basis for interference in its internal affairs or national policies. Resolution 147 G (VII) instructed the Secretary-General to bring to the attention of all Member Governments the view of the Council that it was desirable to reduce, simplify and unify passport and frontier formalities to the extent consistent with national security.

260/ Resolution 531 B (XVIII) recommended that in considering action prescribed by the Council on full employment, Member States, especially the more developed countries, give due regard to the importance of avoiding any adverse effects upon the levels of employment, stability and economic development of other Member States, including the under-developed countries. Resolution 534 (XVIII) included a passage to the effect that Member States possessing surpluses should adopt the necessary safeguards in disposing of them, so as to avoid disruption of world markets and harmful interferences with normal patterns of production and international trade.
Paragraphs 35-36

Article 62 (l)

to Governments with particular reference to the interests of certain groups or people within the countries concerned. 261/

3. To the General Assembly

35. For the most part, recommendations to the General Assembly have related to matters which required action by the Assembly pursuant to Charter provisions 262/ or to decisions of the General Assembly or were dependent upon such decisions. 263/ The Council has also made recommendations to the General Assembly on such subjects as full employment, 264/ land reform, 265/ economic development of under-developed countries 266/ and national Red Cross societies. 267/

36. The Council has recommended various types of action by the General Assembly. It has, for example, recommended to the General Assembly inclusion of a matter in its agenda, 268/ continued interest in a matter, 269/ consideration of a subject from time to time 270/ or in connexion with an item under examination 271/ by the Assembly. It

261/ Resolution 370 (XIII) recommended that Governments institute appropriate land reforms in the interest of landless, small and medium farmers and that all Governments responsible for populations which were not economically advanced, including those Governments responsible for the administration of Non-Self-Governing Territories, in addition to taking such of the measures described in the resolution of the Council, should ensure that the interests of such populations were fully protected in policies and laws relating to the transfer of lands. Resolution 341 A (XII) recommended that all Members of the United Nations take all steps in their power to prevent the development of inflationary pressures, thereby preventing speculative profits and maintaining the purchasing power of the poorer sections of the population.

262/ Reference may be made to matters relating to agreements with and co-ordination of activities of specialized agencies, which are dealt with in this Repertory under Article 63; technical assistance programmes and other services, dealt with in this Repertory under Article 66 (2) and budgetary and financial matters, dealt with in this Repertory under Article 17. It may be noted that the recommendations by the Council to the General Assembly in the field of narcotic drugs have been particularly concerned with budgetary matters; see resolutions 12 (III), 49 (IV), 123 D (VI), 159, I and IV (VII), 246 B (IX), 505 F, III (XVI) and 548 D (XVIII).

263/ The transfer to the United Nations of functions, powers, activities and assets of the League of Nations, of certain functions of UNRRA and of the functions of the Penal and Penitentiary Commission, the organization and operation of the Council, and the programme of concerted practical action in the social field of the United Nations and the specialized agencies may be cited as examples.

264/ Resolution 221 F (IX).

265/ Resolutions 370 (XIII) and 512 C, I (XVII).

266/ Resolutions 482 A, I (XVI), 512 B (XVII) and 532 A and B (XVIII).

267/ Resolution 21 (III).

268/ Resolution 221 F (IX) recommended that the General Assembly include in the agenda of its fourth session the question of promoting full employment, in accordance with the terms of Article 55 of the Charter.

269/ Resolution 512 C, I (XVII) requested the General Assembly to continue its interest in land reform in all its aspects.

270/ Resolution 370 (XIII) recommended that the General Assembly consider the subject of land reform from time to time in order that all Governments of Member States might have an opportunity to take part in the discussion of developments in this field.

271/ Resolution 548 D (XVIII) referred to the General Assembly, for consideration in connexion with its review of the reorganization proposals of the Secretary-General, the question of the establishment of a United Nations narcotics laboratory.
Article 62 (1) Paragraph 36

has recommended that the General Assembly take specific or appropriate action, 272/
make appropriate arrangements, 273/ assume on behalf of the United Nations certain
functions, 274/ and consider what steps might be taken on a particular matter. 275/
It has also recommended to the General Assembly the adoption or approval of a draft
resolution, 276/ the modification of or an amendment to a previous General Assembly
resolution, 277/ the reaffirmation of a previous General Assembly resolution, 278/
the consideration of a draft resolution containing a revised programme, 279/ or
consideration of a draft resolution submitted on request of the General Assembly. 280/

272/ Resolution 5 II (III) recommended that the General Assembly, in view of the nature
and urgency of the problem in certain countries as indicated in the preliminary
report of the Temporary Sub-Commission on Economic Reconstruction of Devastated
Areas of the Economic and Employment Commission, take appropriate action as soon
as possible in connexion with a resolution of the UNRRA council.
Resolution 10 (III) recommended that the General Assembly arrange, during the
second part of its first session, for the creation of an International Children's
Emergency Fund, subject to the control of the Economic and Social Council.

273/ Resolution 433 B (XIV) recommended that the General Assembly make appropriate
arrangements at an early date for soliciting and receiving pledges from
Governments for their contribution for the year 1953 to the Expanded Programme of
Technical Assistance.

274/ Numerous recommendations were made to the General Assembly, at its request,
concerning the assumption by the United Nations of functions formerly exercised
by the League of Nations under international treaties. (See in this Repertory
under Article 62 (3).) Resolution 505 I (XVI) concerned a recommendation to the
General Assembly on the assumption by organs of the United Nations of functions
and responsibilities assigned to them under the terms of the Protocol of
23 June 1953 (see footnote 193 above).

275/ Resolution 482 A, I (XVI) recommended that the General Assembly consider, in the
light of the Report on a Special United Nations Fund for Economic Development
and the records of the sixteenth session of the Council, what other preparatory
steps might usefully be taken towards the establishment, where circumstances
permit, of an international fund designed to assist development and
reconstruction of the under-developed countries.

276/ Resolution 222 A (IX) recommended that the General Assembly approve the draft
resolution contained in annex II, which provided for an expanded programme of
technical assistance for economic development of under-developed countries.
Resolution 243 E (IX) recommended that the General Assembly adopt the resolution
on advisory social welfare services.

277/ Resolution 310 (XI) recommended to the General Assembly that it amend its
resolution 57 (I) to incorporate the proposals contained in the resolution of the
Council. Resolution 312 (XI) on advisory social welfare services submitted for
consideration by the Assembly a modified text of Assembly resolution 58 (I).

278/ By resolution 495 (XVI) the Council expressed the opinion that the regulations
which governed the activity of UNICEF had enabled it to achieve satisfactory
techniques, to acquire valuable experience and to accomplish its task
successfully, and recommended that the General Assembly reaffirm the pertinent
provisions of its resolutions 57 (I) and 417 (V), with the exception of any
reference to time limits contained in those resolutions.

279/ Resolution 492 B (XVI) recommended to the General Assembly the consideration and
adoption of a revised programme on technical assistance in public administration.

280/ Resolution 512 B (XVII) recommended to the General Assembly the adoption of a
resolution submitted in pursuance of General Assembly resolutions 622 C (VII)
and 724 (VIII) relating to international flow of private capital for the
economic development of under-developed countries.
The Council has further recommended that the General Assembly draw the attention of Member States to some matter, urge them to take action in some matter or invite them to become parties to international instruments.

4. To the specialized agencies

The recommendations to the specialized agencies have been addressed to them in general, to the specialized agencies "concerned", to "interested" specialized agencies, to groups of specialized agencies, to particular specialized agencies, especially ILO, FAO, UNESCO, the International Bank for Reconstruction and Development (the Bank), and the International Monetary Fund (the Fund).

Recommendations to the specialized agencies have been made on subject-matter arising out of various other Charter provisions. Other recommendations have been addressed to them on such subjects as the world economic situation, economic reconstruction of devastated areas, economic development of under-developed...
countries, 296/ technical assistance, 297/ full employment, 298/ production and distribution of newsprint and printing paper, 299/ training of apprentices and technical workers, 300/ migrant and immigrant labour, 301/ migration, 302/ the world social situation, 303/ community welfare centres, 304/ social rehabilitation of the physically handicapped, 305/ cartographic services, 306/ United Nations research laboratories, 307/ education in statistics, 308/ teaching of the Purposes and Principles, the structure and activities of the United Nations and the specialized agencies in Member States, 309/ availability of insecticides, 310/ control of narcotic drugs, 311/ agricultural problems, 312/ land reform, 313/ water resource development, 314/ food and famine, 315/ conservation and utilization of non-agricultural resources, 316/ barriers to the international transport of goods, 317/ discrimination in transport insurance, 318/ measures to be adopted in connexion with the earthquake in Ecuador, 319/ and relations with the inter-governmental organizations.

39. The Council has made recommendations to the specialized agencies envisaging different kinds of action, such as specific action, 321/ appropriate action, 322/...
action as may be necessary, continuance of action, all feasible action and further action. It has approved, noted or endorsed actions; it has drawn attention to certain principles or to particular matters, problems,

323/ Resolution 222 A (IX) recommended to the specialized agencies concerned to take such steps as might be necessary to enable them to participate fully under the expanded programme of technical assistance, to use the monies and resources for the purposes set out and to report to the Technical Assistance Committee through the Technical Assistance Board on their activities.

324/ Resolution 170 (VII) commended the programme developed by UNESCO to promote the teaching of the Purposes and Principles, the structure and activities of the United Nations and its specialized agencies in the educational institutions of their Member States, and requested UNESCO and the Secretary-General to continue in close collaboration their efforts in that direction and to report jointly regularly to the Council. Resolution 205 (VIII) again called upon the Secretary-General and UNESCO to continue their efforts in promoting teaching about the United Nations.

325/ Resolution 290 B (XI) invited ILO to take all possible further steps towards the practical implementation of the recommendations of the Sixth International Conference of Labour Statisticians.

326/ Resolution 512 C, I (XVII) on land reform, recommended that FAO and other specialized agencies concerned, in consultation with the Secretary-General, take further steps to set up working parties for making on-the-spot studies of special problems and arrange conferences for the pooling and exchange of information.

327/ Resolution 31 (IV) welcomed the initiative taken by FAO in calling an international timber conference and, recognizing the seriousness of the timber shortage which was delaying reconstruction and threatening economic recovery in devastated countries, noted with satisfaction the decision of FAO that other conferences would be called in various parts of the world in 1947, in order to consider the problem. Resolution 425 (XIV) on food and famine commended FAO for the study it had begun on an emergency food reserve and recommended that it continue to develop and perfect its arrangements for detecting famine emergencies.

328/ Resolution 496 (XVI) invited the specialized agencies, in connexion with the programme of concerted practical action in the social field of the United Nations and the specialized agencies, to apply in matters of assistance to Governments the general principles laid down in the resolution.

329/ Resolution 5, I (III) drew the specific attention of Member Governments and specialized agencies concerned to certain matters important for the reconstruction of devastated areas. Resolution 590 (XIII) invited the attention of the specialized agencies to the memorandum of the Secretary-General concerning the development of a twenty-year programme for achieving peace through the United Nations, with a view to their studying it in the light of General Assembly resolution 494 (V).

330/ Resolution 533 (XVIII) on international co-operation with respect to water resource development, recommended that appropriate United Nations organizations give particular attention to the problems mentioned in the resolution.
or situations; it has asked for assistance, co-operation, or has recommended consultation or the offer of advice, and

Resolution 534 (XVIII) recommended to FAO to continue to make available to countries in which agricultural productivity was low all possible facilities for promoting improved techniques in agriculture, better control of pests and more advanced husbandry. Resolution 290 C, II (XI) on full employment, urged the Bank, while achieving and maintaining in ordinary times a high level and steady rate of flow of international investments for economic development, to utilize in case of recession, all practicable opportunities of increasing its resources, in order to expand the volume of its lending, inter alia, by making fullest use of its borrowing capacity. It also urged the International Monetary Fund to make its resources available to its members to meet needs arising from economic recessions as fully and readily as its Articles of Agreement permitted.

By resolution 254 (IX), the Council expressed its trust that other specialized agencies which might be in a position to assist would pay due attention to the urgent problems arising from the earthquake in Ecuador.

Resolution 505 D (XVI), noted that the Universal Postal Convention of Brussels (1952) and related agreements contained provisions limiting the use of the mails for the shipment of narcotic drugs, recognized the need for close cooperation between the Universal Postal Union and the United Nations on matters pertaining to the international control of narcotic drugs, and requested the Secretary-General to send to the International Bureau of the Universal Postal Union a list of the narcotic drugs which were controlled by the international narcotics conventions for transmission to the members of the Universal Postal Union for their information and guidance.

Resolution 293 (XI) recommended to ILO actively to pursue and develop, in co-operation with the United Nations and other specialized agencies concerned, its extended programme on training for apprentices and technical workers in accordance with the proposals outlined in its report.

Resolution 324 D (XI) invited UNESCO, in timing and implementing the programme under the resolution adopted by its General Conference at its fifth session concerning the International Arid Zone Research Council, to bear in mind the necessity for consultation with all interested bodies, including the Administrative Committee on Coordination and the Technical Assistance Board, with a view to avoiding duplication of effort and to attaining the maximum results for the benefit of the peoples of those areas.

Resolution 374 B (XIII), with a view to action over a long period on production and distribution of newsprint and printing paper, requested the Bank, in so far as the efforts requested by the Council might require the assistance of international financial resources, to advise FAO, other specialized agencies and Member States, as requested, on such aspects of the problems involved as fell within its sphere.
services, \textsuperscript{327} and urged establishment of certain relations. \textsuperscript{328}

II. ANALYTICAL SUMMARY OF PRACTICE

A. The question of the relation of Article 2 (7) to Article 62 (1)

40. The relation of Article 2 (7) to the exercise by the Council of its powers under Article 62 (1) has been raised in connexion with questions concerning the subject-matter on which the Council could act and the type of action which the Council could take. A few examples have been noted in the paragraphs which follow. \textsuperscript{339}

41. At the ninth session of the Economic and Social Council in 1949, during the discussion of the agenda item relating to the availability of DDT insecticides for combating malaria in agricultural areas, the Economic Committee of the Council rejected \textsuperscript{340} an amendment \textsuperscript{341} to delete that part of a draft resolution \textsuperscript{342} which recommended that Governments facilitate the freer flow of insecticides, raw materials and equipment for their production, by appropriate measures with regard to tariffs, import and export restrictions. The amendment was moved on the ground that the part relating to tariffs and imports should be regarded as matter falling solely within the domestic jurisdiction of national authorities. It was contended, on the other hand, that the recommendation did not differ from the provision \textsuperscript{343} concerning technical assistance, included in the same draft resolution, which impinged on national sovereignty in the same way, and that only the most pious and empty resolutions would be passed by the Council if the argument were pursued to its logical conclusion. Resolution 225 (IX) on the subject was adopted unanimously by the Council, but a reservation \textsuperscript{344} on the question of domestic jurisdiction was recorded.

\textsuperscript{327} Resolution 203 (VIII) invited UNESCO, with a view to assisting and strengthening national activities in the field of teaching of the Purposes and Principles, the structure and activities of the United Nations in the schools of Member States, to consider the possibility of granting, in consultation with the Secretary-General, a limited number of fellowships to mature educators for the study of practical problems of teaching about the United Nations, including study at the Headquarters of the United Nations and of UNESCO and in educational institutions in the field.

\textsuperscript{328} Resolution 201 (VIII) urged the specialized agencies to recognize the Permanent Central Opium Board as having the faculty of sending a participant or observer to meetings in which the Board was interested. Resolution 262 E (IX) recommended that working relations be established by FAO with the International Institute of Refrigeration.

\textsuperscript{329} See also paras. 58 and 80 below.

\textsuperscript{340} E/AC.6/SR.62, pp. 16, 18 and 21.

\textsuperscript{341} E/AC.6/37.

\textsuperscript{342} E/AC.6/W.44.

\textsuperscript{343} Under this provision the Council recommended that, "in view of the considerable economic importance of developing local sources of supply in under-developed countries having an appreciable incidence of malaria and whose exchange position is difficult, technical assistance be extended by the United Nations, Specialized Agencies and Member Governments to encourage the production of basic forms of insecticides in those under-developed countries in which the necessary preconditions exist for the economical development of such production, as well as the setting up of formulating plants and improvements of methods of application".

\textsuperscript{344} ESC (IX), 295th mtg., p. 150.
42. The question of the applicability of Article 2 (7) has been raised in connexion with certain resolutions of the Council relating to passport and frontier formalities. One representative abstained from voting 3/4 on Council resolution 73 (V) by which the Secretary-General was requested to make a comparative analysis of information relating to passport and frontier formalities for submission to the Transport and Communications Commission, on the grounds that the subject-matter was within the direct competence of the Governments concerned, and that it was for them to determine such policy as they deemed necessary. In connexion with resolution 147 G (VII) on the same subject, one representative stated 3/4 that neither the Economic and Social Council nor the Transport and Communications Commission were competent to make recommendations on the subject, since these were matters exclusively within the domestic competence of Governments. Resolution 227 F (IX), by which the Secretary-General was instructed to continue to follow progress in the fields of passport and frontier formalities and to keep the Transport and Communications Commission informed, was opposed 3/4 on the same ground.

43. By resolution 346 (XII), the Council considering "the desirability that measures being taken internationally in the general field of water control and utilization should be co-ordinated, and that such co-ordination should be undertaken within the United Nations system," requested the Secretary-General to prepare certain reports. In the course of the discussion of the draft text, it was stated 3/4 that, though the subject-matter was within the competence of the United Nations, the resolution was an attempt to intervene in the domestic affairs of States in the territories of which the water supplies were to be found. The responsibility for the control and utilization of water should lie with the individual Governments and, if there was any need for co-operation between countries sharing the same service of water supply, it could well be achieved by bilateral agreements.

44. In connexion with resolution 390 E (XIII) with regard to probation, by which the Council urged all Governments to give favourable consideration to the adoption and development of probation as a major instrument of policy in the field of the prevention of crime and the treatment of offenders, and called their attention to and urged maximum utilization of the wide range of existing United Nations facilities for technical assistance, one point of view expressed was that the matter came solely within the competence of States and could not therefore form the subject of international measures. 3/4

45. Under resolutions 378 D and E (XIII) of 10 August 1951, the Council dealt with national accounting and budgetary practices and with the problems of provincial and municipal finance; under the latter resolution it also recognized the importance of the co-ordination of central, provincial and local fiscal policies. These resolutions, it was contended, 3/4 constituted interference in the domestic affairs of States. For example, the request to the Secretary-General, contained in resolution 378 D (XIII), to give consideration, in consultation with Governments, specialized agencies and non-governmental organizations, to basic principles for accounting and auditing, was stated to be an attempt to impose on countries a standardized form of accounting and auditing.

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345 E S C (V), 115th mtg., pp. 229 and 230.
346 E S C (VII), 223rd mtg., p. 794.
347 E S C (IX), 377th mtg., p. 821.
348 E S C (XII), 464th mtg., para. 61.
350 E S C (XIII), 496th mtg., para. 48.
46. In the discussion of the draft text of resolution 222 D (IX), adopted by the Council on 14 August 1949, the views were expressed that the specific studies relating to methods of financing economic development, which the Secretary-General was requested by this resolution to prepare, were studies on methods for carrying out certain action, not on its advisability. Since the studies concerned methods for attracting private capital which should be left to the decision of the various Governments themselves, the request for such studies showed a tendency to countenance interference in domestic jurisdiction. 352/

B. The question of studies and reports involving field surveys or investigations within the territories of States

47. Studies and reports initiated by the Economic and Social Council which involved field surveys or investigations within the territories of individual States have invariably been undertaken subject to the concurrence of the Governments concerned or upon their request, as indicated in the instances mentioned in the following paragraphs.

48. By resolution 2/6 of 21 June 1946, the Council established a Temporary Sub-Commission on the Economic Reconstruction of Devastated Areas and authorized it to make, with the assistance of the Secretariat, "Inquiries with the consent of the Government concerned, in countries which have been occupied or devastated by war, except Germany and Japan, with a view to making a preliminary report not later than 2 September 1946 on the problems of economic reconstruction in the countries visited, bearing in mind the special claims of countries Members of the United Nations." 353/

49. By resolution 38 (IV) the Council requested the Secretary-General to make a field survey, with the concurrence of the Governments and administrations concerned and at their request, of the reconstruction problems of Ethiopia and of other devastated territories not included in the reports of the Temporary Sub-Commission on the Economic Reconstruction of Devastated Areas.

50. Acting upon request of the countries concerned, the Council decided to send a commission of inquiry to investigate the effects of chewing the coca leaf in certain regions of South America. By resolution 123 C (VI), after taking note of resolution 134 (II) of the General Assembly concerning the request of the Government of Peru to determine the effects of chewing the coca leaf in certain regions of South America, the Council approved, in principle, the dispatch of a commission of inquiry to Peru, and requested the Secretary-General to submit a detailed plan for such a commission, taking into account any request which might be received from other countries concerned. After considering the detailed plan submitted by the Secretary-General,

351/ The studies listed were: a survey of private foreign investments in selected countries, the factors accounting for those investments, and the existing conditions governing foreign investments; methods of increasing domestic savings and of ensuring their most advantageous use for the purpose of economic development; effect of economic development on volume of savings, and a study of the possibilities of establishing an international clearing-house of information on investment.

352/ ESC (IX), 340th and 341st mtgs., pp. 858 and 874.

353/ During the discussion of the draft text of this resolution, the Council rejected an amendment which would have provided that "The Sub-Commission should carry out its work in close collaboration with the Governments of the countries concerned, and first of all, on the basis of material submitted by these Governments. A report to be prepared by the Sub-Commission with regard to any country should be agreed upon with the Government of that country." (ESC (II), 15th mtg., p. 120).
the Council, by resolution 159 IV (VII), approved the dispatch of a commission of inquiry to Peru and asked the General Assembly to appropriate the necessary funds. Subsequently, the investigations by the Commission of Enquiry were extended to Bolivia, upon request by that country.

51. By resolution 308 D (XI), after noting the high priority assigned by the Population Commission to studies of the interrelationship of economic, social and population changes, and especially to the development of a field study of this question in India in co-operation with and jointly financed by the Government of India, the Council recommended that the studies be carried forward by the Secretary-General as recommended by the Population Commission. The timing of the studies in India and the selection of the areas to be studied were left to be decided by the Secretary-General, in consultation with the Government of India.

C. The question of the power of the Council to make or initiate studies and recommendations which concern Trust Territories

52. At its fourth session, on ^, the Economic and Social Council appointed a committee, consisting of the President and two other members of the Council, to confer with representatives of the Trusteeship Council on arrangements for co-operation in dealing with matters of common concern. The report of the Joint Committee, 354/ approved 355/ by the Economic and Social Council under resolution 216 (VIII) and by the Trusteeship Council, contained the following statement:

"It is recognized that the Economic and Social Council and its commissions are empowered to make recommendations or studies of general application on matters within their special provinces. It is also recognized that such recommendations or studies may be made in respect of particular groups of territories such as those within a given geographical region or those presenting common economic or social problems. Trust Territories as such should not, however, be singled out for such special recommendations, except with the concurrence of the Trusteeship Council.

"Nevertheless, it can only be of benefit that the attention of the Trusteeship Council should be called from time to time by the Economic and Social Council to the desirability of undertaking a certain study in one or more Trust Territories. It is appreciated that the resolution concerning the collection of population statistics in the Trust Territories, to which reference has been made in paragraph 10 A above, was adopted by the Population Commission before the First Meeting of the Trusteeship Council. But the Committee is of the opinion that in future, now that the Trusteeship Council has been established, the Commissions of the Economic and Social Council should address through this Council to the Trusteeship Council requests for all inquiries and studies to be made in territories within its special jurisdiction."\n
53. The Economic and Social Council has not, since the approval of these arrangements, undertaken any studies which concern Trust Territories in particular. As regards recommendations, the Council has, in practice, addressed the Trusteeship Council in matters relating to Trust Territories. For example, by resolution 314 (XI)

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355/ See the decision of the Trusteeship Council of 25 November 1947 (T/PV.31).
with regard to the teaching of the Purposes and Principles, the structure and activities of the United Nations and specialized agencies in schools and other educational institutions of Member States, the Council invited the Trusteeship Council to consider that resolution in order to ensure its implementation in Trust Territories.

D. The question of the competence of the Council to deal with matters relating to the restitution of vessels or to navigation on the River Danube

54. During its third session in 1946, the Economic and Social Council had before it draft resolutions which would have recommended the restitution to the countries concerned of the Danube vessels and barges which had been removed by the German army and which were under the control of the United States occupation authorities in Austria and Germany. The first of these draft resolutions 356/ would have recommended "to the Government of the United States to take urgent measures in order to restitute without delay to organs of the Government of the Federal People's Republic of Yugoslavia, the Yugoslav Danubian fleet now in the ports of the American Occupation Zone in Germany and Austria." The second draft resolution 357/ would have recommended "that immediate measures be taken to restitute to their rightful Czechoslovak owners the Czechoslovak Danubian vessels now in the ports of the American Occupation Zone in Germany and Austria". Under a further draft resolution 358/ the Council would have recommended "that a conference of representatives from all interested States be arranged under the auspices of the United Nations, ... for the purpose of resolving the basic problems now obstructing the resumption of international Danube traffic and establishing provisional operating and navigation regulations."

55. In the course of the discussion, 359/ the Council rejected 360/ the following motion: 361/

"Under the Charter, the Council is not competent to make recommendations or take decisions on the question of the restitution of vessels, or of navigation on the Danube."

56. In support of the motion, it was contended 362/ that the settlement of the problem embraced in the draft resolutions was not within the jurisdiction of the Council, even though it might be thought that, since the situation affected the economy of the States concerned, the Council could make recommendations from that point of view. Moreover, the Council had no legal means for enforcing its decisions. Articles 55 and 62 of the Charter did not apply to the question of navigation on the Danube. Article 33 of the Charter dealt with cases of that kind. There was, further, great danger of creating a precedent for the consideration of political questions in the Economic and Social Council.

356/ E S C (III), No. 5, 10th mtg., pp. 64 and 65.
357/ Ibid., p. 66.
358/ Ibid., pp. 68 and 69.
359/ E S C (III), No. 5, 10th mtg., pp. 62-72; No. 6, 11th and 12th mtgs., pp. 73-76; No. 11, 21st mtg., pp. 152-155.
360/ E S C (III), No. 11, 21st mtg., p. 152.
361/ Ibid., No. 6, 12th mtg., p. 78.
362/ Ibid., No. 5, 10th mtg., p. 70; No. 6, 12th mtg., pp. 77 and 78; No. 11, 21st mtg., p. 155.

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57. Other representatives considered that, in the light of Articles 55 and 62, the matter came properly within the jurisdiction of the Economic and Social Council. The question of restitution would not fall within the competence of the Council if it were treated as a juridical problem, but the matter was being considered from a purely economic point of view. The problem under discussion involved economic questions, and since there was no doubt as to the ownership of the property to be restored, it was within the competence of the Council to make appropriate recommendations. Another view expressed was that the economic aspects of restitution also involved the question of navigation on the River Danube generally. Consequently, the Council was faced with a general problem, and from that point of view, the proposal for a conference appeared satisfactory since it aimed at restoring healthy economic conditions in the Danubian area.

58. The view was expressed that the general question of free navigation upon the Danube was not connected with the question of restitution and was a vast question which could well be found to be outside the competence of the Council. The proposal for a conference could be seen as an intervention in the internal affairs of countries directly concerned in Danube shipping; in that connexion, Article 107 was also mentioned. On the other hand, it was contended that Article 107 was by no means incompatible with the recommendation for a conference.

59. The Council rejected the first two draft resolutions mentioned in paragraph 5 above. It adopted the recommendation for a conference as resolution 7 (III).

E. The question of the power of the Council to consider particular disputes between States

60. At its sixth session in 1947, the Council discussed the question of the damage caused to the Federal People's Republic of Yugoslavia by the withholding of the latter's gold reserves by the United States of America. In the course of that discussion, questions concerning the competence of the Council to entertain and to consider particular disputes between States and to make recommendations to individual Members or groups of Members arose; the latter question is dealt with in paragraphs 73-78 below.

61. During the discussion, the representative of Yugoslavia stated that the gold in question had been entrusted to the Government of the United States during the war as a measure of protection until it could be returned safely; that the refusal of the United States Government to restore the gold was prejudicial to the Yugoslav economy since it affected adversely the achievement of higher standards of living, of economic and social progress and full employment; and that the general European economy was in turn strained.
also affected by the situation. He submitted a draft resolution which, after a reference to Article 55, would have included the consideration "that it is therefore the task and within the power of the Economic and Social Council to consider and make recommendations to the States Members of the United Nations on questions arising under" Article 62 and would have recommended "to the United States Government that without further delay it cease causing damage to Yugoslavia by its further retention of the property of the National Bank of the Federal People's Republic of Yugoslavia now in the safekeeping of the United States Government."

62. The representative of the United States stated that, in his opinion, the Council was not an appropriate forum for dealing with the question raised, as it was not the function of the Council to deal with disputes as such which might arise between nations, even if those disputes were of an economic nature, nor was it qualified to act as an arbitral tribunal, as a conciliatory agency or as a court. However, he pointed out that the United States also had claims against Yugoslavia and that the United States Government had acted towards Yugoslavia in exactly the same way as it had acted towards many other countries which possessed assets in the United States. Whenever claims and counter-claims had been made on one side or the other, negotiations had been opened to reach a simultaneous settlement of all outstanding questions.

63. At its 143rd meeting, the Council decided to request its Economic Committee "to examine the question whether the Council is competent to deal with a matter of this kind, and to submit a reasoned report to the Council, serviceable for future similar cases."

64. The Economic Committee rejected the draft resolution submitted by Yugoslavia and recommended to the Council the adoption of the following draft resolution:

"The Economic and Social Council,

"Having examined the issues presented to it in connexion with the question as to whether it should consider the matter of the Yugoslav gold reserves, and

"Considering that the Economic and Social Council is not competent to deal with particular disputes; and that, further, Article 62 of the Charter does not empower it to make recommendations to individual Members of the United Nations,

"Decides that this matter does not fall within the jurisdiction of the Council."

65. The Economic Committee's draft resolution was adopted in amended form as resolution 111 (VI), the text of which was as follows:

"The Economic and Social Council,

"Having examined the question as to whether it should consider the substance of the matter raised by the Federal People's Republic of Yugoslavia regarding its gold reserves in the United States of America;

"Considering that it could not examine the substance of this matter without thus being led into the consideration of the different aspects of the particular dispute

369/ E S C (VI), 142nd mtg., pp. 162 and 163.
370/ E/AC.6/SR.18, p. 16.
371/ E S C (VI), 169th mtg., pp. 422-424; 170th mtg., pp. 430, 432 and 444.
existing between the United States of America and the Federal People's Republic of Yugoslavia;

"Considering that it has no competence to take cognizance of such aspects because of the juridical issues involved,

"Decides that this matter does not fall within the competence of the Council; and

"Expresses its hope that the United States of America and the Federal People's Republic of Yugoslavia will settle their dispute as soon as possible."

66. During the discussion 372/ in the Council and in its Economic Committee, it was held, on the one hand, that by virtue of Article 55, which laid down the principles of international economic and social co-operation, and by virtue of Articles 66, 60 and 62 (1), the Council was fully competent to consider and to settle disputes. Articles 55 and 62 (1) which dealt with the functions and powers of the Council, the economic and social aims of the United Nations and the Principles to which Members of the United Nations had pledged their adherence, were couched in such broad terms that, had it been desired to prohibit the Council from handling international economic disputes, an express statement to that effect would have been necessary. The Council had already considered problems which did not directly affect all Members of the United Nations, such as the problems of devastated countries, of regional conferences and of international traffic on the Danube river, which directly concerned only a group of Members. While not all economic disputes involving Member States fell within the competence of the Council, certain disputes of a general nature, transcending the relations between the Member States concerned, did. A bilateral dispute, such as the present one, had an international significance and bearing.

67. It was claimed, on the other hand, that it was incompatible with the functions of the Council to consider particular disputes. Arbitration, conciliation and judicial action on disputes, particularly bilateral disputes, were not contemplated as functions of the Council either in the proceedings at San Francisco or in the provisions of the Charter. No organ under the Charter had jurisdiction over all international disputes that might arise. The Charter expressly assigned powers with regard to disputes to the General Assembly, the Security Council and the International Court of Justice, but there was no provision giving similar powers to the Economic and Social Council for which the framers of the Charter might have taken Chapter VI as a model. Nor could the powers of the Council under Article 62 be extended by reference to Article 55, for Article 60 provided that the powers of the Council were laid down in Chapter X (Articles 61-72). Provisions concerning competence should be construed restrictively. Moreover, the Council was not constituted or equipped, procedurally or otherwise, to hear disputes. Even if the Council could isolate certain economic aspects of the question, it would soon come up against legal problems. If a different view were taken and too wide an interpretation given to the relevant Articles, innumerable difficulties would arise and such disputes as, for example, those relating to trade agreements, might become so numerous that they would prejudice the exercise by the Council of its proper functions.

68. Some representatives felt that there might be exceptions to this general rule when a dispute, owing either to the number of Members involved or to the importance of the matter, raised a general problem with wide repercussions of an international character or related to an international economic policy accepted by the Members of the

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United Nations. Danube navigation, for example, had long been recognized as an international question.

69. Several representatives opposed any decision by the Council which would declare generally that it was not competent to deal with particular disputes. It was pointed out that reasons of various kinds for reaching that conclusion had been advanced in the Economic Committee; it could not be said that the Committee had taken a reasoned decision on the general question of the competence of the Council. A general interpretation of its competence should be avoided, for the Council would run the risk of limiting its activities and future sphere of action to declarations of principle without being able to apply them, and of prejudicing the exercise of its responsibilities under the Charter. It was of essential importance to maintain the flexibility of the terms of reference of the Council; the Council should maintain its prerogative of deciding upon its competence with respect to each case as it arose.

70. With regard to the particular matter before the Council, it was also contended that there was no question of a dispute, especially of a legal dispute, involved in the case. The question had been submitted as an economic matter relating to international economic policy coming under Articles 55 and 56. 373/ The Council could consider the particular matter because of its effect on the economic reconstruction of Europe generally, and because of the economic interdependence of the countries of Europe. It was also suggested that if not a specific recommendation then a general recommendation could be made.

71. Other representatives expressed the view that, apart from general considerations concerning the competence of the Council to deal with disputes of a bilateral character, and irrespective of whether the matter before the Council was economic or legal, the Council could not set itself up as a tribunal to consider the particular dispute. If the Council were to consider the substance of the matter, it would have to study all its aspects which would entail its acting in a judicial capacity for which the Council had no authority under the Charter. Nor was it equipped, procedurally or otherwise, to hear disputes. It was also mentioned that the adoption of a general resolution would still be linked with the particular dispute.

72. As mentioned in paragraph 64 above, the Economic Committee had recommended that the Council adopt the considerandum "that the Economic and Social Council is not competent to deal with particular disputes". This text was rejected 374/ by the Council. The Council did not adopt any statement concerning its general competence to deal with particular disputes, although by resolution 111 (VI), quoted in paragraph 65 above, it decided that the specific matter before it did not fall within its competence because of the juridical issues involved.

373/  It may be noted that the Council rejected a proposed addition of the following paragraph to the preambular paragraphs of the draft text of resolution 111 (VI): "Considering that the matter is not an international economic matter in the sense of Article 62 of the Charter". Opinion in the Council was divided on the question whether the matter was or was not an international economic matter, however, the Council did not consider the substance of this question. E S C (VI), 170th mtg., pp. 430 and 431.

374/  E S C (VI), 170th mtg., p. 430.
F. The question of the power of the Council to make recommendations to individual Members or groups of Members of the United Nations

73. During the consideration of the agenda item entitled "Damage caused to the Federal People's Republic of Yugoslavia by the withholding of its gold reserves by the United States of America", at its sixth session in 1948, the Council rejected 375/ the considerandum, contained in a draft resolution 376/ proposed by its Economic Committee, "that further, Article 62 of the Charter does not empower it to make recommendations to individual Members of the United Nations." In the discussion 377/ of the matter in the Economic Committee and in the Council, arguments were put forward both for and against the power of the Council to make recommendations to individual States or a group of Member States.

74. Those representatives supporting the competence of the Council stated that the terms of Article 62 did not limit the power of the Council to make recommendations, and that this conclusion was strengthened by the language of Articles 55, 56 and 60. Under Article 10, which used language similar to that of Article 62 (1), the General Assembly had made recommendations to individual Member States. Moreover, the Council had itself addressed a recommendation to a limited group of States on the matter of the "International Traffic on the River Danube". Any restrictive interpretation of Article 62 would be in contradiction to the very purpose of the Charter, which had assigned to the Council the task of improving international relations.

75. In arguments against the competence of the Council, the view was advanced that neither the proceedings at San Francisco nor the terms of the Charter had contemplated that the Council had power to make other than general recommendations to all Member States. The Charter could not be construed as empowering the Council to make recommendations to any Member Government in particular, and its authors had not thought of taking into account cases that could lead to recommendations to specifically designated countries. Article 62 (1), which alone could serve as a juridical basis for action, made a clear distinction between the power of the Council to make recommendations to the specialized agencies "concerned" and to the "Members of the United Nations". Moreover, it was argued that the expression "international ... matters" in Article 62 (1) should be understood as applying to matters of a very general nature affecting the international community as a whole. Such was the case with the question of the Danube vessels. It was contended further that, under the terms of Article 60, the powers of the Council were defined by Chapter X (Articles 61-72) so that Article 55 could not be invoked to extend those powers. Nor could Articles 10 and 11 be considered as relevant, since they dealt with the functions and powers of the General Assembly.

76. A number of representatives were of the opinion that the Council should not take a decision on the fundamental question of its power to address recommendations to particular Members of the United Nations. Such a decision was inadvisable without more careful study, as it was too narrow and rigid and would set up a dangerous precedent, which it would be difficult to modify in future. It was contended that too much importance should not be attached to the proceedings at San Francisco, and that the Council would be making a serious mistake if it subscribed to a restrictive interpretation of the Charter. It might prevent the Council in future from making recommendations to a Member State guilty of repeated violations of the provisions of the Charter or an international convention in such matters as, for example, traffic

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375/ E S C (VI), 170th mtg., p. 430; see also paras. 61-65 above.
376/ E/AC.6/SR.18, p. 16; see also para. 64 above.
in narcotic drugs or the crime of genocide. The Council should preserve the powers it possessed to help in the settlement of international problems in the economic and social fields, and it should reserve its right to deal with the question of competence in each case submitted to it.

77. Resolution 111 (VI) adopted by the Council, omitted the reference in the draft resolution proposed by the Economic Committee of the Council, as mentioned in paragraph 64 above, concerning its competence to make recommendations to individual States or groups of Member States, although the resolution recorded the decision of the Council that the specific matter before it did not fall within its competence on other grounds. 378/

78. In practice, the Council has addressed recommendations to individual Member States, to Member States or Governments "concerned" and to "interested" Member States or Governments. For example, the Council, by resolution 436 E (XIV), recommended to the Governments of Bolivia and Peru to take effective measures to prevent the introduction into trading channels of coca leaf and cocaine which could form a source of supply for the illicit manufacture or export of narcotic drugs. 379/ Further examples include recommendations addressed to Governments of developed and of underdeveloped countries, Member States producing coal and mining equipment supplies, main consumers and users of paper among Member States, Governments of industrialized countries and Governments responsible for the administering of Non-Self-Governing Territories. 380/

G. The question of the power of the Council to make recommendations to States involving matters connected with the reduction of armaments and national budgets.

79. At its twelfth session in 1951, the Council rejected 381/ two proposals which were put forward in connexion with its consideration of the item "World economic situation". The first proposal 382/ consisted of an amendment to the text of the draft resolution which was subsequently adopted as resolution 341 A (XII). The amendment would have added a considerandum concerning the effect of the increase of military expenditures on the standard of living of the broad masses of the workers. The amendment would also have replaced the paragraph of the resolution by which the Council recommended "that all Members of the United Nations, during the period of general shortage of goods, take special measures to bring about adequate production and equitable international distribution of capital goods, essential consumers' goods and raw materials specially needed for the maintenance of international peace and security, the preservation of standards of living and the furthering of economic development", with another paragraph by which it would have recommended "that all Member Governments of the United Nations should immediately proceed to diminish the scale of operation of their war industries and increase civil industrial production, lower the prices of articles of mass consumption and reduce the tax burden of the population, and increase appropriations for housing, public health, education and other social needs so as to promote the maintenance of international peace and security and higher standards of

378/ See para. 65 above. See also paras. 104 and 105 below for observations concerning the last paragraph of resolution 111 (VI) which reads as follows: "Expresses its hope that the United States of America and the Federal People's Republic of Yugoslavia will settle their dispute as soon as possible".

379/ It may be noted that the problem of the coca leaf in Bolivia and Peru had been considered by the Council at the request of the two Governments.

380/ See paras. 27 and 28 above.
381/ E S C (XII), 478th mtg., paras. 11 and 12.
382/ Ibid., Annexes, a.i. 3, p. 3, E/L.172.
living and economic development in the under-developed countries." The other proposal 383/ consisted of a draft resolution in which the Council, considering that "a war economy and expenditure on armaments" lower the workers' standard of living and "conflict with the achievement of the purposes enunciated in the United Nations Charter", would have instructed the Secretariat to prepare certain reports and would have recommended to Governments the reduction of their armament budgets and the manner of using the savings, and would have had the Council itself establish a committee, with participation of non-governmental organizations in Category A, to supervise the allocation of finances "obtained through the reduction of war budgets".

80. During the discussion 384/ of these proposals, several representatives expressed the view that the matters relating to national budgetary allocation were, under Article 2 (7), within the domestic jurisdiction of States and therefore outside the competence of the Council and of the United Nations. A number of representatives considered that the Council was not the appropriate body to make the proposed recommendations, that the General Assembly and the Security Council, rather than the Economic and Social Council, were competent to take a decision on questions relating to armaments, and that any action by the Economic and Social Council would therefore be of no practical value, especially as the general question of disarmament was under consideration in the other organs.

81. Those representatives supporting the proposed recommendations pointed out that they provided appropriate action in furtherance of the objectives of Articles 55 and 56 and did not conflict with the provisions defining the functions and powers of the Economic and Social Council. There was no question of usurping the functions of other organs of the United Nations; the fact that those organs were dealing with the matter did not mean that it was outside the competence of the Council. In discussing the world economic situation, the Council had already considered the problems raised in the proposals, and, if the Council were seriously concerned about economic and social development in the world, it ought to make precise and concrete recommendations to Governments. Moreover, any recommendations of the Council relating to national economies, would obviously affect budgetary expenditure, since the national budget was one of the most important elements in the economy of a State.

H. The question of recommendations by the Council relating to policies of individual Members of the United Nations

82. At its fourteenth session in 1952, the Council had before it a draft resolution 385/ on measures to increase employment and combat unemployment, which contained a considerandum to the effect that the "policy of militarizing the economy, as pursued in the United States of America, the United Kingdom and a number of other countries, not only does not promote a solution of the problem of full employment in accordance with the provisions of the United Nations Charter," but on the contrary resulted in a reduction of the production of civilian articles, in unemployment and in adverse effects on the economic development of under-developed countries. In a vote in parts these passages of the draft resolution and the draft resolution as a whole were rejected 386/ by the Council.

383/ E S C (XII), Annexes, a.i. 3, p. 3, E/L.156.
385/ E S C (XIV), Annexes, a.i. 4, pp. 3 and 4, E/L.388/Rev.1.
386/ E S C (XIV), 635th mtg., para. 44.

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83. During the discussion of the draft text representatives supporting the draft resolution contended that the considerandum was entirely factual, and stated the true cause of the current unemployment problem. In opposing the proposal, several representatives expressed the view that, contrary to the statements made by its supporters, the draft resolution was dominated by political considerations, contained an inexact presentation of the facts, and even though there could be no objection in principle to some of the substance of the operative part, was a propaganda device. The Council was not concerned with politics, and had never adopted a proposal to call a specific Government to task.

1. The question of the power of the Council to make recommendations to specialized agencies

84. Article 62 (1) empowers the Council to make recommendations to the "specialized agencies concerned" with respect to any matters mentioned in that paragraph. This power has been the subject of amplification in the agreements concluded between the United Nations and the agencies under Article 63 (1). Details of the agreements and questions arising out of them are dealt with in this Repertory under Article 63 (1). However, three questions which also concern these agreements, and which directly affect the exercise by the Council of its powers under Article 62 (1), may be mentioned. The first two of these relate to Council recommendations to a specialized agency concerning its membership, and the third concerns the effect of the agreements on the power of the Council to make a recommendation to a specialized agency.

1. Membership in the Universal Postal Union (UPU)

85. At the seventh session in 1948, the President of the Economic and Social Council ruled out of order a draft resolution submitted during the discussion of the report of UPU which contained a recommendation to UPU "that it review the question of membership of the Union with the object of eliminating discrimination in relation to the membership of the Estonian, Latvian and Lithuanian Soviet Socialist Republics". He stated that such a draft resolution could not be considered by the Council, and that the UPU Convention provided that questions of membership be decided by the Union itself; this was recognized further in the agreement by which UPU had been brought into relationship with the United Nations, which contained no clause referring to membership in the Union.

86. The sponsor of the draft resolution protested against the President's ruling as contrary to the provisions of the Charter. He pointed out that any question coming within the competence of any specialized agency could, of course, be settled by that agency without reference to the Council, but that the Council was entitled under the Charter to make recommendations to specialized agencies, especially with regard to reports submitted by them. Attention was also drawn to the fact that the General Assembly had already adopted a resolution excluding Franco Spain from the United Nations and from the specialized agencies.

87. The President subsequently withdrew his ruling. He observed that Article 62 provided that the Council might make recommendations to the specialized agencies.
concerned and stated that he did not wish to interpret the functions of the Council in a restrictive manner.

88. Subsequently the Council rejected 392/ the draft resolution.


89. The question arose again during the discussion at the eighth session of the Council in 1949 in connexion with an application for membership in UNESCO, which was transmitted to the Economic and Social Council pursuant to the agreement between the United Nations and UNESCO 393/. A draft resolution 394/ which would have recommended that UNESCO "approve the application for membership submitted by Ceylon" was subsequently withdrawn. During the discussion, 395/ objection to this recommendation was raised on the ground that action by the Council was limited by the terms of the agreement between the United Nations and UNESCO to making recommendations concerning the rejection of such applications. The Council, therefore, could not indicate positively approval of an applicant for membership, and, in accordance with its previous procedures, should merely state whether or not it had any objection to the admission of Ceylon. Those supporting the draft resolution held the opinion that the objection was based on an incorrect interpretation of the relationship between the United Nations and the specialized agencies. While it was true that the ultimate decision on the admission of a new member rested with the individual specialized agency concerned, there was no basis for debarring approval of a particular application by the Economic and Social Council. It was part of the work of the Council to express views and to give guidance to the specialized agencies regarding prospective members, and the Council was not excluded from expressing approval or from taking a broad view of the situation. The sponsors of the draft resolution, however, withdrew it in an effort to expedite the work of the Council and to achieve unanimity in its decision, and, by resolution 213 (VIII), the Council decided to inform UNESCO that it had no objection to the admission of Ceylon to that organization.

392/ Ibid., p. 777. A similar draft resolution in connexion with the report of the International Telecommunication Union was rejected, but no discussion of competence took place in that connexion (ibid., p. 775).

393/ There are provisions in the agreements between the United Nations and UNESCO and ICAO for transmission to the Council and the General Assembly respectively, of applications for membership by certain States, non-member States of the United Nations in the case of UNESCO and States other than those provided for in articles 91 and 92 (a) of the Convention on International Civil Aviation, and the Council and the General Assembly, as may be the case, may recommend the rejection of such applications, the recommendation being binding on the organization concerned. See article II of both agreements. (United Nations Publications, Sales No.: 1951.X.1, pp. 29 and 45).

394/ E S C (VIII), 232nd mtg., pp. 61 and 62.

395/ Ibid., 232nd mtg., pp. 61-63 and 234th mtg. pp. 77-79.
3. Recommendation to the International Bank for Reconstruction and Development

91. At the seventh session of the Council in 1948, the question was raised whether the Council could address a recommendation to the Bank without due regard to the provisions of article IV of the agreement between the United Nations and the Bank. The respective agreements with the Bank and the International Monetary Fund provide in article IV that "Neither organization, the United Nations or the Bank or the Fund, nor any of their subsidiary bodies, will present any formal recommendations to the other without reasonable prior consultation with regard thereto." In the case of the Bank, there is a further provision by which "The United Nations recognizes that the action to be taken by the Bank on any loan is a matter to be determined by the independent exercise of the Bank's own judgment in accordance with the Bank's Articles of Agreement. The United Nations recognizes, therefore, that it would be sound policy to refrain from making recommendations to the Bank with respect to particular loans or with respect to terms and conditions for financing by the Bank. The Bank recognizes that the United Nations and its organs may appropriately make recommendations with respect to the technical aspects of reconstruction or development plans, programmes or projects."

92. In connection with the report of the Bank, certain proposals were submitted to the Economic Committee of the Council. One of the draft resolutions submitted would have referred to the purpose of the Bank, as expressed in its Articles of Agreement, and would have called the attention of the Bank to the fact that reconstruction and economic world progress were retarded by inadequate production facilities. The draft resolution would have stated that the measures taken to remedy the situation should be such as to guarantee the best effects for the world economy, and in particular "investment goods and credits should be allocated according to the criterion of their greatest economic productivity". It would have requested the Bank to consider, within the terms of its Articles of Agreement, ways and means appropriate for the increase of production facilities of the commodities crucial to international economic reconstruction and development.

396/ See E/AC.6/SR.34-37, and E S C (VII), 224th mtg., pp. 796-800.
397/ United Nations Publications, Sales No.: 1951.X.1, pp. 71 and 79. See the same publication concerning agreements with other specialized agencies, which do not contain any provisions limiting the power of the Council to make recommendations under Article 62 (1), but are concerned with the steps to be taken after the recommendation.
398/ Ibid., article IV, para. 2.
399/ Ibid., article IV, para. 3.
400/ Although there is no corresponding clause in the agreement with the Fund, it appears to have been "understood during the negotiations that the philosophy underlying the clause applied equally to the Fund". E S C (IX), Suppl. No. 17 (E/1317), chap. I, p. 20.
401/ E/AC.6/W.28. The sponsor of the draft resolution expressed the view that the proposal constituted neither a formal recommendation nor a recommendation concerning particular loans, but simply expressed an opinion on the proposed economic policies in regard to certain situations and requested the Bank to consider ways and means of dealing with them (E/AC.6/SR.37, p. 4).
93. Another draft resolution 402/ was submitted which would have taken note of the report and would have transmitted the records of the discussions in the Council to the Bank. To this proposal, amendments 403/ were submitted by which the Council would have welcomed the statement of the Bank that it was contemplating paying more attention to development projects and would have expressed its hope 404/ that the Bank would take measures to overcome the obstacles to international investments so that development loans might be granted as soon as possible, particularly to under-developed countries. The amendment would also have proposed that, after consultation with the Bank, the Secretary-General should recommend to the Bank that it review its principle of using its funds for the greatest possible increase of productivity in the shortest possible time.

94. The Economic Committee rejected the first draft resolution mentioned above and adopted the second draft resolution with some of the amendments proposed. The text of the draft resolution recommended by the Economic Committee, and subsequently adopted by the Council as resolution 167 E (VII), was as follows:

"The Economic and Social Council,

"Taking note of the report submitted by the International Bank for Reconstruction and Development,

"Appreciating the statements made by high officials of the Bank on recent occasions to the effect that, other sources of financing now being available for a substantial part of reconstruction needs, the Bank is contemplating paying more attention to the problems of development hereafter,

"Expresses its hope that the Bank will take immediate steps to expedite the examination of these problems and to adopt all reasonable measures to facilitate the early realization of development loans, particularly those in areas economically under-developed; and

"Requests the Secretary-General to transmit to the Bank the records of the discussions which took place at the seventh session of the Council on the report."

95. During the discussion, 405/ certain representatives raised the question whether the Council could make recommendations to the Bank without prior consultation, as provided in the agreement between the United Nations and the Bank. Some referred to the fact that the meaning of the term "prior consultation" in the agreement was not clear, and one point of view was that, in general, the presence of a representative of the Bank at the Council might be interpreted as constituting prior consultation, and that in special cases other measures might be required. Other representatives pointed out that the discussion of the report of the Bank would become useless if recommendations concerning it were to be subject to the Bank's approval. The United Nations had undertaken to refrain from making recommendations only with regard to specific loans, not on matters of general policy. The Bank, as a specialized agency of the United Nations, bore responsibility for certain functions within the scope of the Charter which, in turn, laid down on the Council the duties of co-ordination and appraisal of its activities.

404/ The sponsor of the amendment mentioned that this part of his text expressed a hope rather than a recommendation (E/AC.6/SR.37, p. 20).
405/ E/AC.6/34-37; ESC (VII), 224th mtg., pp. 796-800.
Paragraphs 96-98

96. A number of representatives stated that they had been opposed to the relevant provision of the agreement concerned, and criticized it, while others were of the opinion that, whatever their attitude might be, the agreement existed and should be adhered to. It was stated that the words "expressed its hope" might, in this particular context, be interpreted as a recommendation. A number of representatives, while not expressing views on any particular provision of the draft resolution, expressed their doubts concerning the desirability of adopting the resolution as a whole in the light of the provisions of the agreement between the United Nations and the Bank. Some representatives thought that no precedent should be established which might, in future, lead to a restrictive interpretation of the powers of the Council.

J. The question of the power of the Council to make recommendations to others than the General Assembly, Members of the United Nations and the specialized agencies

97. Article 62 (1) provides that the Economic and Social Council may make recommendations with respect to international economic, social, cultural, educational, health, and related matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned. In practice, the Council has also made recommendations to non-member States, to subsidiary organs or other bodies established by the General Assembly, the Trusteeship Council, to international conferences convened by the United Nations, to inter-governmental organizations and officers thereof or special inter-governmental bodies, international organizations and institutions, non-governmental organizations, voluntary agencies, national committees, peoples and individuals. An account of such recommendations is contained in paragraph 25 above.

K. The question of delegation by the Council to its regional economic commissions of power to make recommendations to Governments and to specialized agencies

98. The terms of reference of the three regional economic commissions of the Council, namely, the Economic Commission for Europe, the Economic Commission for Asia and the Far East, and the Economic Commission for Latin America, include provisions empowering these Commissions to make recommendations to certain Governments and specialized agencies concerned. 406/ The Economic Commission for Europe "is empowered to make recommendations on any matter within its competence directly to its member Governments, Governments admitted in a consultative capacity ... and the specialized agencies concerned." The Economic Commission for Latin America and the Economic Commission for Asia and the Far East are empowered to make recommendations on any matters within their competence "directly to the Governments of members or associate members concerned, Governments admitted in a consultative capacity and the specialized agencies concerned". It is further provided, in the case of each of the Commissions, that it "shall submit for the Council's prior consideration any of its proposals for activities that would have important effects on the economy of the world as a whole". 407/ The regional economic commissions have exercised this power from time to time. 408/

406/ These powers were originally granted under Council resolutions 36 (IV), 69 (V) and 106 (VI) respectively and were later confirmed by resolution 414 C, I (XIII), para. 40.
407/ E S C (XIII), Suppl. No. 1, appendix II, pp. 97-103.
408/ See in this Repertory under Article 68.
L. The question of the terminology used by the Council in making recommendations

99. The Council has not, as pointed out in paragraph 23 above, invariably used the term "recommends" in making recommendations, and, while the use of terminology has not been often discussed, the three instances mentioned below may be noted. The first of these involved the question of the use of appropriate terminology, and the others concerned the question whether the use of a particular term amounted to a recommendation or not.

1. Use of the terms "invites", "urges" and "recommends"

100. At the fourteenth session during its discussion of the problem of the coca leaf, the Council had before it a draft resolution \(409/\) which included the following paragraph:

"The Economic and Social Council,

".....

"Urges the Governments of Bolivia and Peru to take effective measures to prevent the introduction into trading channels of coca leaves and cocaine which could form a source of supply for the illicit manufacture or export of narcotic drugs."

101. In the course of the discussion, \(410/\) it was recalled that in discussing a previous resolution the Council had considered that Governments should be "invited" to take a certain step, and it was thought that the same courtesy should be extended to the Governments of Bolivia and Peru. It was pointed out, however, that on the occasion referred to, the Council had addressed States which were not Members of the United Nations and could therefore only appeal to them to co-operate. The Charter, on the other hand, explicitly empowered the Economic and Social Council to make recommendations to Member States. Therefore, the correct word in the case in point was "recommends" and not "invites". This opinion was endorsed and the Council adopted the word "recommends".

2. Use of the term "expresses its hope"

102. Resolution 167 E (VII) included the following paragraph:

"The Economic and Social Council,

".....

"Expresses its hope that the Bank will take immediate steps to expedite the examination of these problems and to adopt all reasonable measures to facilitate the early realization of development loans, particularly those in areas economically under-developed."

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\(409/\) E S C (XIV), Annexes, a.i. 19, pp. 5 and 6, E/L.342.

\(410/\) Ibid., 583rd mtg., paras. 75-77.
103. It was stated during the discussion of the draft text \( \text{411} \) that the term "expresses its hope" and the paragraph in which it was contained, while not a recommendation, might be interpreted as such. Certain representatives, moreover, expressed the view that the draft resolution as a whole was not entirely in accordance with the spirit of the agreement between the United Nations and the Bank, since there was as yet no arrangement for prior consultation concerning recommendations as provided for in that agreement. \( \text{412} \)

104. The last paragraph of Council resolution 111 (VI) relating to the question of damage caused to the Federal People's Republic of Yugoslavia by the withholding of its gold reserve by the United States of America read as follows:

"The Economic and Social Council,

"......

"Expresses its hope that the United States of America and the Federal People's Republic of Yugoslavia will settle their dispute as soon as possible".

105. During the discussion \( \text{413} \) of the draft text in the Council, certain representatives questioned the propriety of including this paragraph in the draft resolution, on the grounds that, to some extent, the phrase "expresses its hope" and the paragraph as a whole constituted a kind of recommendation on a matter which, the Council had decided, did not fall within its competence. Certain other representatives, however, were of the opinion that the paragraph did not in any way contradict that decision, and that it was an implied appeal for conciliation rather than a recommendation.

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\( \text{411} \) E S C (VII), 224th mtg., pp. 797-800.
\( \text{412} \) See paras. 91-96 above.
\( \text{413} \) E S C (VI), 168th mtg., p. 410; 169th mtg., pp. 416 and 418; 170th mtg., pp. 424, 433 and 434.