

# ARTICLE 63

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## TEXT OF ARTICLE 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

## INTRODUCTORY NOTE

1. Article 63 consists of two paragraphs, the first of which is concerned with the negotiation of, and the entering into, agreements with the specialized agencies by the Economic and Social Council and their approval by the General Assembly, and the second, with the co-ordination of the activities of the specialized agencies by the Council.

2. For the purposes of this study, the two paragraphs are dealt with as constituting one entity, and the Analytical Summary of Practice is divided into the following sections: (a) the negotiation of and the entering into, agreements with the specialized agencies; (b) the terms of these agreements; and (c) co-ordination of the activities of the specialized agencies.

3. Closely related to the subject-matter in the first of these sections is the question of the approval of the agreements by the General Assembly, and their subsequent entry into force. This question will be examined with regard to each specialized agency, in the chronological order in which the agreements have been negotiated.

4. The terms of the agreements, on the other hand, will be dealt with under headings arranged by subject-matter, in the order in which these terms have been defined by the Economic and Social Council and incorporated into the articles of the various agreements.

5. As regards co-ordination of the activities of the specialized agencies, Article 63 (2) provides for such co-ordination by the Economic and Social Council "through consultation with and recommendations to such agencies and through recommendation to the General Assembly and to the Members of the United Nations". The section dealing with that subject is accordingly divided as follows: (1) recommendations to the specialized agencies; (2) consultations with the specialized agencies; (3) recommendations to the General Assembly; and (4) recommendations to Members.

6. Preceding the Analytical Summary of Practice is a brief General Survey of the conclusion of the agreements with the specialized agencies, their terms and the review of implementation thereof. The Survey attempts to provide an over-all picture, rather than a chronological record of the developments which have taken place in connexion with these agreements. It does not include an account of the co-ordination efforts of the

Council. It has been found preferable to include that account in the study on Article 58, in which the co-ordination efforts of the General Assembly as well as those of the Council are covered.

7. In order to avoid duplication of material presented under other Articles in this Repertory, the study of Article 63 is largely confined to those elements, described above, which lie essentially within its purview. Among questions not dealt with hereunder, except where mention thereof would cast light on the problems arising under Article 63, are the following: financial and budgetary arrangements with the specialized agencies and the examination of their administrative budgets, dealt with in this Repertory under Article 17 (3); the establishment of relations between the United Nations and the specialized agencies, dealt with under Article 57; the responsibilities of the Organization as a whole for making recommendations for the co-ordination of the policies and activities of the specialized agencies, including the machinery which has been established for this purpose, dealt with under Article 58; the initiation of negotiations for the creation of new specialized agencies, dealt with under Article 59; the obtaining of reports from the specialized agencies by the Council, dealt with under Article 64; and the arrangements for representation by the specialized agencies in the deliberations of the Council, dealt with under Article 70. This study, further, does not enter into the question of recommendations to specialized agencies in connexion with studies and reports made or initiated by the Council, which is dealt with in this Repertory under Article 62 (1).

## I. GENERAL SURVEY

### A. Conclusion of the agreements with the specialized agencies

8. Agreements have been entered into by the Economic and Social Council, in accordance with the provisions of Article 63 (1), with eleven specialized agencies, namely, the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the International Bank for Reconstruction and Development (the Bank), the International Monetary Fund (the Fund), the International Civil Aviation Organization (ICAO), the International Refugee Organization (IRO), the Universal Postal Union (UPU), the International Telecommunication Union (ITU), the World Meteorological Organization (WMO), and one organization the basic instrument of which has not yet come into force, namely, the Inter-governmental Maritime Consultative Organization (IMCO). These agreements have been submitted to the General Assembly and have been approved by the latter, after discussion and the introduction, in some cases, of certain changes or additions.

9. Details regarding the negotiation of, and the entering into, these agreements will be found below in section A of the Analytical Summary of Practice, wherein the various questions are discussed with regard to each organization and in chronological order.

### B. Terms of the agreements with the specialized agencies

10. In connexion with each of the above-mentioned agreements, the Council, in accordance with the provisions of Article 63 (1), has defined the terms on which the agency concerned was to be brought into relationship with the United Nations. These terms have been based on a list of matters to be dealt with which the Preparatory

Commission, in its report 1/ to the General Assembly, deemed appropriate for inclusion in the agreements. The Commission further recommended that all or most of the matters in this list should be included in the agreements with those specialized agencies charged with an extensive range of functions with regard to economic, social or related matters, but not necessarily in the agreements with the specialized agencies whose range of functions was more limited. Certain of these matters were derived from provisions of the Charter; 2/ others, 3/ which did not emanate directly from the Charter, were considered important by the Preparatory Commission in the general plan of relationships with the specialized agencies.

11. The questions which have arisen in connexion with the terms of the various agreements are dealt with in section B of the Analytical Summary of Practice.

C. Review of implementation of the agreements with the specialized agencies

12. On the occasion of the approval of several agreements, the General Assembly, at the second part of its first session, adopted a resolution 4/ by which it requested the Economic and Social Council to report to it, within the space of three years, on the progress made in co-ordinating the work of the specialized agencies. At its second session, the General Assembly requested the Council to report on "the action taken in pursuance of these agreements ... so that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate proposals for improving collaboration". 5/ The Council, at its sixth session, in turn requested the Secretary-General to prepare a report on "The action taken in pursuance of the agreements with the specialized agencies to develop effective co-ordination of the economic and social programmes of the United Nations and its subsidiary organs and the specialized agencies". 6/ Acting in compliance with these requests, the Secretary-General prepared a brief report in July 1948 and a detailed report in March 1949. 7/ This latter report, based upon experience in the working of the agreements up to the time of its preparation, was considered by the Council at its ninth session. The Council then adopted a resolution 8/ by which it transmitted the report to the General Assembly with an accompanying request that the Secretary-General submit "a summary report to the fourth session of the General Assembly, giving an illustrative account

1/ Report of the Preparatory Commission of the United Nations, PC/20, 23 Dec. 1945, chap. III, section 5, paras. 7-11.

2/ These matters were the following: reciprocal representation (Article 70), exchange of information and documents (Article 64), co-ordination commission of the Council (Articles 63 and 68), recommendations to the specialized agencies (Articles 58, 62 and 63), reports (Article 64), decisions of the Security Council (Article 48), assistance to the Trusteeship Council (Article 91), requests for advisory opinions (Article 96), requests for information by the International Court of Justice (Article 34 of the Statute of the Court) and budgetary and financial relationships (Article 17). Details concerning these matters will be found in this Repertory under the respective Articles.

3/ These subjects were the following: liaison, proposal of agenda items, rules of procedure, common fiscal services, personnel arrangements, privileges and immunities, administrative tribunal, technical services, central statistical service, and location of headquarters.

4/ G A resolution 50 (I).

5/ G A resolution 124 (II).

6/ E S C resolution 128 B (VI).

7/ E/842 and E S C (IX), Suppl. No. 17 (E/1317).

8/ E S C resolution 259 C (IX).

of the more important concrete results achieved through co-operation with the specialized agencies on questions of substance". By the same resolution, the Council also observed that "progress is being achieved in collaboration among the United Nations and the specialized agencies within the existing framework of agreements with the specialized agencies and of the Charter of the United Nations", and recommended that no measures for revision of the agreements be taken at that time. Both the report on action taken in pursuance of the agreements prepared by the Secretary-General in March 1949 and the report 9/ on concrete results requested by the Council under its above-mentioned resolution were reviewed by the General Assembly at its fourth session. At that session the Assembly also adopted a resolution 10/ by which it decided to take no measures at that session for the revision of the agreements with the specialized agencies and requested the Council to submit a further report on this subject to the General Assembly at its next session.

13. The Council, at its tenth session, requested 11/ the Secretary-General to submit any suggestions which he or the Administrative Committee on Co-ordination (ACC) might wish to make on the matter, and, at its eleventh session, the Council decided 12/ that it was unnecessary, at that stage, to recommend to the General Assembly any measures for the revision of the agreements between the United Nations and the specialized agencies, unless the matter were raised by the General Assembly, the Council itself, the Secretary-General or one of the specialized agencies. At the fifth session of the General Assembly, note was taken of the recommendation of the Council concerning this matter by the Joint Second and Third Committee and the Fifth Committee, meeting jointly.

## II. ANALYTICAL SUMMARY OF PRACTICE

### A. The negotiation of, and the entering into, agreements with the specialized agencies

14. In its report 13/ to the General Assembly, the Preparatory Commission recommended that the Economic and Social Council should make arrangements for the negotiation of agreements bringing the specialized agencies into relationship with the United Nations, and submitted a number of observations for the guidance of the Council in these negotiations.

15. The General Assembly, at the first part of its first session, adopted the report of the Third Committee, which had endorsed the above-mentioned recommendation and observations without change, after referral to a joint sub-committee of the Second and Third Committees. However, the report 14/ of the joint sub-committee noted that there was some divergence of opinion as to the desirability of centralization of the headquarters of the United Nations and of the specialized agencies. While it was generally accepted that as many of the specialized agencies as possible should be located at the central headquarters, some representatives were of the opinion that it might be necessary to have certain agencies located in places particularly suited to their effective functioning. 15/

9/ G A (IV), Joint 2nd and 3rd Com., Annex, p. 4, A/1029.

10/ G A resolution 309 (IV).

11/ E S C resolution 284 (X).

12/ E S C resolution 324 (XI), annex.

13/ Report of the Preparatory Commission of the United Nations, PC/20, 23 Dec. 1945, chap. III, section 5, paras. 6-11.

14/ G A (I/1), Plen., pp. 297-299, A/16; *ibid.*, pp. 573 and 574, annex 3 (A/17).

15/ For further discussion of this matter, see paras. 174-182 below.

16. The subject of the negotiation of, and the entering into, agreements with the specialized agencies was also discussed by the Economic and Social Council at its first session. In the course of debate in plenary session, two main trends of opinion emerged. On the one hand, some representatives envisaged thoroughgoing centralization of the specialized agencies, closely integrated mechanism operating under the direct policy guidance of the Council. Some representatives, on the other hand, urged caution in the matter of centralization, both with regard to the location of headquarters and to activities, as it was clearly out of the question for the Council to undertake the detailed management of a vast variety of activities, most of them of a highly specialized character, entrusted to qualified technicians. The President, in concluding the discussion, 16/ pointed out that only the question of location of headquarters was relevant to the negotiations with the agencies. He further declared himself opposed to the doctrine of identical membership between the United Nations and the agencies, as he felt that the Charter recognized the fact of differing memberships.

17. The Committee on Relationships with Specialized Agencies, a committee of the whole, then considered 17/ in greater detail the focal points of the negotiations and agreed that the matters deriving directly from provisions of the Charter recommended for inclusion in the agreements by the Preparatory Commission 18/ must necessarily figure in every agreement, and that two matters not explicitly stipulated in the Charter were in fact essential to the agreements, namely, reciprocal arrangements for the submission of agenda items by the Council and the specialized agencies, and close co-ordination of statistical work.

18. Two points considered mandatory by the Preparatory Commission were dealt with by the Committee on Relationships with Specialized Agencies in the form of an instruction to a negotiating committee to be established by the Council. The Committee was instructed (1) to discuss with each agency alternative methods of giving effect to Article 17 (3) concerning financial and budgetary arrangements, and to include an appropriate provision thereon in the draft arrangements, and (2) to include in each agreement provision for supplying information on the request of the International Court of Justice.

19. Of the remaining matters recommended for inclusion in the agreements by the Preparatory Commission, but not emanating directly from the Charter, the following were accepted by the Committee on Relationships: appointment of liaison officers for specialized agencies not located at the headquarters of the United Nations; common personnel standards; common fiscal services; and common technical services with those agencies which were located at the headquarters of the United Nations. The question of a common code of rules of procedure was omitted without discussion. Finally, it was agreed that the question of location of headquarters would be a matter for discussion with each agency and that the negotiating committee to be established "should present the advantages of centralization while recognizing that there might be certain exceptions".

20. As a result of these discussions the Council adopted resolution 1/11, by which it established a Committee on Negotiations with Intergovernmental Agencies, 19/ hereafter referred to as the Negotiating Committee, consisting of eleven members and the President of the Council as Chairman, and directed it to enter into negotiations, as early as possible, with certain specialized agencies.

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16/ E S C (I), 4th mtg., pp. 51-53.

17/ E/SA/2; E/SA/3.

18/ See para. 10 above.

19/ This body was also known as the Committee on Negotiations with Specialized Agencies.

21. The method by which the Economic and Social Council has initiated negotiations with the specialized agencies to bring them into relationship with the United Nations and the agreements subsequently negotiated have, in the case of most of the specialized agencies, followed a common course. This study will thus first deal with these common factors; under separate headings certain special aspects of the negotiations and of the agreements thus negotiated will be dealt with separately for each of the specialized agencies concerned.

22. At its first session, the Council, having established the Negotiating Committee, directed it 20/ to enter into negotiations, as early as possible, with FAO, ILO, the Fund, the Bank and UNESCO, for the purpose of drafting preliminary agreements with these agencies with a view to bringing them into relationship with the United Nations in accordance with Articles 57 and 63. No order of priority was established.

23. The Negotiating Committee accordingly met separately with representatives of each of the above-mentioned specialized agencies and negotiated draft agreements with FAO, ILO and UNESCO to bring these agencies into relationship with the United Nations. The resulting draft agreements were submitted to the Council at its second session. Negotiations with the Fund and the Bank were, however, postponed (see para. 77 below).

24. At its second session, the Council, having considered the draft agreements negotiated with FAO, ILO and UNESCO, recommended 21/ that the General Assembly approve these agreements.

25. At the same session, the Council also adopted 22/ a resolution by which it directed the Negotiating Committee to enter into negotiations with the Provisional International Civil Aviation Organization (PICAO) for the purpose of bringing it into relationship with the United Nations; by the same resolution, the Council directed the Secretary-General to take certain steps in connexion with bringing ITU and UPU into relationship with the United Nations. At its fourth session, the Council authorized 23/ the Negotiating Committee to enter into negotiations with the latter organizations.

26. In the course of negotiations between the Negotiating Committee and ILO, FAO, PICAO and UNESCO, which are dealt with in greater detail below, there was considerable discussion on the article of the respective draft agreements setting forth the procedure by which these specialized agencies might obtain advisory opinions of the International Court of Justice. Under Article IX of the draft agreement with ILO (see para. 35 below), which was the first of the agreements to be negotiated, ILO was authorized to "request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning mutual relationships of the Organization and the United Nations or other specialized agencies". ILO was authorized to address such requests directly to the Court.

27. In the subsequent negotiations with FAO (see para. 47 below) and PICAO (see para. 54 below), the representatives of these agencies took exception to a clause in the respective draft agreements under which their requests for advisory opinions would have to be addressed to the Court through the Council. The matter was discussed by the Council at its third session and the Council adopted 24/ a resolution by which it instructed the Secretary-General to insert in the draft agreements with FAO and ICAO an

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20/ E S C resolution 1/11.

21/ E S C resolution 2/4.

22/ E S C resolution 2/7.

23/ E S C resolution 35 (IV).

24/ E S C resolution 14 (III).

additional article granting to the agency concerned "the same procedure for obtaining advisory opinions from the International Court of Justice as is specified in article IX of the draft agreement with the ILO". The Council further recommended that the General Assembly authorize the Secretary-General to replace the relevant article of the draft agreement with UNESCO by an article extending to that agency the same procedure in respect of access to the Court as specified in the agreement with ILO. By the same resolution, the Council instructed the Secretary-General to initiate negotiations with WHO, the Fund and the Bank.

28. The draft agreement with ILO and those with FAO, ICAO and UNESCO, which included revised provisions with regard to access to the Court, were submitted to the General Assembly at the second part of its first session. In the course of discussion in the Sixth Committee, 25/ the clause relating to access to the Court in all four of the above-mentioned agreements was challenged. The challenge was defeated after agreement was reached in the Committee and communicated by letter 26/ from the Chairman to the Chairman of the Joint Second and Third Committee that the Assembly might at any time revoke the general authority granting the agencies in question direct access to the Court. The draft agreements with ILO, FAO, ICAO and UNESCO, as amended, were approved 27/ by the General Assembly; in the case of the draft agreement with ICAO that approval was conditional (see para. 56 below). The relevant resolution was adopted on 14 December 1946 and the agreements with ILO, FAO and UNESCO came into force on that date.

29. At its fifth session, the Council, having considered the draft agreements with UPU, 28/ ITU, 29/ WHO, 30/ and the Bank and the Fund, 31/ recommended that the General Assembly approve these draft agreements.

30. The General Assembly, at its second session, approved 32/ the draft agreements with WHO, UPU, ITU, the Bank and the Fund. It also approved insertion in the agreements with WHO and ITU of an article regarding the use of the United Nations laissez-passer. The resolution approving the draft agreements was adopted on 15 November 1947 and the agreements with the Bank and the Fund came into force on that date. The entry into force of the agreements with UPU, ITU and WHO was subject to the approval of the respective governing bodies; details are set forth under the appropriate headings below.

31. Specific aspects of the negotiations of draft agreements with the specialized agencies are set out in the paragraphs that follow. The Negotiating Committee reconvened on 21 May 1946. It had before it a number of tentative drafts of agreements prepared by the United Nations Secretariat in consultation with the secretariats of the agencies concerned.

### 1. The International Labour Organisation

32. The Negotiating Committee addressed itself first to the draft agreement with ILO. 33/ There was considerable discussion on the article in the draft which, as

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- 25/ G A (I/2), 6th Com., 28th mtg.  
26/ G A (I/2), Joint 2nd and 3rd Com., annex 2 e (A/C.2 and 3/35).  
27/ G A resolution 50 (I).  
28/ E S C resolution 89 (V).  
29/ E S C resolution 90 (V); see also para. 75 below.  
30/ E S C resolution 91 (V).  
31/ E S C resolution 92 (V).  
32/ G A resolution 124 (II).  
33/ E/NSA/13, pp. 2 and 3.

eventually approved, limited the right of participation of ILO in discussions of the Council, its commissions and committees, to "deliberations ... with respect to items ... in which the International Labour Organisation has indicated that it has an interest", and which, moreover, left the form of the participation of ILO to the decision of the chairman of the body concerned. A representative of ILO observed <sup>34/</sup> that a busy organization was unlikely to intervene in debates in which it had no interest, and that the elaboration of the form of participation on each and every occasion when it wished to intervene would be invidious. The point was ultimately settled to the satisfaction of both parties by the deletion of the reference to the form of participation of ILO.

33. With regard to budgetary and financial arrangements, the ILO delegation accepted a text <sup>35/</sup> by which consultations concerning the desirability of making appropriate arrangements for the inclusion of the budget of ILO within a general budget of the United Nations, subject to definition in a supplementary agreement, were envisaged.

34. The matter of the location of headquarters was settled <sup>36/</sup> on the basis of a text by which the desirability and advantages of centralization were recognized, and, accordingly, ILO was pledged "to consult the United Nations before coming to any decision concerning the location of its permanent headquarters".

35. It may also be noted that the draft agreement further provided that ILO was to inform the Council before concluding any formal agreement with another specialized agency or inter-governmental organization; that assistance by ILO to the Security Council was to be rendered either through the instrumentality of the Economic and Social Council, or directly; and that ILO was authorized by the General Assembly, under Article 96 (2), to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities.

36. The draft agreement was unanimously approved by the Council, at its second session, by the International Labour Conference on 2 October 1946, and by the General Assembly at the second part of its first session on 14 December 1946.

## 2. The United Nations Educational, Scientific and Cultural Organization

37. The Negotiating Committee decided that a clause proposed by UNESCO, which would have placed the United Nations under the obligation to "consult the Organization as its principal permanent advisor in promoting international co-operation in all educational, scientific and cultural fields and related matters", went beyond the terms of the Charter. The clause was accordingly replaced by a reference, in the preamble, to the function of UNESCO, as laid down in its Constitution, "of advising the United Nations on the educational, scientific and cultural aspects of matters of concern to the latter". On the other hand, it was agreed <sup>37/</sup> that representatives of UNESCO should be invited to participate, without vote, in the deliberations of principal organs of the United Nations other than the Security Council on agenda items relating to educational, scientific and cultural matters, with the exception of meetings of the General Assembly, which they should be invited to attend "for the purposes of consultation". The prior indication of interest in particular agenda items, which was stipulated in the agreement with ILO, was thus absent, but the field of interest of UNESCO was, to some extent, defined by the repetition of the terms of its own Constitution.

<sup>34/</sup> Ibid., pp. 2-5; E/NSA/16, p. 3.

<sup>35/</sup> E/NSA/15, pp. 2 and 3; E/NSA/16, pp. 1 and 2.

<sup>36/</sup> E/NSA/14, pp. 3 and 4.

<sup>37/</sup> E/NSA/17, pp. 1-6.

38. With regard to access to the International Court of Justice, the Committee agreed 38/ that the Council should have the right to screen requests for advisory opinions which UNESCO might put forward. If the Council disapproved any such request, UNESCO could appeal to the General Assembly.
39. In view of the special responsibility of UNESCO in the field of public information it was provided that a special agreement on the subject should be concluded subsequently. 39/
40. No provision was made regarding the location of the headquarters of UNESCO, since a protocol to its Constitution had already determined that it should be located in Paris.
41. On the question of budgetary and financial arrangements, it was agreed 40/ that the inclusion of the budget of UNESCO within a general United Nations budget should be the ultimate aim; provision was therefore made only for consultation on ways and means of achieving that aim, not on the desirability of such a step. In the meantime, it was provided, there should be advance consultation on the draft budget of UNESCO, a scrutiny of the budget or proposed budget by the General Assembly, and other arrangements for facilitating co-operation and common standards. 41/
42. In the matter of membership, it was agreed 42/ by the Negotiating Committee, and accepted by the UNESCO delegation, that applications from States not Members of the United Nations should be referred to the Council, which would have the power to recommend rejection of the application within six months of such reference.
43. The Council, at its second session, recommended 43/ that the draft agreement be approved by the General Assembly. At its third session, however, the Council recommended 44/ that UNESCO be granted the same privilege of direct access to the International Court of Justice for obtaining advisory opinions as had been granted to ILO (see paras. 26 and 27 above). The draft agreement, which included the revised article XI dealing with access to the International Court of Justice, was approved 45/ by the General Assembly at the second part of its first session, the first General Conference of UNESCO having approved it, as amended, on 6 December 1946.

### 3. *The Food and Agriculture Organization of the United Nations*

44. As regards the draft agreement with FAO, the articles concerning proposal of agency items, recommendations of the United Nations, relations with the Trusteeship Council and with Non-Self-Governing Territories, personnel arrangements, administrative and technical services, and the draft preamble, were agreed upon without debate. On the question of statistical services, the Negotiating Committee agreed 46/ to add the words "in consultation with the specialized agencies" to the standard article in the agreements with the specialized agencies which stipulates that the United Nations shall "develop administrative instruments and procedures" to achieve effective statistical

38/ E/NSA/19, p. 2.

39/ E/NSA/17, pp. 6-8; E/NSA/18, pp. 1 and 2; E/NSA/19, p. 1; E/NSA/22, pp. 5 and 6.

40/ E/NSA/19, pp. 3 and 5; E/NSA/22, pp. 9 and 10.

41/ See also in this Repertory under Article 17 (3).

42/ E/NSA/17, pp. 4 and 5; E/NSA/18, pp. 2-5; E/NSA/22, pp. 11 and 12.

43/ E S C resolution 2/4.

44/ E S C resolution 14 (III).

45/ G A resolution 50 (I).

46/ E/NSA/21, pp. 5 and 6; E/NSA/23, p. 3; E/NSA/24, pp. 1 and 2.

co-operation. Articles regarding recognition, reciprocal representation, exchange of information and documents, and revision, were accepted with minor amendments or after an explanatory exchange of views.

45. As regards the provisions on budgetary and financial arrangements, 47/ the FAO delegation was unwilling to agree to a provision which would qualify the constitutional right of the Agency to prepare and adopt its own budget. The Chairman of the Committee pointed out that only consultations with the United Nations were proposed in connexion with the preparation of the budget, and that only recommendations were envisaged when that budget came to be examined by the General Assembly. Verbal adjustments were ultimately agreed upon, which, without departing substantially from the texts of the agreements with ILO or UNESCO, went some way towards meeting the objection raised by the FAO delegation. The provisions regarding a consolidated budget were the same as in the agreement with UNESCO. 48/

46. In the matter of relations with the International Court of Justice, 49/ the FAO delegation refused to accept the formula contained in the agreement with UNESCO, which required that requests for advisory opinions should be made through the Economic and Social Council. The delegation urged the inclusion in the agreement of the formula contained in the agreement with ILO, which allowed requests to be made directly to the Court. It was therefore decided to refer the matter to the Council without recommending either solution.

47. The draft agreement, without the article relating to access to the Court, was approved by the Council at its second session. 50/

48. In September 1946, the FAO Conference approved the draft and supported the request that FAO should be granted direct access to the Court for advisory opinions. The Council, at its third session, agreed to that request (see paras. 26 and 27 above). The General Assembly, by resolution 50 (I), approved the agreement on 14 December 1946.

49. At its second session, the Council, after considering the recommendations contained in the report 51/ of the Temporary Transport and Communications Commission, directed 52/ the Negotiating Committee to enter into negotiations with the Provisional International Civil Aviation Organization (PICAO), for the purpose of bringing it into relationship with the United Nations, and to submit a report of the negotiations to the Council at its third session, "including therein a draft preliminary agreement based upon these negotiations".

#### 4. *The International Civil Aviation Organization*

50. In the course of the negotiations on the draft agreement with a delegation consisting of five members of the Council of PICAO, the Negotiating Committee was informed that a decision had been reached to establish the headquarters of ICAO at Montreal; it was agreed, 53/ however, to include a provision in the draft agreement that the agency would consult the United Nations before making any further decision in the matter.

47/ E/NSA/24, pp. 2-5.

48/ See in this Repertory under Article 17 (3).

49/ E/NSA/21, p. 4; E/NSA/25, pp. 4 and 5.

50/ E S C resolution 2/4.

51/ E S C (II), p. 164, annex 2 (E/42).

52/ E S C resolution 2/7.

53/ E/CT.1/10, pp. 5 and 6.

51. As regards the article concerning statistical services, it was agreed, 54/ after discussion, to provide for a large measure of reciprocity, while recognizing the overriding duty of the United Nations to act as the central agency in respect of all statistics serving the general purposes of international organizations.

52. On budgetary arrangements, 55/ the PICA0 delegation accepted a provision for consultation with the United Nations at the time of the preparation of the ICAO budget, but secured agreement to the provision that the desirability of a consolidated budget, as well as the ways and means of achieving it, were matters for discussion between the respective secretariats and, eventually, for a supplementary agreement. The representatives of PICA0 also secured agreement that only the administrative budget of ICAO should be subject to examination by the General Assembly. 56/

53. In connexion with the article on reciprocal representation, 57/ the PICA0 delegation strongly contended that the organization, under certain articles of its Convention, had duties directly affecting world security, which entitled it to representation at meetings of the Security Council and to the right to submit items for inclusion in the agenda of the Security Council. That position was met by a special article in the draft agreement allowing for the conclusion of further appropriate arrangements between ICAO and the United Nations in respect of such matters. The duties affecting world security to which the delegation of PICA0 had referred were also specified in the preamble to the draft agreement.

54. No agreement could be reached on the question of direct access to the International Court of Justice 58/ and the relevant article was accordingly omitted from the draft agreement pending review of the question in the near future.

55. The draft agreement was submitted to the Council at its third session. On the question of direct access by ICAO to the International Court of Justice, the Council recommended 59/ that the General Assembly approve the draft agreement with an additional article granting to ICAO the same procedure for obtaining advisory opinions of the International Court of Justice as specified in the draft agreement with ILO (see paras. 26 and 27 above). At the same session, certain representatives raised the question of the correctness of continuing negotiations with PICA0 in view of the membership of Spain in that organization. 60/

56. At the second part of the first session of the General Assembly, the question of the membership of Spain in PICA0 was raised in the Sixth Committee. Since, it was contended, 61/ Spain was a member of PICA0, the entering into an agreement between the United Nations and that organization would violate the terms of General Assembly resolution 59 (I), entitled "Relations of Members of the United Nations with Spain". A draft resolution by which the Assembly would have refused to accept the draft

54/ E/CT.1/5, pp. 1-3.

55/ E/CT.1/5, pp. 3-5; E/CT.1/9, pp. 1 and 2.

56/ See also in this Repertory under Article 17 (3).

57/ E/CT.1/7, p. 2; E/CT.1/9, pp. 4 and 5; E/CT.1/10, pp. 4 and 5.

58/ E/CT.1/6, p. 4; E/CT.1/9, pp. 6-8; E/CT.1/10, p. 5.

59/ E S C resolution 14 (III).

60/ For constitutional discussion of the powers and obligations of the Council under Articles 57 and 63 and on the interdependence of the provisions of those Articles, see E S C (III), 12th mtg.

61/ G A (I/2), 6th Com.

agreement with ICAO was rejected in favour of a resolution 62/ approving it on condition that ICAO complied "with any decision of the General Assembly regarding Franco Spain"; the recommendation that ICAO be granted direct access to the International Court of Justice was also agreed to.

57. The draft agreement was approved by the Assembly of ICAO on 13 May 1947. As, on the same date, ICAO took action to comply with the recommendation of the United Nations General Assembly regarding Franco Spain, the Secretary-General declared that the agreement had come into force on that day.

#### 5. *The Universal Postal Union*

58. The Negotiating Committee met with the President of the Universal Postal Congress and a delegation of members on 17 June 1947. An article relating to assistance to the United Nations was provisionally agreed upon 63/ in a general form to cover co-operation with and assistance to all the principal and subsidiary organs of the United Nations "within the scope of the Universal Postal Convention". A further clause explicitly referred to Article 103, under the terms of which, in the event of a conflict between the obligations under the Charter and their obligations under any other international agreements, the obligations under the Charter shall prevail. However, when the delegation of UPU later requested that it be recorded that the article on assistance was to be interpreted so as not to cover assistance to the Security Council, the Negotiating Committee decided that such an understanding was unacceptable. The Committee pointed out that UPU as such would be expected to assist the United Nations only within the terms of the Universal Postal Convention, but that those of its members which were also Members of the United Nations would be fully bound by the provisions of the Charter, one of which, namely, Article 2 (6), affected even non-members. The UPU delegation, on the other hand, drew attention to an article in the Convention which guaranteed freedom of postal traffic in the territories of all members of UPU. Agreement was finally reached on a text which substituted the words "so far as is consistent with the provisions of the ... Convention" for the passage quoted above.

59. It was also agreed 64/ that recommendations of the United Nations could be referred for appropriate action to the members of UPU in the intervals between Congresses, since the latter met only every five years.

60. On budgetary co-ordination, the draft agreement prepared by UPU 65/ had proposed that the annual budget of UPU should be communicated to the United Nations. The Negotiating Committee maintained 66/ that that was insufficient to meet the provisions of Article 17 (3), and, after further reference to the appropriate commission of the Congress, the UPU delegation accepted an explicit reference to the power of the General Assembly to make recommendations on the budget of UPU. 67/

61. On 3 July 1947, the parties to the negotiations met again to consider certain points previously left in abeyance. The Universal Postal Congress having adopted an amendment to the Convention requiring the agreement of two-thirds of the members of UPU for the admission of new members, it was agreed to omit any provision relating to

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62/ G A resolution 50 (I).

63/ E/C.1/26, pp. 1 and 2; E/C.1/28, pp. 1 and 2; E/C.1/29, pp. 1 and 2.

64/ E/C.1/24, p. 3; E/C.1/27, pp. 2 and 3.

65/ E/C.1/17, p. 6.

66/ E/C.1/26, pp. 2 and 3.

67/ See also in this Repertory under Article 17 (3).

membership from the draft agreement. The Congress had made provision for the establishment of a permanent Executive and Liaison Commission, which would make it possible to include an appropriate article on implementation in the draft agreement. With those adjustments, the draft agreement was submitted to the Council at its fifth session.

62. At that session of the Council, the draft agreement was subjected to considerable criticism <sup>68/</sup> on the grounds that it departed widely from the general pattern which the Council, bearing in mind its responsibilities under the Charter, had approved in earlier cases; that it did not make sufficient provision for fulfilment of the duty of the United Nations to co-ordinate the policies of the specialized agencies, for adequate budgetary control or for the establishment of priorities; that there was no provision relating to membership; and that the provisions concerning assistance to the United Nations seemed to be vague, without any explicit reference to the Security Council.

63. In support of the draft, it was pointed out that UPU was an organization which had been in existence for seventy-five years, and that the Charter did not exclude variations in the agreements meeting the particular character and traditions of particular agencies. Like all the other agreements, it would be open to review and revision.

64. The Council recommended <sup>69/</sup> to the General Assembly that the draft agreement be approved, after taking note of the special circumstances which then made it impossible to negotiate an agreement with UPU in closer conformity with other agreements with specialized agencies, and stating that the agreement should not be regarded as a precedent for future agreements with specialized agencies.

65. The draft agreement was approved by the General Assembly, at its second session, and came into force on 1 July 1948, the date of entry into force of the revised Universal Postal Convention.

#### 6. *The World Health Organization*

66. The Negotiating Committee met on 29 July 1947, and had before it a draft prepared by the Interim Commission of WHO and another prepared by the United Nations Secretariat. The Committee considered those documents and agreed on various points which should govern the negotiations. In particular, it decided that no membership clause need appear in the agreement. One factor in that decision was that in the draft constitution of WHO a two-thirds majority was required before a new member could be admitted. <sup>70/</sup>

67. During the negotiations, it was made clear <sup>71/</sup> by the Negotiating Committee, in connexion with the article relating to assistance to the Security Council, that in no circumstances would the United Nations make demands upon WHO which would run counter to the purposes of the agency.

68. Agreement was reached <sup>72/</sup> on the proposals of the Negotiating Committee regarding budgetary co-ordination, subject to the addition of the words "the desirability of"

<sup>68/</sup> E S C (V), 10<sup>4</sup>th mtg.

<sup>69/</sup> E S C resolution 89 (V).

<sup>70/</sup> It should be noted that only a simple majority is required in the Constitution of WHO as finally adopted.

<sup>71/</sup> E/C.1/SR.39, pp. 4 and 5.

<sup>72/</sup> E/C.1/SR.38, pp. 2 and 3; E/C.1/SR.39, pp. 6 and 7.

in the clause governing consultations regarding the possible incorporation of the budget of WHO in a general budget of the United Nations. 73/

69. After approval of the agreement by the Council and by the General Assembly (see paras. 29 and 30 above), it was accepted by the first World Health Assembly on 10 July 1948 and came into force on that date.

### 7. *The International Telecommunication Union*

70. Pursuant to Council resolution 35 (IV), the Negotiating Committee met with representatives of ITU in August 1947 and considered 74/ a draft agreement prepared by the Secretariat, and another adopted by the Plenipotentiary Conference of ITU then in session. It was found that in several respects the latter text departed from the general wording which the Committee had endeavoured to maintain in earlier agreements. The Committee also decided to introduce a special article governing the relations between the United Nations, as an operating agency in the field of telecommunications, and ITU, since it was expected that the United Nations would organize its own broadcasting and radio services.

71. During the negotiations, the representatives of ITU drew attention 75/ to the fact that a number of members of ITU were not Members of the United Nations. The point assumed particular importance in connexion with assistance to the United Nations and its principal organs, a question which was discussed at some length. Agreement was reached on a formula which assured the fullest co-operation and assistance of ITU in accordance with the terms of the Charter and of the International Telecommunication Convention, "taking fully into account the particular position of the individual members of the Union who are not Members of the United Nations".

72. After discussion, agreement was reached 76/ on a formula under which the budget of ITU, which is on a quinquennial basis, should be transmitted to the United Nations at the same time as to members of the Union, the General Assembly having the right to make recommendations thereon to ITU, which might send representatives to participate without vote in the relevant deliberations. 77/

73. The question of reciprocal representation was settled 78/ on the lines of the other agreements with specialized agencies, except for insertion of a clause calling for "appropriate consultation" to precede United Nations participation in meetings of various subsidiary bodies organized by ITU.

74. Most of the remaining articles, for instance, those on personnel 79/ and on statistical services, 80/ were agreed upon in an abbreviated form which took into account the limited nature of the facilities of ITU. As proposed by the Negotiating Committee, agreement was reached 81/ on an article regarding the question of United Nations telecommunications services; it did not guarantee the United Nations the same rights as enjoyed by members of the Union, but recognized the importance of such rights.

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73/ See also in this Repertory under Article 17 (3).

74/ E/C.1/SR.42 and E/C.1/SR.43.

75/ E/C.1/SR.44, p. 2; E/C.1/SR.45, pp. 5 and 6; E/C.1/SR.50, p. 4.

76/ E/C.1/SR.48, pp. 2-4; E/C.1/SR.51, p. 3; E/C.1/SR.53, pp. 2 and 3.

77/ See also in this Repertory under Article 17 (3).

78/ E/C.1/SR.45, pp. 3 and 4; E/C.1/SR.50, p. 3.

79/ E/C.1/SR.47, p. 2; E/C.1/SR.51, pp. 2 and 3.

80/ E/C.1/SR.47, pp. 2 and 3; E/C.1/SR.48, p. 2; E/C.1/SR.51, pp. 2 and 3.

81/ E/C.1/SR.48, p. 5; E/C.1/SR.51, p. 4; E/C.1/SR.53, p. 3.

It was agreed 82/ not to insert a special article regarding membership, on the understanding that the General Assembly would attach to its approval of the agreement, if it saw fit, a proviso regarding exclusion of Franco Spain. The Plenipotentiary Conference had, in fact, already taken formal action on that question, and the Secretary-General was later informed that neither Spain nor Spanish Morocco appeared on the list of members of ITU annexed to the International Telecommunication Convention of October 1947.

75. The draft agreement was referred to the Council, at its fifth session. The Council, bearing in mind the concern of the General Assembly for co-ordination of policies and activities, took note 83/ "of the special circumstances which made it impossible for the time being to reach an agreement with the Union in more close conformity with other agreements with specialized agencies"; stated that the agreement should not be regarded as a precedent for future agreements with specialized agencies; and recommended to the General Assembly that the agreement be approved, subject to full compliance by the ITU with the resolution 84/ of the General Assembly regarding relations of Members of the United Nations with Spain.

76. The draft agreement was approved by the Plenipotentiary Conference on 4 September 1947 and came into provisional force on 15 November 1947, upon approval by the General Assembly (see para. 30 above), pending ratification of the International Telecommunication Convention of 1947 by the members of ITU. The agreement came into force on 1 January 1949.

#### *8. The International Bank for Reconstruction and Development and the International Monetary Fund*

77. After negotiations with the Bank and the Fund had been initiated in accordance with Council resolution 1/11, the Negotiating Committee reported 85/ to the Council at its second session in May and June 1946, that the Bank and the Fund had asked for postponement of negotiations, as they were still confronting urgent organizational problems and were not in a position to consider the conclusion of a precise agreement. In September 1946, the Negotiating Committee agreed 86/ to a further postponement, after noting that sound working relationships, including mutual representation at meetings, planning of economic research and statistical work, and consultations on information, personnel and related problems, had already been established between the United Nations, on the one hand, and the Bank and the Fund, on the other. By resolution 14 (III), the Council, at its third session, directed the Secretary-General to "strengthen and extend working relationships between the United Nations and the International Monetary Fund and the International Bank for Reconstruction and Development, and to continue consultations with the representatives of these organizations with a view to initiating formal negotiations as soon as practicable".

78. In July 1947, the President of the Council and the Secretary-General received communications from the President of the Bank 87/ and the Managing Director of the Fund, 88/ enclosing practically identical drafts of agreements between the United Nations and the two agencies. The drafts were referred to the Negotiating Committee,

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82/ E/C.1/SR.45, pp. 2 and 3; E/C.1/SR.50, p. 1.

83/ E S C resolution 90 (V).

84/ G A resolution 39 (I).

85/ E S C (II), p. 390, annex 14, E/65, para. 5.

86/ E/CT.1/2, pp. 1-4; E/205/Rev.1.

87/ E/C.1/20.

88/ E/C.1/21.

which agreed, after some debate, 89/ that in view of the particular character of the two agencies, the drafts submitted by them might be accepted as a basis of negotiation in place of drafts modelled more closely on agreements already concluded with other agencies. It was also agreed that the negotiations might be conducted with the Bank and the Fund simultaneously.

79. Tripartite negotiations took place on 15 August 1947. The representatives of the Bank and the Fund declared 90/ that, while they were anxious to co-operate with the United Nations, the safeguarding of the autonomy and independence of their institutions was vital to their very existence. In particular, the success of the Bank's operations was dependent upon the degree of confidence it could inspire among financial institutions and private investors. Any suggestion that it was in any degree open to the influence of other organizations, especially those of a political character or those in which political considerations played a part, would inevitably shake that confidence.

80. The Negotiating Committee pointed out 91/ that, while they readily appreciated the position of the Bank and the Fund, they were bound by the specific obligations contained in the Charter to regard the institutions as specialized agencies, with which agreements should be concluded on terms as close as possible to those standard terms which, in pursuance of Charter provisions, they had already concluded with several other specialized agencies.

81. There was considerable discussion during the negotiations on the various clauses 92/ which dealt with recognition of the agencies, United Nations representation, proposal of agenda items, recommendations by the United Nations, budgetary arrangements, and transmission of inter-agency and other agreements.

82. On the question of recognition, the final draft recognized the status of the Bank and of the Fund respectively as a "specialized agency established by agreement among its member Governments and having wide international responsibilities, ... within the meaning of Article 57 of the Charter" but stated that the agency in question was, and was "required to function as, an independent international organization". The safeguarding of confidential material was fully provided for on a reciprocal basis.

83. With regard to representation, representatives of the United Nations were given the right of attendance at meetings of the Boards of Governors, and it was also agreed that they should be invited to participate without vote in meetings "especially called ... for the particular purpose of considering the United Nations point of view in matters of concern to the United Nations". Similarly, provision was made for "due consideration" of items proposed by one organization for inclusion in the agenda of the other.

84. In the matter of formal recommendations, the drafts provided, on a reciprocal basis, for consideration of recommendations by the appropriate organ as soon as possible after "reasonable prior consultation". In the case of the Bank, there followed a clause stipulating that action taken on any loan was "a matter to be determined by the independent exercise of the Bank's own judgment"; the United Nations accordingly recognized "that it would be sound policy to refrain from making recommendations to the Bank with respect to particular loans or with respect to terms

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89/ E/C.1/SR.40, 41, 46 and 54.

90/ E/C.1/SR.55, p. 2.

91/ E/C.1/SR.55.

92/ E/C.1/SR.55, pp. 3-10; E/C.1/SR.56, pp. 4-6; E/C.1/SR.57, pp. 2-7; E/C.1/SR.58, p. 2-8.

or conditions of financing". There was no corresponding clause in the agreement with the Fund, but it was understood during the negotiations that the philosophy underlying the clause applied equally to the Fund. That form of wording was deemed to safeguard the general right of the General Assembly under the Charter to make recommendations. In the same clause, the Bank recognized that the United Nations might "appropriately make recommendations with respect to the technical aspects of reconstruction or development plans, programmes or projects".

85. The duties of the Security Council in regard to the maintenance of peace and security were duly recognized, and the Bank and the Fund agreed 93/ to assist the Council by furnishing information to it. The Bank and the Fund also agreed 94/ to assist the Trusteeship Council by furnishing information and technical assistance; it was pointed out, however, that neither agency was in a position to take action in respect of territories which were not members of the agency concerned.

86. The drafts gave both the Bank and the Fund the right to make requests for advisory opinions 95/ direct to the International Court of Justice.

87. With regard to budgetary co-operation, the two agencies undertook to transmit their quarterly financial statements to the United Nations, but it was expressly stipulated that the authorities of the Bank and the Fund enjoyed "full autonomy in deciding the form and content" of their budgets, and it was expressly recorded in the minutes of the negotiations that the delegations of the Bank and the Fund accepted that clause "on the understanding that no recommendations concerning their budgets should be made by the United Nations". 96/

88. In the matter of agreements with other organizations, the understanding was similarly recorded that the making of routine and technical agreements or understandings reached by the Bank and the Fund with each other, with any other institutions or with any Governments, fell outside their obligation to inform the Economic and Social Council in advance of the nature and scope of such agreements. The draft referred only to future agreements with other specialized agencies.

89. The two draft agreements were submitted to the Council at its fifth session. 97/ They were objected to by some representatives on the ground that their provisions, notably in respect of recommendations by the United Nations, budgetary arrangements, and United Nations representation, departed so widely from earlier agreements with specialized agencies as to constitute violations of the provisions of the Charter. In answer to those statements, it was maintained that it had clearly been the intention of the framers of the Charter to recognize the independent existence of the specialized agencies and that their co-operation with the United Nations could develop only on a voluntary basis. The particular circumstances in which the Bank and the Fund operated justified the provisions which had been submitted.

90. The Council, after rejecting a motion by which it would have referred the draft agreements back to the Negotiating Committee, and another, by which it would have sent the drafts to Governments for comment while requesting the General Assembly to lay down

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93/ E/C.1/SR.56, pp. 2 and 3; E/C.1/SR.57, pp. 5 and 6; E/C.1/SR.58, p. 6.

94/ E/C.1/SR.56, pp. 3 and 4; E/C.1/SR.57, p. 6; E/C.1/SR.58, p. 7.

95/ E/C.1/SR.56, p. 4.

96/ E S C (V), 120th mtg.

97/ See also in this Repertory under Article 17 (3).

general directives, in the light of which it would re-examine the drafts, recommended 98/ the draft agreements with the Bank and the Fund to the General Assembly for its approval.

91. The two draft agreements were considered by the General Assembly, at its second session, and were again the subject of criticism and defence on the lines previously recorded, but were approved 99/ by the Assembly (see para. 10 above) on 15 November 1947 and came into force on that date, the agreement with the Bank having been approved by its Board of Governors on 16 September 1947, and the agreement with the Fund by its Board of Governors on 17 September 1947.

### 9. *The International Refugee Organization*

92. At its sixth session, the Council instructed 100/ the Negotiating Committee, which had been reconstituted on the same basis as in 1946, to open negotiations, at the appropriate time, with the International Refugee Organization, the World Meteorological Organization, the International Trade Organization and the Inter-Governmental Maritime Consultative Organization. The inclusion of IRO in the above-mentioned instruction was, however, challenged 101/ by certain representatives, on the grounds that IRO was not yet in full existence, that it was of a purely temporary character and that it had failed to carry out the tasks for which it had been created.

93. The Preparatory Commission of IRO approved a tentative draft agreement, 102/ which was discussed by the Negotiating Committee in July 1948. The Negotiating Committee accepted the description of IRO as the specialized agency responsible for taking action appropriate to the terms of its basic instrument, 103/ and saw no objection to granting it, under the article on reciprocal representation, "full opportunity to express its views" to the General Assembly. 104/

94. The Negotiating Committee met 105/ with representatives of the Preparatory Commission for the IRO on 21 July 1948. A representative of that Commission stated at the outset that IRO had been set up to complete a special limited task, after which it would go out of existence. Other points in which IRO differed from other organizations were that it had been created by General Assembly resolutions 8 (I) and 62 (I), rather than by a plenipotentiary conference, and that it would be mainly engaged in executive or operational work.

95. On the subject of public information, concerning which IRO had proposed that a special article be included in the draft agreement, the representatives of IRO explained that they attached considerable value to the arrangements already in force between the Secretariat of the United Nations and the Preparatory Commission to make the work of the agency known to the general public. The special article was accordingly retained with some minor changes of wording. The representatives of IRO agreed to the addition of an article providing for co-operation by IRO in respect of Non-Self-Governing Territories, to the extent compatible with the terms of its constitution.

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98/ E S C resolution 92 (V).  
99/ G A resolution 124 (II).  
100/ E S C resolution 130 (VI).  
101/ E S C (VI), 172nd mtg.  
102/ E/C.1/38 and Add.1.  
103/ E/C.1/SR.60, pp. 7 and 8.  
104/ E/C.1/SR.60, p. 8.  
105/ E/C.1/SR.61.

96. It was agreed that the article on personnel arrangements included in the agreements with other specialized agencies would be inappropriate in the case of an organization of a temporary and operational character, whose staff needs were very varied and highly flexible.

97. With regard to budgetary co-ordination, on the other hand, the representatives of IRO agreed that the organization would consult with the United Nations on the form and presentation of its administrative budget, and would transmit both its operational and administrative budgets to the General Assembly, which would review the latter and have the right to make recommendations on it, receiving the former for information and guidance only.

98. The other clauses in the draft presented by IRO were agreed upon without discussion and the text, as amended in negotiation, was submitted to the Council at its seventh session. Objections were again raised 106/ to the conclusion of any agreement, on both procedural and policy grounds. The proposal was made that the agreement be approved for one year only; it was, however, recognized that that would involve a reopening of the negotiations, and the proposal was rejected. The Council thereupon recommended 107/ the draft agreement for approval by the General Assembly.

99. When the draft agreement was submitted to the General Assembly, at the first part of its third session, various representatives repeated the arguments already noted 108/ and moved the rejection of the draft. The General Assembly, however, approved 109/ the agreement. The General Council of IRO having approved the agreement on 15 September 1948, without change, it came into force on 18 November 1948, the date of its approval by the General Assembly.

#### 10. *The Inter-governmental Maritime Consultative Organization*

100. The Negotiating Committee met on 9 August 1948 to consider both a draft agreement 110/ between the United Nations and IMCO approved in March 1948 by the United Nations Maritime Conference and comments 111/ prepared by the Secretariat of the United Nations. The Committee decided 112/ that, in the case of the draft agreement with IMCO, no special article on public information was required, although some members felt that, on the contrary, such an article should be added to all the existing agreements even though it would entail revision of those agreements. Regarding assistance on matters affecting Non-Self-Governing Territories, the draft presented by the Preparatory Committee of IMCO departed from precedent in proposing co-operation with "the Members of the United Nations concerned", whereas the draft prepared by the Secretariat contained the standard formula referring to the United Nations itself. The Committee considered 113/ this as a fundamental question, and adopted the text prepared by the Secretariat.

101. The Negotiating Committee's text regarding assistance on matters affecting Non-Self-Governing Territories was accepted 114/ by the representatives of the Preparatory Committee of IMCO. On the other hand, those representatives opposed inclusion in full

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- 106/ E S C (VII), 214th mtg.  
107/ E S C resolution 164 (VII).  
108/ G A (III/1), Joint 2nd and 3rd Com., 30th mtg.  
109/ G A resolution 205 (III).  
110/ E/C.1/37.  
111/ E/C.1/W.3.  
112/ E/C.1/SR.62, pp. 3-7.  
113/ E/C.1/SR.62, pp. 7-15.  
114/ E/C.1/SR.63, pp. 4-6.

of the standard clauses on statistical co-operation, on the ground that their inclusion might involve the agency in developments going beyond its modest organizational plans. Agreement was reached 115/ on a formula safeguarding the agency's individual right to be consulted in the development of "administrative instruments and procedures through which effective statistical co-operation may be secured".

102. No other clauses led to any substantial discussion, and the amended draft was approved 116/ by the Council, at its seventh session, and by the General Assembly, at the first part of its third session. 117/

103. The Convention on the Inter-governmental Maritime Consultative Organization has not yet come into force, for lack of the stipulated number of ratifications. Hence the agreement has not yet been ratified by the Assembly of IMCO, and is not legally in effect. Its stipulations, however, are being implemented on a working basis.

### 11. *The World Meteorological Organization*

104. The Negotiating Committee met on 27 and 28 February and 2 March 1951, to consider a draft agreement 118/ between the United Nations and WMO, presented by the latter, together with an analysis thereof by the Secretary-General, 119/ showing its variations from the texts of the agreements with other specialized agencies.

105. In connexion with the draft article concerning recommendations of the United Nations, it was agreed 120/ to provide for submission of recommendations by the United Nations to the appropriate organs of WMO or to its members.

106. The Committee decided 121/ that no special article on public information was required. Regarding the headquarters and regional offices of the Organization, it was agreed 122/ to include a provision for consultation with the United Nations before a decision would be taken concerning the location of permanent headquarters, and that any regional or branch office which might be established should, so far as practicable, be closely associated with the regional or branch offices which the United Nations or other specialized agencies might establish, "having due regard to the special needs of world meteorology".

107. In connexion with personnel arrangements, it was agreed 123/ to include a clause whereby the United Nations and WMO would agree further to consult as to the desirability of concluding a special agreement extending the competence of the United Nations Administrative Tribunal to WMO. This provision was added in view of the adoption by the General Assembly of the Statute of the United Nations Administrative Tribunal by resolution 351 (IV); under article 12 of the Statute the competence of the Tribunal might be extended to any specialized agency.

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115/ Ibid., pp. 7-13

116/ E S C resolution 165 (VII).

117/ G A resolution 204 (III).

118/ E/L.134.

119/ E/L.135.

120/ E/C.1/SR.64/Rev.1, p. 6.

121/ Ibid., p. 9

122/ Ibid., pp. 10-12; E/C.1/SR.65, pp. 3-6.

123/ E/C.1/SR.65, pp. 6 and 7.

108. Further negotiations took place in Paris, on 5 April 1951, the Negotiating Committee being represented by its Chairman and, on 10 April, the draft agreement 124/ was approved without change by the First Congress of WMO.

109. At its thirteenth session, the Council recommended 125/ that the draft agreement be approved by the General Assembly without change. In accordance with section 35 of the Convention on the Privileges and Immunities of the Specialized Agencies, the Council also recommended 126/ to WMO a draft annex to that Convention providing that the standard clauses of the Convention should apply to that organization without modification. The agreement was approved 127/ by the General Assembly, at its sixth session and came into force on 20 December 1951, the date of its approval by the Assembly.

#### B. Terms of the agreements with the specialized agencies 128/

110. Set forth below are the terms of the agreements entered into by the United Nations and the specialized agencies, with a discussion of the various questions which have arisen in connexion with each of these terms.

##### 1. Authority

111. All the agreements open with a preamble, except the agreements with the Bank and the Fund, in which article 1 (1) serves the same purpose, setting out the authority under the Charter and the purpose of each agreement.

112. The authority cited is Article 57, as well as each agency's own authority to enter into an agreement. However, in the case of the agreements with the Bank and the Fund, Article 63, giving the Economic and Social Council the power to enter into the agreements stipulated in Article 57, is referred to.

##### 2. Recognition of status and competence

113. Having defined the authority under which each agreement is concluded, these instruments acknowledge on behalf of the United Nations the status and competence of the agency concerned. The language is similar in all cases: ILO, FAO, the Bank, the Fund and UNESCO, are each recognized as "a" specialized agency, and UPU, ITU, ICAO, WHO, IRO IMCO and WMO as "the" specialized agency "responsible for taking such action as may be appropriate ... for the accomplishment of the purposes [or "objectives"] set forth" in its basic instrument.

114. In the agreements with the Bank and the Fund, these agencies are recognized as specialized agencies established by agreement among their member Governments and "having wide international responsibilities ... in economic and related fields within the meaning of Article 57 of the Charter". The respective texts then state that "By reason of the nature of its international responsibilities and the terms of its Articles of Agreement, the Bank [the Fund] is, and is required to function as, an independent international organization." This statement is followed by a clause providing for the safeguarding of confidential material in the possession of either the United Nations or

124/ E/1996/Add.1 and Corr.1.

125/ E S C resolution 403 A (XIII).

126/ E S C resolution 403 B (XIII).

127/ G A resolution 531 (VI).

128/ For the texts of the various agreements, see United Nations Publications, Sales No.: 1951.X.1.

the agency concerned; it stipulates that "nothing in this agreement shall be construed to require either of them to furnish any information the furnishing of which would, in its judgment, constitute a violation of the confidence of any of its members or anyone from whom it shall have received such information, or which would otherwise interfere with the orderly conduct of its operations".

115. The general practice of the General Assembly and the Council has been to refer to specialized agencies any questions, or aspects of a question, which are clearly within the competence of those agencies, and to associate them with any inquiry or other form of action undertaken by the United Nations itself in which they may be interested. In many cases, specialized agencies have informed the General Assembly and the Council of their interest in some particular topic, and have thus facilitated the task of allocating responsibility for action thereon.

116. In the early years of the United Nations, the General Assembly and the Council were somewhat cautious in allocating sole or chief responsibility for action on any given subject to a specialized agency. This situation has gradually changed, and sole responsibility has recently been assigned to specialized agencies in the case of numerous projects. The Council, however, still tends to retain general supervision over proposals for action at the preliminary stage until a definite programme of action has emerged. This tendency is illustrated in resolution 160 (VII) of the Council, by which the Secretary-General was entrusted with the main responsibility -- a responsibility to be exercised in certain respects in co-operation with UNESCO -- for immediate action in regard to the problem of establishing international United Nations research laboratories. In the course of discussion 129/ at the draft stage of the resolution, the Director-General of UNESCO had expressed the hope that UNESCO would be asked to take action in accordance with the terms of its Constitution and had been supported in that position by certain representatives.

### 3. Membership

117. Two of the existing agreements contain a special provision regarding membership of the specialized agency concerned.

#### a. THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

118. The agreement with UNESCO provides, in article II, that applications for membership by States not Members of the United Nations shall be immediately transmitted to the Economic and Social Council which "may recommend the rejection of such applications". Any such rejection "shall be accepted" by UNESCO. If no recommendation for rejection is made by the Council within six months, the application is governed by the normal procedure under the Constitution of UNESCO, that is to say, it becomes subject to a two-thirds majority vote of the General Conference of the agency, upon recommendation of its Executive Board.

119. States Members of the United Nations, on the other hand, may join UNESCO at any time, but lose membership in the latter if they are suspended or expelled from the United Nations.

120. Acting in pursuance of article II of the agreement, UNESCO has forwarded to the Council applications for membership in the agency from a number of States not Members of the United Nations.

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129/ E S C (VII), 193rd mtg., pp. 293-296; 194th mtg., pp. 296-312.

121. Austria, Italy and Switzerland The Council considered these applications at its fourth session and approved 130/ them, without comment, following an assurance that Austria was in fact entitled to enter into international agreements.
122. Hungary The Council approved 131/ this application at its fifth session.
123. Monaco The Council approved 132/ this application at its sixth session. In the resolutions approving the application of Monaco the Council employed the standard formula, stating that it had no objection to the admission of the State in question and, in addition, recommended that UNESCO, in considering the application, should "take into account what contribution Monaco can make in furthering the programme" of the organization; it suggested, moreover, that UNESCO, in taking its decision, should consider "the general problem of the admission of similar diminutive States".
124. Ceylon This application was approved 133/ by the Council at its eighth session. 134/
125. Republic of Korea, Republic of the United States of Indonesia and Hashemite Kingdom of the Jordan These applications were approved by the Council at its tenth session. 135/
126. Federal Republic of Germany, Japan, Viet-Nam, Cambodia and Laos The Council approved these applications at its twelfth session. 136/ Certain representatives, however, felt that the Federal Republic of Germany did not represent the people of Germany, and that its existence was contrary to the Potsdam Agreement; that the application of Japan was contrary to the decisions of the Far Eastern Commission as regards the control of its foreign affairs and that, until a peace treaty had been signed, Japan was still technically at war with the United Nations; and that Viet-Nam, Cambodia and Laos were not sovereign States.
127. United Kingdom of Libya, Spain and Nepal These applications were approved 137/ by the Council at its fourteenth session, despite the fact that certain representatives had opposed the admission of Spain.
128. Romanian People's Republic This application was approved 138/ by the Council at its eighteenth session. In support of the application, some representatives stressed the progress which Romania had made in the economic and cultural fields and, invoked the principle of the universality of the United Nations and the specialized agencies, whereas other representatives expressed opposition on the grounds of the record of consistent violation of international undertakings of the Government of Romania.

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130/ E S C resolution 59 (IV).

131/ E S C resolution 94 (V).

132/ E S C resolution 137 (VI).

133/ E S C resolution 213 (VIII).

134/ For details as regards the application of Ceylon, in connexion with the power of the Council to make recommendations to the specialized agencies concerned, see in this Repertory under Article 62 (1).

135/ E S C resolution 285 (X).

136/ E S C resolution 364 (XII).

137/ E S C resolution 452 (XIV).

138/ E S C resolution 554 (XVIII).

129. People's Republic of Bulgaria The Council approved 139/ this application at its resumed eighteenth session. In support of the application, some representatives emphasized the political, economic and social progress made by that country, while others supported the application by invoking the principle of the universality of the United Nations and the specialized agencies. Some representatives opposed approval of the application on the grounds that there were no assurances that the Government of Bulgaria was prepared to co-operate with the international community.

130. People's Republic of Albania The Council considered this application at its resumed eighteenth session and rejected a draft resolution 140/ by which it would have stated that it had no objection to the admission of the People's Republic of Albania to UNESCO. In the course of discussion, some representatives drew attention to the economic and cultural progress which had been achieved in that country and supported the application on the basis of the principle of universality of the United Nations and the specialized agencies, while other representatives stated that Albania had given no indication of international good will, having, inter alia, refused to comply with the ruling of the International Court of Justice in connexion with the dispute arising out of the sinking of two British naval vessels in the Corfu Channel, and having disregarded General Assembly resolution 193 (III) on the repatriation of Greek children.

b. THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

131. The agreement with ICAO provides, in article II, that applications for membership from States other than those provided for in articles 91 and 92 (a) of the Convention on International Civil Aviation, namely States signatory to the Convention, States Members of the United Nations and States associated with them, and States which remained neutral during the Second World War, shall at once be referred to the General Assembly of the United Nations, which may, within one year, recommend rejection. Failing such a recommendation, the application is governed by the normal procedure set out in article 93 of the Convention on International Civil Aviation, that is to say, it is open to approval by a four-fifths majority of the Assembly of ICAO, subject to such conditions as the Assembly may prescribe, and provided that in each case the assent of any State invaded or attacked during the Second World War by the State seeking admission shall be a necessary prerequisite for admission to membership.

132. Acting in pursuance of article II of the agreement, ICAO has transmitted to the General Assembly applications for membership in the agency from a number of States not Members of the United Nations.

133. Italy and Austria At its second session, the General Assembly recorded 141/ that it had no objection to the admission of these two States to ICAO. During the deliberations, the freedom of action of Austria in the matter of civil aviation pending the conclusion of a peace treaty had, however, been challenged by one representative.

134. Finland At its third session, the Assembly decided 142/ to inform ICAO that it had no objection to the admission of Finland to the organization.

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139/ E S C resolution 559 (XVIII).

140/ E/L.651.

141/ G A resolutions 121 (II), for Italy and 122 (II), for Austria.

142/ G A resolution 203 (III).

135. Japan At its seventh session, the General Assembly decided, 143/ without discussion, to inform ICAO that it had no objection to the admission of Japan to the organization.

136. In the consideration in this study of the negotiation of the agreement with ICAO, reference was made 144/ to the approval of this agreement by the General Assembly 145/ on condition that ICAO comply with any decision of the General Assembly regarding Franco Spain. At the sixth session of the Economic and Social Council, it was alleged that ICAO had done nothing to comply with that condition. It was stated in reply that the organization had fully complied with the resolution by taking all legal and practical measures open to it, including the adoption of an amendment to its basic Convention. Further action rested with the Governments parties to the Convention, which must ratify the proposed amendment. At its seventh session, the Council noted 146/ with satisfaction the measures taken by the organization in complying with General Assembly resolutions 39 (I) and 50 (I).

#### c. OTHER SPECIALIZED AGENCIES

137. Although only the agreements with UNESCO and ICAO contain clauses concerning membership, the question of membership has arisen in connexion with other agencies. At the seventh session of the Council, it was stated that the International Bureau of UPU had violated the terms of the General Assembly resolution on relations of Members with Spain 147/ by continuing to address routine documents to, and engaging in correspondence with, the postal administration of that country. On the other hand, the Universal Postal Congress of 1947 had refused to admit the three republics of Estonia, Latvia and Lithuania as members of UPU, although they had signed the Convention of 1939. In reply, it was pointed out by the representative of UPU that the practical steps taken with regard to routine postal operations involving Spain had the full approval of the competent commission of the Congress of 1947, while the exclusion of the three republics was the result of a majority vote by the Congress itself. After some discussion, the Council rejected a draft resolution submitted on the matter.

138. Similar charges were then made concerning ITU, but the Council also declined to comment on the decisions of the International Telecommunication Conference and the action of the ITU secretariat.

139. In the general context of questions of membership in the specialized agencies, it is of interest to note that, at its fifth session, the General Assembly expressed the hope "that those Members not participating at the present time may find their way to assume or resume, as soon as possible, full participation in the specialized agencies". 148/

#### 4. Reciprocal representation

140. The article on reciprocal representation contained in the agreements is based upon a stipulation in Article 70, and the provisions relating thereto are set out in considerable detail in each case. Provision is made, first, for complete reciprocity

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143/ G A resolution 697 (VII).

144/ See para. 56 above.

145/ G A resolution 50 (I).

146/ E S C resolution 169 (VII).

147/ G A resolution 39 (I).

148/ G A resolution 414 (V).

within the limits of relevant fields of interest; and, secondly, for the invitation of representatives. The latter provision is expressed in the words "representatives of the United Nations or the agency concerned" shall be invited to attend the meetings", thus placing the responsibility for ensuring representation upon the host body. This formula, which is used in the majority of the agreements, does not, however, appear in the agreements with the Bank and the Fund, in which it is replaced by the statement that "Representatives of the United Nations or the agency concerned" shall be entitled to attend" the various meetings, under the conditions stipulated. 149/

#### 5. *Proposal of agenda items*

141. The provisions on this subject are similar in all but two 150/ of the agreements. They lay down that there shall be "such preliminary consultation as may be necessary", subject to which each party to an agreement shall include items proposed by the other in the agenda of its appropriate organ. 151/

142. In the case of the agencies, these organs are in all cases the sovereign body, such as the conference, general conference, assembly, general council, congress plenipotentiary or administrative conference, et cetera, and the executive organ such as the governing body, executive board, or committee, council et cetera. The agreement with ILO mentions only the Governing Body of that organization, that being the organ which determines the agenda of the International Labour Conference. The agreements with UPU, ITU and WMO also mention commissions, "meetings of other organs", and "congresses and meetings of the Executive Committee, regional associations and technical commissions", respectively.

143. Reciprocally, the Economic and Social Council, its commissions ("and committees", in the agreements with UPU and WMO) and the Trusteeship Council are required, under similar conditions, to include in their agenda items proposed by some agencies (ILO, UPU, ITU, WHO, WMO, IRO) or the principal organs, as already defined, of other agencies (FAO, UNESCO, ICAO, IMCO).

144. In the case of the draft agreement with IMCO, the article on the proposal of agenda items refers to the provisional agenda of the Economic and Social Council and its commissions and of the Trusteeship Council.

145. The agreements with the Bank and the Fund contain a more general provision, which reads: "In preparing the agenda for meetings of the Board of Governors the Bank the Fund will give due consideration to the inclusion in the agenda of items proposed by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council will give due consideration to the inclusion in their agenda of items proposed by the Bank the Fund".

146. No difficulties have been encountered in the application of this procedure, but it is worthy of note that, at its eighth session, 152/ the Economic and Social Council refused to accept an agenda item proposed by UNESCO, namely, a request for the guidance

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149/ For details, see also in this Repertory under Article 70.

150/ The provision cited here does not appear in the agreements with the Bank and the Fund. (See para. 145 below.)

151/ For questions of consultation regarding agenda items or proposals before the Council which are of concern to the specialized agencies, see in this Repertory under Article 72.

152/ E S C (VIII). 227th mtg., pp. 9-10.

of the Council in connexion with a list of countries not Members of the United Nations to which it might submit a draft international agreement for facilitating the circulation of visual and auditory materials of an educational, scientific and cultural character.

### 6. Recommendations

147. The provision relating to recommendations in the agreements is concerned with the means by which the United Nations, as the organization possessing broad authority under the Charter in matters relating to the economic and social fields, may exercise that authority with regard to co-ordination of the policies and activities of the specialized agencies. That authority is not reciprocal. 153/

148. The relevant article in the various agreements is, for the most part, explicitly based on Articles 55, 58, 62 and 63. It provides that the agency concerned shall arrange for the submission as soon as possible to its appropriate organ -- the respective organs are specified in some of the agreements -- of all formal recommendations which the United Nations (the General Assembly or the Economic and Social Council are specified in the case of the agreement with ILO) may make to it. The phrase "for such action as may seem proper" is added in the case of the agreements with ITU and WMO. 154/

149. The agreements with the Bank and the Fund diverge from this pattern. Having provided for consultation and exchanges of views between the agency concerned and the United Nations on matters of mutual interest, the agreements stipulate that neither party, nor any of their subsidiary bodies, "will present any formal recommendations to the other without reasonable prior consultation with regard thereto". Subject to this clause, however, any formal recommendation from either organization "will be considered as soon as possible by the appropriate organ of the other". The agreement with the Bank contains a further clause which reads as follows:

"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 or conditions of 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."

150. The standard article in the majority of the agreements contains two further provisions. First, the agency in question agrees "to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its Members to give effect to such recommendations, or on the other results of their consideration" thereof. This provision does not appear in the agreements with the Bank and the Fund.

151. Secondly, the agencies affirm their intention to co-operate in whatever further measures may be necessary to make co-ordination between their activities and those of the United Nations fully effective. In particular, they agree to participate in, and to co-operate with, any body or bodies which the Council may establish for the purpose

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153/ For details regarding co-ordination of the activities of the specialized agencies, see section C below.

154/ See also in this Repertory, under Article 62 (1).

of facilitating such co-ordination, and to furnish such information as may be required for carrying out this purpose.

152. In the agreements with the Bank and the Fund, however, the above-mentioned provision does not appear; instead, they contain, under the heading "Administrative Relationships", a brief clause stating that "to the extent consistent with the provisions of this agreement, the Bank [the Fund] will participate in the work of the Co-ordination Committee and its subsidiary bodies".

#### *7. Exchange of information and documents*

153. The standard article on exchange of information and documents is worded similarly in most of the agreements. It provides that, subject to the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall take place between the United Nations and the specialized agency in question. In particular, the agency undertakes to transmit regular reports on its activities, and to comply to the fullest extent practicable with any requests by the United Nations for special reports, studies or information. Finally, the Secretary-General undertakes, after consultation, to provide the agency with such information as may be of special interest to it.

154. The agreements with the Bank and the Fund, however, contain, instead, an article stating merely that, subject to the earlier clause concerning the safeguarding of confidential material, the United Nations and the agency concerned will, to the fullest extent practicable, arrange for the current exchange of information and publications of mutual interest, and for the furnishing of special reports and studies upon request. 155/

#### *8. Public information*

155. Three of the agreements contain specific articles on this subject.

156. Article VII of the agreement with UNESCO refers to provisions in that agency's Constitution which require it to "collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end to recommend such international agreements as may be necessary to promote the free flow of ideas by word and image"; and to "maintain, increase and diffuse knowledge" by various means. It stipulates that, having regard to these provisions, and with a view to co-ordinating the activities of UNESCO in this field with the operations of the information services of the United Nations, a subsidiary agreement regarding these matters shall be concluded as soon as possible.

157. Similarly, article VI of the agreement with WHO refers to provisions in that agency's Constitution requiring it "to provide information, counsel and assistance in the field of health" and "to assist in developing an informed public opinion among all peoples on matters of health". With a view to furthering co-operation and developing joint services in the field of public information, this agreement also provides for the conclusion of a subsidiary agreement. 156/

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155/ For details regarding reports of the specialized agencies to the United Nations, see in this Repertory under Articles 62 (1) and 64.

156/ For details regarding these supplementary agreements, see under paras. 228-231 below.

158. The agreement with the IRO states, under article VI, that "having regard to the fact that it is essential to the success [of the agency] to have the support of an informed public opinion", it requires special facilities for keeping the public informed of its aims and activities. The United Nations accordingly undertakes to make its public information facilities available to complement the resources of IRO in this field.

9. *Assistance to the Security Council* 157/

159. An article headed "Assistance to the Security Council" appears in the agreements with ILO, FAO, UNESCO, WHO, ICAO, IRO and IMCO and is included in implementation of Article 65. In the agreements with ILO, FAO, UNESCO and ICAO, the agency concerned "agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security". A provision to the same effect, but couched in shorter form, is contained in the agreements with WHO, IRO and IMCO.

160. In the agreements with the Bank and the Fund, under the heading "Security Council" the agency concerned "takes note of the obligation assumed, under paragraph 2 of Article 48 of the United Nations Charter, by such of its members as are also Members of the United Nations": it will therefore "have due regard for decisions of the Security Council under Articles 41 and 42 of the United Nations Charter". The agency concerned also agrees to provide the Security Council with information.

161. An article headed "Assistance to the United Nations" in the agreements with UPU, ITU and WMO concerns the obligations of those agencies to render assistance to "the United Nations, its principal and subsidiary organs". It allows for the individual constitutional position of the agency concerned by referring to its constitutive instrument, and by reserving the position of those of its members which are not Members of the United Nations.

162. Of particular interest in this connexion is the action taken with regard to General Assembly resolution 377 (V), entitled "Uniting for peace", by which it is provided that the General Assembly may make recommendations to Members of the United Nations for collective measures for the maintenance of international peace and security if the Security Council fails to act. Desiring to facilitate co-ordinated action under that resolution in the economic, social and related fields, the Economic and Social Council, at its twelfth session, requested 158/ the Secretary-General, in the light of the discussion on this subject in the Council, "to consult with the specialized agencies as to the specific arrangements they might most appropriately make in order to provide for the furnishing by them of such information and for the rendering of such assistance in the maintenance or restoration of international peace and security as may be requested by the Security Council or the General Assembly, such arrangements to cover action on an emergency basis and within the constitutional and budgetary limitations of the agencies to meet urgent requests". 159/

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157/ See also in this Repertory under Article 65 for details regarding action taken in this regard and in particular in connexion with assistance requested by the Security Council for the civilian population of Korea.

158/ E S C resolution 363 (XII).

159/ See also in this Repertory under Articles 65 and 66.

163. The consultations requested by the Economic and Social Council were undertaken by the Secretary-General with the heads of the specialized agencies, individually and collectively, at the eleventh session of the Administrative Committee on Co-ordination (ACC). Since the agreements between most of the specialized agencies and the United Nations specify the Security Council as the source of the requests and decisions in respect of the maintenance or restoration of peace and security to which the agencies undertake to respond, 160/ the problem was one of devising suitable measures to bring the existing arrangements into conformity with the additional arrangements for the maintenance or restoration of peace and security adopted by the General Assembly under resolution 377 (V). No such action seemed to be required by ITU, UPU, or WMO, since the special undertaking to co-operate with, and to give assistance to, the United Nations, contained in the respective agreements or draft agreements, appeared to be sufficiently broad to cover recommendations of the General Assembly under resolution 377 (V).

164. The specialized agencies concerned agreed to lay before the appropriate organs at the earliest opportunity proposals designed to fulfil the purposes of the request made by the Council. Two alternative proposals were suggested: one was the modification of the agreements by way of amendments or additions, and the other was the adoption of resolutions by the appropriate organ of the agency concerned.

165. At its thirteenth session, the Council noted with approval 161/ that certain specialized agencies 162/ had declared themselves "willing to co-operate with the General Assembly, acting in accordance with General Assembly resolution 377 (V), in the maintenance of international peace and security"; and that action in this connexion was on the agenda of the appropriate bodies of several other agencies; 163/ the Council also requested the Secretary-General to communicate to the General Assembly the resolutions adopted or other action taken by the specialized agencies in this respect.

166. The resolutions 164/ adopted by the specialized agencies ranged from a general pledge to "render all appropriate assistance" to an extension of the principle of "due regard" for recommendations of the Security Council to recommendations of the General Assembly, without committing the agency further than to assist the United Nations by furnishing it with information.

#### 10. Assistance to the Trusteeship Council 165/

167. In pursuance of Article 91, the agreements with ILO, FAO, UNESCO, WHO, IRO and IMCO stipulate that the agency concerned "agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request, in regard to matters with which the Organization is concerned".

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160/ See also para. 236 below.

161/ E S C resolution 402 A (XIII).

162/ ILO, UNESCO, WHO and ICAO.

163/ FAO, the Bank and the Fund.

164/ For texts of resolutions adopted by WHO in May 1951 and by ILO and ICAO in June 1951, see, Report of the Secretary-General on particular co-ordination matters, E/2060; resolution by FAO adopted at the sixth session of the FAO Conference, E/2060/Add.1. The texts of the resolutions adopted by the Bank and the Fund are mentioned in the Report of Collective Measures Committee (G A (VII), Suppl. No. 17 (A/2215), para. 56).

165/ For details, see in this Repertory under Article 91.

168. The obligations of the Bank and of the Fund are slightly less extensive; these institutions undertake to co-operate with the Trusteeship Council "by furnishing information and technical assistance upon request and in such other similar ways as may be consistent" with their Articles of Agreement.

### *11. Non-Self-Governing Territories 166/*

169. In conformity with Article 73 e, each agency, other than those noted in para. 170 below, "agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of Non-Self-Governing Territories".

170. The agreements with UPU, ITU, WMO, the Bank and the Fund make no provision in this respect. In the agreements with IRO and IMCO, the words "within the limits of its functions" are inserted at the beginning of the clause quoted above.

### *12. Relations with the International Court of Justice*

171. With slight variations, all the agreements, except that with UPU, provide that the agencies shall furnish any information which may be requested by the Court in pursuance of Article 34 of its Statute.

172. The standard article goes on to state the right of each agency to seek advisory opinions of the Court on legal questions arising "within the scope of its activities" (the latter word is replaced by the word "competence" in the case of the agreements with WHO, WMO and ITU), other than questions concerning mutual relationships between the agency concerned and the United Nations or another specialized agency. Such requests may be addressed to the Court by the sovereign conference of the agency, or by its executive body acting under authorization by this conference, and the Economic and Social Council must be informed of such requests when they are made.

173. Information has been provided to the Court by ILO in connexion with the Court's advisory opinion of 28 May 1951 entitled "Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide" and of 13 July 1954 entitled "Effect of Awards of Compensation made by the United Nations Administrative Tribunal", the Director-General of ILO having been notified in both cases by the Registrar of the Court that, in accordance with Article 66 of the Statute of the Court, ILO was considered by the President of the Court as likely to be able to furnish information on the matter. Up to the present, however, no agency has sought advisory opinions of the Court on legal questions arising within the scope of the agency's activities.

### *13. Headquarters and regional offices*

174. In the agreements with UNESCO, UPU, ITU, the Bank, the Fund, IRO and IMCO no provision appears regarding the location of headquarters, since in all these cases a decision had already been reached by each agency's sovereign body to establish its headquarters at a given place.

175. An article was included in the agreement with ILO under which that agency, "having regard to the desirability of the headquarters of specialized agencies being situated at the permanent seat of the United Nations, and to the advantages that flow from such centralization, agrees to consult the United Nations before making any decision

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166/ For details, see in this Repertory under Article 73.

concerning the location of its permanent headquarters". In the agreements with WHO and WMO, only the last clause, beginning with the words "agrees to consult" is included.

176. The agreement with ICAO contains a similar clause, but refers to "any further decision" instead of "any decision", since the decision to locate the headquarters of that agency at Montreal had, in fact, already been taken in 1945.

177. The agreement with FAO stipulates that the agency's permanent headquarters shall be at the permanent seat of the United Nations, subject to the latter being situated at a place where the agency "can effectively and economically discharge its duties and maintain effective liaison with those specialized agencies with which it is particularly concerned", and subject to satisfactory arrangements being made in a subsequent agreement "regarding the provision of a site and necessary facilities for the establishment of such headquarters". The United Nations further undertakes to provide FAO with appropriate assistance in the establishment of permanent headquarters at its permanent seat.

178. With regard to regional offices, most of the agreements contain a clause stipulating that any regional or branch offices which the agency may establish "shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish". The agreements in which this clause does not appear are those with UPU, ITU, the Bank, the Fund and IMCO. The agreements with ICAO and WMO contain the further words: "Having due regard to the special needs of international civil aviation" and "Having due regard to the special needs of world meteorology", respectively.

179. At its seventh session, the Economic and Social Council took note 167/ of the provisional decision, adopted by the World Health Assembly on 2 July 1948, that Geneva be made the permanent headquarters of WHO, subject to consultation with the United Nations. The Council considered that the decision was "in the best interests of the United Nations and of the World Health Organization".

180. In accordance with the relevant provision of the agreement with FAO, the Secretary-General, in 1949, informed that organization of the facilities which might be made available at the permanent headquarters of the United Nations for the establishment of the permanent headquarters of FAO, and of the temporary space in the United Nations Secretariat building which could be made available in the meantime. The FAO Conference, at its fifth session in December of that year, after considering the arrangements proposed by the United Nations together with offers of sites in Rome, Copenhagen, Geneva and Washington, finally selected Rome as the location for its permanent headquarters.

181. While the agreements with ITU and WMO contain no specific provision on headquarters, efforts have been made to accommodate these organizations within the premises of the United Nations European Office in Geneva.

182. With regard to regional offices, consultation has taken place from time to time within the framework of ACC, both with regard to the location of such offices and in connexion with the co-ordination or pooling of administrative services among the regional or branch offices grouped in the same locality.

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167/ E S C resolution 168 (VII).

*14. Personnel arrangements*

183. The standard article in the agreements with ILO, FAO, UNESCO, WHO, ICAO, IRO and IMCO recognizes "the desirability of a single unified international civil service". The United Nations and the agency concerned accordingly "agree to develop the phrase "as far as practicable" is added in the agreements with WMO and WHO/ common personnel standards, methods and arrangements designed to avoid serious discrepancies "unjustified differences" in the case of the agreement with ICAO/ in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate the phrase "any mutually desirable" is inserted here in the agreement with WMO/ interchange of personnel in order to obtain the maximum benefit from their services".

184. For these purposes the United Nations and each agency agree to consult together concerning the establishment of an International Civil Service Commission ("International Civil Service Advisory Board" in the case of the agreements with IRO, WMO and IMCO), and on other matters relating to employment of officers and staff; and to co-operate in the interchange of personnel and in the establishment of machinery for the settlement of disputes arising out of the employment of personnel.

185. The agreement with UPU states that that organization shall co-operate with the United Nations, as necessary, to ensure as much uniformity as possible in conditions of employment and to avoid competition in recruitment. The agreement with ITU includes the provisions quoted above, but does not mention the International Civil Service Commission or enumerate the various personnel matters on which consultation shall take place.

186. The agreements with the Bank and the Fund state, under the heading of "Administrative relationships", that these institutions and the United Nations "will consult from time to time concerning personnel and other administrative matters of mutual interest, with a view to securing as much uniformity in these matters as they shall find practicable and to assuring the most efficient use of the services and facilities of the two organizations".

187. In the agreement with WMO, a clause provides for further consultation "as to the desirability of concluding a special agreement extending the competence of the United Nations Administrative Tribunal to the Organization".

188. In its fourth report 168/ to the Council in November 1948, ACC stated that a general study of salary and allowance scales at the United Nations was to be undertaken in 1949, that continuous liaison on that subject and on staff organization and administration generally would be maintained with the specialized agencies through one of the subsidiary bodies of ACC, the Consultative Committee on Administrative Questions, and that the question of common personnel standards continued to receive special attention and study.

189. At the third session of the General Assembly, the Fifth Committee, 169/ on the recommendation of the Advisory Committee on Administrative and Budgetary Questions, instructed the Secretary-General to appoint a small expert committee to examine the whole system of salaries, allowances and leave at the United Nations. The representatives of the specialized agencies agreed to provide the United Nations Secretariat with all the material required for a comparative salary study, and two

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168/ E S C (VIII), Suppl. No. 5 (E/1076).

169/ G A (III/1), 5th Com., 143rd and 144th mtgs., pp. 479-505.

agencies agreed to a loan of personnel to assist in the preparation of documentation for the expert committee. The United Nations Secretariat agreed to request the expert committee to hear representatives of the agencies before making its general recommendations on the United Nations system.

190. One question dealt with has been that of loans and transfers of personnel. A policy has been agreed upon regarding the exchange of interpreters, translators and other conference personnel, and in some cases of administrative and programme specialists.

191. Another question has been that of pension schemes. The provisional United Nations pension scheme was in process of revision in the early part of 1948, and the draft permanent scheme drawn up by the Staff Benefit Committee was approved in principle by the Advisory Committee that year. It was then submitted to the executive bodies of the various agencies, with the exception of the Bank and the Fund, which were already operating their own pension schemes. At a joint meeting held in July 1948 with the Advisory Committee, ACC agreed that common standards for pension arrangements were desirable, and that there was an obvious advantage in making the coverage of the United Nations scheme as wide as possible, but that the decision of an agency to join that scheme must be made individually.

192. The Advisory Committee considered the question again at its meeting in August 1948, and urged all agencies to reconsider and, if possible, to adopt the United Nations proposals for a Joint Staff Pensions Scheme. Should they find themselves unable to adopt the Joint Scheme, however, the Committee trusted that ways and means would be found to enable staff members transferring from one agency to another to transfer their accrued rights or their actuarial equivalent from one pension scheme to the other. At present, the following agencies participate in the scheme with the United Nations: ILO, FAO, UNESCO, WHO, ICAO and WMO.

193. In connexion with the question of national taxation of international officials, consultations have taken place with the specialized agencies. The matter was discussed by ACC at a joint meeting with the Advisory Committee in July 1948, at which reference was made to the main features of the United Nations staff assessment plan which was to be laid before the General Assembly. The general feeling at that meeting was that the attitude of the competent authorities of the various specialized agencies could be gauged better after the General Assembly, at its third session, had reached a decision regarding action on the plan by the United Nations itself.

194. With regard to methods of recruitment and related questions, the General Assembly, at the first part of its first session, instructed the Secretary-General 170/ to establish, in consultation with the executive heads of the specialized agencies, an International Civil Service Commission to advise on these matters. This question was discussed by a working party of experts of the United Nations and the specialized agencies in April 1947. The title of that body was later changed to "International Civil Service Advisory Board", since ACC was of the opinion 171/ that advice and interchange of information, rather than research, should be the Board's functions, and that the Board should consist of a chairman and eight members appointed by the Secretary-General, after consultation with ACC.

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170/ G A resolution 13 (I).

171/ E S C (VI), Suppl. No. 6, para. 38.

195. In May 1948, ACC agreed 172/ that it might, in future, refer to the Board, for comment, problems of personnel administration, in addition to questions of recruitment, on which it might desire the Board's views. It was also agreed that individual organizations might request advice or assistance on personnel problems of the agency from the Board.

### 15. Statistics

196. The standard article on statistical services in the agreements recognizes the desirability of maximum co-operation, elimination of all undesirable duplication and the most efficient use of all statistical resources, with the particular object of enhancing the usefulness and utilization of statistical information and of minimizing the burdens placed upon national Governments in collecting such information.

197. Under the relevant article, the United Nations is recognized as "the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations", while each agency is recognized as possessing similar authority in the matter of statistics "within its special sphere". The right of the United Nations to concern itself with all statistics is here reaffirmed, and this right is made reciprocal in the agreements with the Bank and with the Fund. The agreements with ITU and WMO also reserve the right of those agencies to determine "the form in which its service documents are compiled".

198. The standard article provides further that the United Nations "shall develop administrative instruments and procedures through which effective statistical co-operation may be secured". In the agreements with FAO and WHO this article provides that this task shall be performed "in consultation with the specialized agencies", while, in the agreement with ICAO, the relevant article contains the words "in consultation with the International Civil Aviation Organization and with the other specialized agencies where appropriate". The agreement with IMCO contains a similar reservation. There is no clause of this nature in the agreements with UPU, ITU, the Bank and the Fund.

199. The standard article contains a further clause concerning the avoidance of duplication by placing all information or material available in one organization at the disposal of any other requiring it, and ends with a provision for furnishing to the United Nations, as far as practicable, all data supplied to the agency concerned for its own purposes. The agreements with the Bank and the Fund are somewhat more general in their terms, but also provide for the fullest consideration of all statistical requirements on a reciprocal basis and for the prompt exchange of non-confidential statistics.

200. In pursuance of a recommendation of the Statistical Commission of the Economic and Social Council, a statistical co-ordination committee, later known as the Consultative Committee on Statistical Matters, composed of a representative of the statistical services of each of the specialized agencies and members of the Statistical Office of the United Nations, began to function in December 1946 within the framework of ACC.

201. On the subject of statistical questionnaires to Governments, a procedure has been established for the exchange of questionnaires. With regard to the statistical publications of the United Nations, arrangements have been made for the regular supply by agencies of appropriate contributions from their own regular sources. The

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172/. E S C (VII), Suppl. No. 11, para. 23.

Statistical Office of the United Nations, for its part, has provided the agencies with appropriate statistical material.

202. Acting in accordance with an instruction of the Council, adopted at its fourth session, 173/ the Secretary-General has provided the Statistical Commission with periodic reports on the co-ordination of statistical activities. However, when the programme of co-ordination became stabilized, the Statistical Commission limited these reports to observations on changes in the basic pattern of relationships and to new developments or problems in the co-ordination of statistical activities. 174/

203. With regard to the statistical publications of the United Nations and the specialized agencies, arrangements have been established for the regular exchange of data between the agencies. In this connexion, for example, the International Labour Office has regularly contributed current figures for inclusion in the United Nations Monthly Bulletin of Statistics on such subjects as employment, hours worked in manufacturing, earnings in manufacturing and cost of living indices. The Fund has contributed data on money supply, exchange rates, gold and foreign exchange holdings and money market rates. Data on the production of agricultural products for the Statistical Yearbook have been supplied by FAO and WHO has provided statistics on medical care. The Statistical Office of the United Nations has reciprocated by supplying the relevant specialized agencies with figures on such subjects as population and vital statistics, external trade, national income and other subjects in the field of economics.

#### *16. Administrative and technical services*

204. All the agreements contain an article which recognizes, with slight variations in drafting, the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding wherever possible the establishment and operation of competitive or overlapping facilities and services. The United Nations and each agency, except UPU, ITU and WMO, accordingly agree to consult together concerning the establishment and use of common administrative and technical services and facilities, in addition to those concerned with personnel, statistics and budgetary and financial matters, in so far as this may from time to time be found practicable and appropriate. The agreements with ITU and WMO provide for consultation "when necessary to achieve these ends".

205. All these agreements also contain a clause stipulating that arrangements shall be made in regard to the registration and deposit of official documents.

206. The desire expressed in the agreements to achieve the most efficient use of personnel and resources and to avoid competitive or overlapping facilities and services between the various organizations has been met in a number of ways, both in the administrative field and in the consultation on the preparation of legal texts, standardization of terminology, publications and sales policy, and so forth.

#### *17. Budgetary and financial arrangements*

207. The articles on budgetary and financial arrangements in the agreements are complex and show a number of variations.

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173/ E S C resolution 40 (IV).

174/ E/CN.3/SR.61, para. 27, and E/CN.3/106, para. 9.

208. In all the agreements, except those with UPU, ITU, the Bank and the Fund, the standard article opens with a clause recognizing the desirability of establishing close budgetary and financial relationships in order that the administrative operations of the United Nations and the specialized agencies may be carried on in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity may be secured. The formula used in the agreement with IRO refers only to co-ordination and uniformity with respect to "administration" instead of "budgetary and financial relationships".

209. The next clause provides that the fullest possible co-operation shall take place to achieve these ends, and in particular that the United Nations and the agency concerned shall consult together concerning the desirability of making appropriate arrangements for including the budget of the agency concerned within a general budget of the United Nations, any such future agreement to be defined in a supplementary agreement. The words "the desirability of making" appear in the agreements with ILO, ICAO, WMO, WHO (in which the phrase "desirability of the inclusion of" is used) and IMCO; they do not appear in the agreements with UNESCO and FAO. The effect of the omission of these words is that those agencies are obliged to consult with the United Nations only with regard to ways and means of achieving a general or consolidated budget. The agreement with IRO contains a somewhat different clause, stipulating that "If at any time either party should consider it desirable, the parties shall consult together concerning the inclusion of the administrative budget of the Organization within the general budget of the United Nations."

210. The article then enumerates a number of specific actions to be taken by the United Nations and the agency concerned. In those cases where the desirability of a general budget is to be subject to consultation, these actions are listed in clauses of a permanent nature; in those cases where inclusion of the budget in a general budget of the United Nations is accepted as the ultimate goal, the same actions, with minor variations, are listed as arrangements which shall govern financial relationships pending the conclusion of the agreement referred to in the clause which deals with the question of a general budget.

211. These actions are the following: in the preparation of its budget, each agency shall consult with the United Nations; further, it shall transmit its proposed budget to the United Nations annually at the same time as it is transmitted to its own members (the phrase "by such date as may be agreed" is used in the agreement with IRO and the phrase "by 1 July of the preceding year or such other date as may be agreed" is used in the agreements with WMO and IMCO); the General Assembly shall examine this budget or proposed budget and "may make recommendations to it [the agency] concerning any item or items contained therein". This latter wording appears in the agreements with ILO, UNESCO, WHO and IRO and is replaced by the words "may make such recommendations as it may consider necessary" in the agreements with FAO, UPU, ITU, WMO, ICAO and IMCO. All these agreements provide that representatives of the agency concerned shall be entitled to participate without vote in meetings of the General Assembly and its Committees when that agency's budget is under consideration. In the agreements with ILO, FAO, UNESCO, ICAO, WHO, IRO, WMO and IMCO the stipulation regarding participation in meetings is extended to cover also the consideration of general administrative or financial questions affecting the agency concerned.

212. All the agreements, except those with UPU, the Bank, the Fund and ITU, then provide that the United Nations may (the phrase "at the request of the Organization" being inserted in the agreement with IRO) undertake the collection of contributions from those members of the agency that are also Members of the United Nations, under the terms of an agreement to be concluded subsequently. Finally, these agreements provide for studies by the United Nations of other financial and fiscal questions of interest to the agencies, with a view to the provision of common services and to ensure uniformity, and

each agency concerned agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

213. The agreement with UPU merely stipulates that the annual budget of the organization shall be transmitted to the United Nations and that the General Assembly may make recommendations thereon to the Congress of UPU. Under the agreement with ITU, that body is required to transmit its budget or proposed budget to the United Nations, may participate in its examination by the General Assembly or its Committees and may receive recommendations from the General Assembly. The agreement with IRO, in connexion with the preparation of the agency's budget, affects only the administrative budget, and the purpose of consultation with the United Nations is stated to be to achieve, as far as practicable, such uniformity in presentation as will facilitate comparison of the various agency budgets.

214. The agreements with the Bank and the Fund, under the heading of "Administrative relationships", contain a clause providing that the institution concerned will furnish the United Nations with copies of its annual report and quarterly financial statements. The clause then states: "The United Nations agrees that, in the interpretation of paragraph 3 of Article 17 of the United Nations Charter, it will take into consideration that the Bank [the Fund] does not rely for its annual budget upon contributions from its members, and that the appropriate authorities of the Bank [the Fund] enjoy full autonomy in deciding the form and content of such budget." 175/

#### 18. *Financing of special services*

215. All the agreements contain an article or clause of an article stipulating that any substantial expenditure in which an agency may become involved in consequence of a United Nations request for special studies or other forms of assistance, including assistance to the Security or Trusteeship Councils under the relevant articles of the agreements, shall form the subject of consultations with a view to determining the most equitable manner in which such expenditures shall be met. The agreements, except those with UPU and WMO, also provide that there shall be consultation regarding an equitable meeting of the costs of any central administrative, technical or fiscal services, facilities or other special assistance.

216. There has been little recourse to this clause in the agreements since, in the majority of cases, a request by the United Nations to an agency, or *vice versa*, to undertake a special study or to provide special assistance, has been recognized to be in the mutual interest of both organizations.

217. Payment for special investigations has, however, been arranged in a few cases, such as studies by specialized agencies in connexion with commodity arrangements and a special investigation of nutritional problems among Middle East refugees, carried out by FAO for the United Nations.

218. In cases of joint missions, or loan of personnel for field work, the usual practice has been for each organization to pay the salaries and expenses of its own participants, or to take the loaned experts on its own payroll for the duration of their missions.

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175/ For further details concerning administrative and budgetary arrangements, see in this Repertory under Article 17 (3).

### 19. *Inter-agency agreements*

219. The agreements with ILO, FAO, UPU and IRO, the latter with slightly different wording, provide that each agency shall inform the Council of the nature and scope of any formal agreement between it and any other specialized agency or any inter-governmental organization, and in particular that it shall inform the Council before any such agreement is concluded. In the case of the agreement with UPU it is stipulated that the organization shall inform the Council "of the preparation of any such agreements". The agreements with UNESCO, ICAO, WHO, ITU, WMO and IMCO, the latter with slightly different wording, add non-governmental organizations to this clause; the agreements with ITU and WMO mention international non-governmental organizations, and contain the further stipulation that the Council shall be informed of the details of any agreements, when concluded. The agreements with ITU and WMO also contain a reciprocal clause under which the United Nations will inform these agencies of any formal agreements contemplated by any other specialized agency on matters which might be of concern to them. The agreements with the Bank and the Fund provide that the Council shall be informed of the nature and scope of any formal agreements to be concluded with any other specialized agency.

220. A number of agencies have concluded or negotiated mutual agreements to regulate their working relationships, as envisaged in their agreements with the United Nations. These agreements, of the conclusion or contemplated conclusion of which the Council has been informed, have been as follows: agreements between ILO and FAO, ILO and UNESCO, ILO and WHO, FAO and UNESCO, FAO and WHO, UNESCO and WHO, and proposed agreements between ILO and IMCO; and ILO and the International Trade Organization (ITO). 176/

221. In addition, there are agreements between FAO and the United Nations Children's Fund (UNICEF) and WHO and UNICEF, which provide for assistance by the two specialized agencies in the operational activities of UNICEF.

222. Agreements between specialized agencies and other inter-governmental organizations, of the conclusion of which the Council has been informed, are as follows: ILO and the Organization of American States (OAS), FAO and OAS, UNESCO and OAS, WHO and the Pan American Sanitary Bureau, ILO and the Council of Europe, UNESCO and the Council of Europe, ILO and the European Coal and Steel Community, WHO and the International Committee of Military Medicine and Pharmacy, UNESCO and the International Bureau of Education, and UNESCO and the International Committee of Weights and Measures. In addition, the Council has been informed of the conclusion of agreements between UNESCO and the following non-governmental organizations: the World Federation of United Nations Associations, the International Studies Conference, the International Theatre Institute and the International Council of Museums.

### 20. *Liaison*

223. All the agreements include an article stating that the agreements are entered into in the belief that they will contribute to the maintenance of effective liaison between the United Nations and the agency concerned. Both parties undertake to adopt any further measures necessary to render liaison fully effective. In the case of the agreements with the Bank and the Fund, the wording "to establish... such administrative machinery as may be necessary to make the liaison... fully effective" is used.

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176/ Neither IMCO nor ITO has yet been established as a specialized agency.

224. All the agreements further stipulate that the liaison arrangements made (the word "liaison" is omitted in the agreements with the Bank and the Fund) shall apply as far as is appropriate to the relations between such branch or regional offices as may be established by the contracting organizations, as well as between their central headquarters.

225. The provision relating to the extension of liaison arrangements to relations between such branch or regional offices as may be established by the United Nations and each agency is of special importance. This provision acquires particular significance in connexion with the regional economic commissions of the Council. The repeated references in the agreements to the "Council, its commissions and committees" is also relevant in this context, since it gives recognition to the principle that the provisions regarding such matters as reciprocal representation, proposal of agenda items, exchange of information, statistics et cetera, are fully as applicable to regional commissions as to any others.

226. This principle is reflected in the terms of reference given to the commissions by the Council. These terms were carefully designed to provide for collaboration with the specialized agencies, and the concern of the Council in the matter is also illustrated in resolution 108 (VI), by which the Council called the attention of the specialized agencies and of the regional commissions to the desirability "of ensuring the closest possible co-operation and, where appropriate, joint action in fields of common concern".

227. The principle is also illustrated in the rules of procedure of the regional commissions themselves. In the matter of co-operation with the specialized agencies, the rules of procedure, or the terms of reference themselves, make provision for the attendance of representatives of the agencies at commission meetings, for their participation without vote in deliberations, for the proposal of agenda items by agencies subject to preliminary consultations et cetera. 177/

### 21. Implementation

228. All the agreements contain an article or a clause in an article authorizing the Secretary-General of the United Nations and the chief administrative officer of each agency to enter into such supplementary arrangements for the implementation of each agreement as may be found desirable in the light of experience.

229. The only supplementary agreements referred to the General Assembly for approval and thereafter embodied in formal instruments relate to the use by the agencies concerned of the United Nations *laissez-passer*, dealt with under paragraphs 238 and 239 below. The agencies concerned are ICAO, 178/ FAO, 179/ UNESCO 180/ and UPU; 181/ the supplementary agreements with the first three were approved by the General Assembly by resolution 261 (III) and the one with UPU by resolution 361 (IV).

230. A supplementary arrangement of a semi-formal character is that between the United Nations and ILO, signed on 22 November 1947, relating to the respective competences of the two organizations in matters concerning migration. The arrangement,

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177/ See also paras. 265-269 below, and in this Repertory under Article 68.

178/ United Nations Treaty Series, vol. 21, 1948, annex B, No. 45, pp. 347-349.

179/ *Ibid.*, pp. 338-340.

180/ *Ibid.*, pp. 341-343.

181/ United Nations Treaty Series, vol. 43, 1949, annex B, No. 116, pp. 344 and 345.

which was approved by the Council at its seventh session, 182/ provides for the creation of a working group on migration. Such a group was subsequently established under ACC.

231. It is also appropriate to mention here a number of subsidiary agreements entered into in respect of other clauses in the agreements. A subsidiary agreement between the United Nations and UNESCO concerning public information activities was signed on 3 December 1947. A subsidiary agreement 183/ was concluded between the United Nations and WHO, concerning the headquarters of WHO in Geneva. There is an agreement 184/ between the United Nations and ILO, providing a procedure for registering ratifications of conventions.

## 22. Revision

232. The agreements with ILO, FAO, UNESCO, ICAO, WHO, IRO and IMCO contain a provision stating that they shall be subject to revision by agreement between the United Nations and the agency concerned. The agreement with UNESCO further states that it shall be reviewed not later than three years after its entry into force. The agreements with UPU, WMO and ITU provide for revision by agreement on six months' notice given by either party. The agreements with the Bank and the Fund state that they are subject to revision by agreement at any time after they come into force, and that they are terminable at six months' written notice, all rights and obligations deriving from them ceasing at the expiry of this period.

233. With the exception of the general review of the agreements referred to in paragraphs 12 and 13 above, the question of revision of any agreement has, to date, not been brought up.

## 23. Entry into force

234. All the agreements include a clause providing that they shall enter into force when approved by the General Assembly and the general conference or other sovereign body of the agency concerned. The agreement with UPU provides only for approval by the General Assembly, having already been annexed to the Universal Postal Convention concluded in 1947. The agreement with ITU provides that it shall come into force provisionally after approval by the General Assembly and the Plenipotentiary Telecommunication Conference of 1947, and that it shall formally enter into force at the same time as the International Telecommunication Convention concluded in 1947.

235. The twelve agreements between the United Nations and the specialized agencies 185/ came into force, upon approval both by the General Assembly and by the competent authority of each agency, on the following dates:

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182/ E S C resolution 156 (VII).

183/ United Nations Treaty Series, vol. 46, 1950, II, No. 188, pp. 327-347.

184/ United Nations Treaty Series, vol. 26, 1949, II, No. 154, pp. 323-328.

185/ See footnote 186 below.

<u>Agency</u>	<u>Date</u>	<u>General Assembly resolution</u>
ILO	14 December 1946	50 (I)
UNESCO	14 December 1946	50 (I)
FAO	14 December 1946	50 (I)
ICAO	13 May 1947	50 (I)
UPU	1 July 1948	124 (II)
WHO	10 July 1948	124 (II)
ITU	1 January 1949	124 (II)
Bank	15 November 1947	124 (II)
Fund	15 November 1947	124 (II)
IRO	18 November 1948	205 (III)
IMCO	18 November 1948	204 (III) <u>186/</u>
WMO	20 December 1951	531 (VI)

#### 24. *Special articles*

236. The agreement with ITU includes a special article dealing with United Nations telecommunication services. Under its terms, ITU recognizes that it is important that the United Nations should benefit from the same rights as members of the Union for operating telecommunication services. The United Nations, for its part, undertakes to operate any such services under its control in accordance with the terms of the International Telecommunication Convention and annexed regulations. Details are to be laid down in a supplementary agreement.

237. The agreement with ICAO contains a special article which provides for the possibility of appropriate arrangements being concluded with the United Nations with respect to air matters within the competence of ICAO directly affecting world security, as contemplated in the Convention on International Civil Aviation.

#### 25. *United Nations laissez-passer*

238. An article or clause providing for the use by officials of specialized agencies of the United Nations laissez-passer appears in the agreements negotiated after August 1947, beginning with those with the Bank and the Fund. It provides that officials of the agency concerned shall have the right to use this laissez-passer in accordance with special arrangements to be negotiated between the Secretary-General and the agency.

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186/ The Assembly of IMCO, which would be the body competent to approve the agreement on behalf of that agency, has not yet met; the agreement has therefore not yet been approved by IMCO.

239. In the case of the earlier agreements, additional action was necessary to achieve this purpose. At its second session, the General Assembly agreed to the addition of this article, as proposed by the Secretary-General at the request of the agencies concerned, when approving the agreements with WHO and ITU, at its second session. 187/ The agreements with the Bank and the Fund, which were also approved at that session, already included the provision in question. At the first part of its third session, the General Assembly approved 188/ supplementary agreements with ICAO, UNESCO and FAO containing an article on that matter. Similar action was taken with regard to UPU at the fourth session of the General Assembly. 189/ The addition of the article to its agreement was not sought by ILO, but that organization, instead, concluded an administrative arrangement 190/ on 26 July 1950 by which the Secretary-General, as authorized by section 26 of the Convention on the Privileges and Immunities of the Specialized Agencies, delegated to ILO special powers to issue its own laissez passer in the same format as that of the United Nations.

## C. Co-ordination of the activities of the specialized agencies

### 1. Recommendations to the specialized agencies

240. As stated in paragraphs 141-146 above, in the consideration of the terms of the agreements between the United Nations and the specialized agencies, provision has been made in the agreements for the specialized agencies to take into account recommendations by the United Nations for the co-ordination of their policies and activities.

241. To date there have been no instances of recommendations to one or more specialized agencies by the General Assembly or the Economic and Social Council, based specifically upon the appropriate articles in the agreements, which are, in turn, based upon Articles 58 and 63. Hence, no agency has yet been called upon to fulfil the obligation binding upon it in respect of submission to its appropriate organ, as soon as practicable, of all formal recommendations from the United Nations. It is clear, however, that those resolutions of the General Assembly or the Council which have had as their object the development of co-ordination in pursuance of Articles 58, 62 and 63, were adopted in the spirit of the article on recommendations in the agreements and have been implemented by the agencies in the same spirit.

242. In order to present as complete a picture as possible of the steps taken by the United Nations to co-ordinate the activities of the specialized agencies, the paragraphs which follow will be concerned not only with the Economic and Social Council itself but also with the steps taken by the General Assembly in this regard, either as a result of recommendations made to it by the Council or on its own initiative.

#### a. PRIORITIES AND CONCENTRATION OF EFFORT AND RESOURCES 191/

243. One of the principal concerns of the General Assembly and the Economic and Social Council has been the avoidance of duplication of the activities of the United Nations and of the specialized agencies and the establishment of priorities within the programmes both of the United Nations and of the specialized agencies.

187/ G A resolution 124 (II).

188/ G A resolution 261 (III).

189/ G A resolution 361 (IV).

190/ United Nations Treaty Series, vol. 68, 1950, II, No. 231, pp. 213-218.

191/ For a discussion of the budgetary aspects of priorities, see in this Repertory under Article 17 (3).

244. The question of avoiding duplication was raised at the outset of the deliberations of the General Assembly, at the first part of its first session, in connexion with a draft resolution 192/ submitted to the Third Committee, proposing the setting up of a cultural commission of the Economic and Social Council, in order to establish more effective liaison between the Council and UNESCO. In the course of discussion, 193/ it was observed that UNESCO should be given the opportunity to undertake the work for which it had been created, in order not to produce confusion and duplication and prejudice the activities of UNESCO. The draft resolution was rejected by the Committee.

245. At its second session, the General Assembly requested 194/ the Council "to give constant attention to the factor of the relative priority of proposals, and to consider as a matter of urgency the further steps which should be taken to develop effective co-ordination of the programmes of the United Nations and its subsidiary organs on the one hand and the specialized agencies on the other", and called upon the specialized agencies, as appropriate under the terms of their agreements with the United Nations "To present each year, to the session of the Economic and Social Council preceding the opening of the regular session of the General Assembly, their reports on past activities and their programmes of operations for the subsequent fiscal year to enable the Council to promote the most efficient and practical use of the resources of the United Nations and the specialized agencies by recommendations concerning the definition of responsibility for specific projects and concerning priorities for action".

246. In amplification of the above-mentioned resolution of the General Assembly, the Council, at its sixth session, requested 195/ that the annual reports of the specialized agencies contain an account of activities and work programmes for the current calendar year, with an indication of priorities, if any, applied to these programmes and with special reference to any major modifications of work programmes previously transmitted, and as far as possible, an account of the proposed activities and work programmes for the subsequent year. In addition, the Council requested 196/ the Secretary-General's Committee on Co-ordination (subsequently called the Administrative Committee on Co-ordination (ACC)) to draw its attention to any apparent overlapping or duplication of activities of the United Nations and of the specialized agencies in the economic, social, cultural, educational, health and related fields. During the discussion in the Council on this question, the importance of avoiding overlapping and duplication and of establishing priorities within the work programmes was stressed by a number of representatives. 197/

247. At the third session of the General Assembly, in the Joint Second and Third Committee and the Fifth Committee meeting jointly, it was suggested, 198/ in connexion with the question of the overlapping of programmes, that a first step towards establishing priorities in work programmes might be the establishment of priorities on the part of each of the specialized agencies. The view 199/ of the

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192/ G A (I/1), 3rd Com., 10th mtg., pp. 27 and 28, A/C.3/21.

193/ Ibid., pp. 27-29.

194/ G A resolution 125 (II).

195/ E S C resolution 128 A (VI). For a discussion of the consideration by the Council of the reports of the specialized agencies, see in this Repertory under Article 64.

196/ E S C resolution 128 C (VI).

197/ For texts of relevant statements, see E S C (VI), 163rd mtg., Netherlands, p. 354; New Zealand, p. 353; United States, pp. 347-352.

198/ G A (III/1), Joint 2nd and 3rd Com., 34th mtg., pp. 85 and 86.

199/ G A (III/1). Annexes, p. 224, A/675. para. 9.

Advisory Committee on Administrative and Budgetary Questions, which had urged "continuance of efforts to develop sound criteria for judging the practical merits of particular international activities so that, wherever possible, the legislative conferences receive the most informed advice before the programmes are authorized" was endorsed. In addition, it was felt 200/ that the Economic and Social Council might provide a greater degree of guidance as to which questions should be given top priority. One representative stated 201/ that, although the Charter and the constitutions of the specialized agencies recognized the right only of Member States to submit recommendations, nevertheless such recommendations should be made by the General Assembly and should deal, in the first instance, with priorities; an order of priority for the whole of the activities of the Council and of the specialized agencies would have to be established, as it was quite evident that the Member States did not have the means to pay the contributions which would be required for the simultaneous execution of all the programmes. At the same session, the General Assembly drew the attention 202/ of the Council and of the specialized agencies to the observations 203/ of the Advisory Committee on priorities and the danger of overlapping and duplication of effort of the United Nations and the specialized agencies, contained in its fifth report of 1948.

248. Further consideration was given to this question by the Council at its ninth session and, in particular, by the Co-ordination Committee of the Council. The Committee noted 204/ the large number and variety of projects in the economic and social fields which were being undertaken or were contemplated by organs of the United Nations and the specialized agencies, and the growing complexity of the task of ensuring effective co-ordination of international activities in these fields. The Committee felt that these projects should be limited to those in respect of which there existed practical possibilities of implementation, not only from the administrative, but also from the budgetary point of view. At the same time, it emphasized the importance of reasonable flexibility in the administrative and programme arrangements of the specialized agencies and of United Nations organs, to enable them to undertake new tasks, as circumstances required, within the limitations of existing staff, facilities and budgets. During the discussion in the Co-ordination Committee, it was observed, 205/ with regard to co-ordination on matters of substance, that the agreements with the specialized agencies made no provision for co-ordination on substantive questions, apart from measures designed to avoid overlapping of activities. The view was expressed 206/ that programmes ought to be co-ordinated and an order of priority studied, although it was quite natural that the specialized agencies should tend to develop within the limits of their respective fields and even to expand those limits without too much concern for the work done by other organizations. In order to deal with its task of establishing priorities, the Council might have to change certain of its ways: even its constitutional framework might be called in question. Although it was hoped that the problem of priorities could be solved without the need for any constitutional changes, the success of the plan for technical assistance would depend largely on the establishment of priorities. One representative felt 207/ that the Council should make suggestions and recommendations to the specialized agencies to modify, where necessary, the order of priority of questions to be examined by them, in

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200/ E S C (III/1), Joint 2nd and 3rd Com., 34th mtg., p. 86.

201/ G A (III/1), Joint 2nd and 3rd Com., 35th mtg., p. 96.

202/ G A resolution 210 (III).

203/ G A (III/1), Annexes, p. 224, A/675.

204/ E S C resolution 259 (IX), annex.

205/ E/AC.24/SR.29, p. 14.

206/ E/AC.24/SR.30, p. 9.

207/ E/AC.24/SR.31, p. 9.

the light of an agreed over-all plan, and that the Council might also decide that over a given period the programme of one agency should enjoy priority over that of another.

249. At the fourth session of the General Assembly, a draft resolution 208/ concerning the problem of the proliferation and overlapping of the programmes of the United Nations and the specialized agencies was presented to the Joint Second and Third Committee and the Fifth Committee meeting jointly. Its sponsor explained 209/ that the proposal was intended to ensure the orderly and efficient development of the activities of the international organizations while reducing the financial burden placed upon Member States. In the course of the discussion, agreement with the substance of this draft resolution was expressed, although there was a difference of views on the methods to be used to remedy the situation. A draft resolution 210/ designed to amalgamate various views, was adopted unanimously both in Committee and in plenary meeting. Under this resolution, the attention of the competent organs of the United Nations and of the specialized agencies was drawn to the recommendations made by the Council at its ninth session, 211/ special attention being drawn to its recommendations regarding a greater concentration of effort and available resources. The Council was requested to review the Catalogue of Economic and Social Projects in terms of categories of priorities, and was further requested to pursue its work in connexion with the absorption and integration of certain inter-governmental organizations and the establishment of relationships between other such organizations and the United Nations or the specialized agencies. In the discussion which took place on this matter, one view 212/ was that the responsibility for priorities in the work of the specialized agencies rested primarily and essentially with the executive bodies and conferences of the specialized agencies, and that the Council could only indicate a limited number of fields of activity which, in its view, were of top priority and a less limited number of fields of activity with low priority. It was remarked 213/ that, in reviewing the Catalogue, the Council should also review the projects of the agencies and their own assignment of priorities, in order to determine categories of priorities applying to groups of projects, to indicate marginal projects or marginal fields of activity in which resources could be saved, and to indicate, if possible, special fields or special projects to which preferential treatment should be given. The function of the Council should be to review the Catalogue in terms of priorities rather than to discuss and to evaluate each individual project. Two other representatives considered 214/ that a most important task of the Council was the establishment of the over-all priorities to which the United Nations and the specialized agencies would be asked to adapt their programmes, and a third representative stressed 215/ the importance of reviewing projects at an early stage.

250. At its eleventh session, the Council gave careful consideration to the problem of establishing priorities, with particular reference to the request of the General Assembly, under resolution 310 (IV), that it review the Catalogue of Economic and Social Projects in terms of categories of priorities and report thereon to the General

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- 208/ G A (IV), Joint 2nd and 3rd Com., Annex, p. 23, A/1012.  
209/ G A (IV), Joint 2nd and 3rd Com., 40th mtg., paras. 8-21.  
210/ G A (IV), Annex, p. 11, A/1121, para. 45, resolution II.  
211/ G A resolution 310 (IV).  
212/ G A (IV), Joint 2nd and 3rd Com., 43rd mtg., paras. 2-5.  
213/ Ibid., paras. 7-19.  
214/ Ibid., paras. 21-23 and 28.  
215/ Ibid., paras. 24-27.

Assembly at its fifth session. The Council agreed 216/ with the conclusion of its Co-ordination Committee that it was not possible at that time to meet this request fully, in view of the difficulties both of defining priorities and of introducing any standard procedure for establishing them. The Council, however, endorsed the Committee's suggestion that the establishment of criteria, which might provide United Nations organs and the specialized agencies with a common approach to the evaluation of priorities between programmes within a particular field of work and between projects within those programmes, might represent, at that stage, a more constructive and practical, if less direct, approach to the problem than an effort to review, in terms of categories or priorities, the manifold and diverse activities of the United Nations and the specialized agencies would afford. The Co-ordination Committee further recommended that the criteria established by the Committee should be taken as a whole and be subject to two overriding principles: (1) that international action would be justified only in cases where the desired results could not be achieved by unassisted national action with some degree of certainty and within a reasonable time; and (2) that the proposed action must be technically sound and adapted to its purpose. It suggested that the criteria for priorities should be based on urgency, feasibility, scope, preparation and co-ordination, and results of a proposed action. While recognizing that these criteria should be employed both by the Council and by the specialized agencies, the Council agreed that their effectiveness would largely depend upon the extent to which Governments, through their representatives, were prepared to apply them to proposals submitted at the various international conferences. The Council also recognized that the above-mentioned criteria were of an experimental nature and that they would probably require further elaboration and development.

251. At the fifth session of the General Assembly, in the course of the general debate on co-ordination in the Joint Second and Third Committee and the Fifth Committee meeting jointly, appreciation of the work accomplished by the Council in regard to priorities was expressed. However, some representatives felt 217/ that it was still desirable that early consideration be given to the question of priorities between particular fields of activities and the proportion of international resources allotted to the work of each of the international organizations. It was generally considered that caution should be shown in embarking on new projects, and several representatives expressed 218/ concern at the continued expansion of agency budgets. By a resolution 219/ adopted unanimously, the General Assembly requested the Council and the agencies to indicate, when new projects were adopted, which current projects might be deferred, modified or eliminated to ensure that the economic and social work of the United Nations and the specialized agencies would be carried out most effectively; both the agencies and the Council were also requested, in reviewing their 1952 programmes during 1951, to use the criteria set forth by the Council at its eleventh session (see para. 250 above).

252. At its twelfth session, the Council invited 220/ the specialized agencies to take any steps they considered necessary in order to enable them to co-operate fully with the Council and the Assembly in achieving the objectives contained in General Assembly resolution 413 (V), and, at its thirteenth session, the Council, upon the recommendation of its Co-ordination Committee, decided 221/ to include in the

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216/ E S C resolution 324 (XI), annex.

217/ G A (V), Joint 2nd and 3rd Com., 48th mtg., paras. 5-24 and 32-39.

218/ Ibid., paras. 5-24 and 40-52.

219/ G A resolution 413 (V).

220/ E S C resolution 362 B (XII).

221/ E S C resolution 402 B II (XIII).

provisional agenda of its summer session in 1952 the item entitled "Adoption of United Nations priority programmes in the economic and social fields". The Council further expressed the view that, in order to achieve the greatest possible economy and reasonable stability, while endeavouring to avoid the application of budgetary ceilings to the activities of the United Nations and the specialized agencies in the economic and social fields, the Council, its subsidiary bodies and the specialized agencies should endeavour, in undertaking periodic reviews of their programmes, to establish priorities and eliminate or defer less urgent projects. The Council also endorsed the following provisions: (1) That the specialized agencies should include in their reports to the United Nations summaries of the major shifts in emphasis in their programmes and of their major priorities for the following year; (2) That no change should be made in the criteria for priorities established by Council resolution 324 (XI) until they had been given a fair trial; the Council noting in this connexion that ACC had considered that these criteria had been helpful, and had not recommended any modifications; and (3) That the Advisory Committee should be invited to provide the Council, at each summer session, with general observations on administrative and budgetary co-ordination between the United Nations and the specialized agencies.

253. During the general debate in plenary session, one representative stated 222/ that, while he was not opposed to measures for the elimination of duplication of effort among the various bodies of the United Nations, a number of proposals by the Co-ordination Committee tended to fuse certain of the functions and administrative services of the United Nations with those of the specialized agencies, a development which he could not accept. It was observed, 223/ on the other hand, that the Council was paying increasing attention to co-ordination in its attempt to render the work of the subsidiary bodies of the specialized agencies more effective, and that the recommendations of the Co-ordination Committee marked a step forward, in that they outlined procedures designed to help the subsidiary bodies of the Council and the specialized agencies in the presentation of their programmes, with special reference to priorities and major fields of emphasis; and also because under these recommendations the Council itself would establish over-all priorities.

254. During the discussions in the Joint Second and Third Committee and the Fifth Committee meeting jointly at the sixth session of the General Assembly, satisfaction was expressed 224/ with the fact that the Council had on its agenda for 1952 the item on adoption of United Nations priority programmes in the economic and social fields, since it was felt that the establishment of such priority programmes would further the concentration of efforts and the elimination of secondary and wasteful projects. A draft resolution 225/ on the subject of the concentration of effort and resources, by which the Assembly would express the hope that further development by the Council of procedures adopted in the current year might lead to the most effective intensification of the economic and social activities of the United Nations and the specialized agencies, and would invite the attention of specialized agencies to the report of the Council dealing with the administrative budgets of the specialized agencies, was submitted to the joint meeting. After amendment, this draft resolution was adopted both in Committee and in plenary meeting. 226/

222/ E S C (XIII), 554th mtg., paras. 2-6.

223/ Ibid., paras. 9-11.

224/ For texts of relevant statements, see G A (VI), Joint 2nd and 3rd Com., 59th mtg., France, paras. 13-15; 60th mtg., China, paras. 30-34; 61st mtg., Chile, paras. 28-30.

225/ G A (VI), Annexes, a.i. 28, p. 28, A/C.2 & 3/L.42-A/C.5/L.133.

226/ G A resolution 533 A (VI).

255. By a further draft resolution 227/ before the Committees meeting jointly, the Assembly would request the Secretary-General, having regard to normal financial procedures, to make suggestions to the Council and its commissions concerning priorities and co-ordination of programmes. By the same draft resolution, the Council and its commissions would be requested, in considering the implementation of General Assembly resolution 413 (V), to focus attention upon the results achieved in relation to expenditure for economic and social activities and to ensure that no short-term activity should become a continuing or permanent activity without a thorough examination of the size, efficiency and other relevant factors of the service concerned. The adoption of similar procedures was commended for the consideration of the specialized agencies.

256. In the course of discussion, 228/ some representatives expressed fear that adoption of this draft resolution would give the Secretary-General excessively wide powers in matters which, in their opinion, should remain within the competence of Governments; they did not feel that the Council should delegate its statutory responsibility for assigning priorities for future programmes. One representative, on the other hand, considered that initiative for proposing the deferment, elimination or modification of projects could properly come from the Secretary-General, and support for the draft resolution was expressed by other representatives. The draft resolution was subsequently adopted both in Committee and in plenary meeting. 229/

257. At its fourteenth session, the Council approved 230/ a list of priority programmes in the economic and social fields, the matter having been considered by its Co-ordination Committee. The list was drawn up, the Council stated, subject to the overriding objective of keeping in view at all times the economic and social development of under-developed areas. It was considered that this over-all priority should apply to all of the programmes listed, particularly to those connected with increased food production and distribution, and increased production in other fields. The Council recognized that the priorities listed would not apply to some urgent problems of particular regions which might call for special measures. It noted further that the list was not a comprehensive one which attempted to cover all the activities of the United Nations and the specialized agencies, but represented rather the major activities on which efforts should be further concentrated.

258. While recognizing that the specialized agencies were engaged in certain programmes which were not listed, the Council decided to invite the specialized agencies to keep the suggested priorities in mind when reviewing and formulating their programmes and to give their comments on these priorities.

259. The Council further decided to continue to review each year the programmes of the United Nations and the specialized agencies. and to this end requested its Commissions and the specialized agencies to review annually their future programmes in accordance with the procedure outlined under Council resolution 402 B. II (XIII) in so far as these procedures were applicable, and invited the specialized agencies to report to it on any major shifts in emphasis in their programmes and any major priorities they might have established for the following year.

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227/ G A (VI), Annexes, a.i. 28, p. 29, A/C.2 & 3/L.44-A/C.5/L.135, submitted by Australia; subsequently amended by the United States (see G A (VI), Annexes, a.i. 28, p. 29, A/C.2 & 3/L.50-A/C.5/L.141); and submitted jointly by Australia and the United States (see G A (VI), Annexes, a.i. 28, p. 35, resolution I, B).

228/ G A (VI), Joint 2nd and 3rd Com., 62nd mtg., p. 27; 63rd mtg., pp. 32-33.

229/ G A resolution 533 B (VI).

230/ E S C resolution 451 A. (XIV).

260. During the discussion, both in Committee 231/ and in plenary meeting, 232/ certain representatives expressed doubts as to the usefulness of a detailed list of priorities, and one representative stated that a number of objectives not included in the list should be given prominence. This point of view was supported by other representatives.

261. At the sixteenth session of the Council, 233/ several representatives noted with satisfaction the progress which had been made by the specialized agencies in complying with the requests made in the resolutions of the Council and the General Assembly regarding priorities, and one representative endorsed the observations 234/ made by ACC concerning the application of priorities, remarking that these observations brought out both the importance and the limitations of the efforts of the Council to fix priority programmes. Another representative took the general view that any change in the priorities established by the Council at its fourteenth session should be resisted unless there were strong reasons to the contrary. The purpose of establishing long-term priorities, it was argued, would be defeated if they were changed before the programmes had been completed.

262. At the conclusion of its discussion, the Council unanimously adopted a resolution 235/ by which it noted the progress made by the specialized agencies in reviewing as appropriate their programmes for 1954, in accordance with the requirements of previous pertinent resolutions of the Council. 236/ The specialized agencies were invited to review their programmes for 1955 in the light of the resolutions referred to above, and to include in a special section of their next reports to the Council a description of the progress made in thus concentrating their efforts.

263. The question was again considered by the Council at its eighteenth session, and continued efforts in the direction of more effective co-ordination of the work of the United Nations and the specialized agencies were urged, 237/ special emphasis being placed on the concentration of efforts in the light of the United Nations priority programmes established by the Council.

264. Of particular interest in connexion with the establishment of priorities within the programmes of the United Nations and the specialized agencies is the concerted programme of practical action in the social field. At its sixth session, the General Assembly drew the attention 238/ of the Council to the report on the world social situation which the Secretariat was to submit to the Social Commission, and requested the Council, "in taking due account of the findings in that report and of the suggestions submitted by the countries directly concerned, to draw up a programme of practical action for the United Nations in the social field to be implemented in co-operation with the specialized agencies, and to submit it to the General Assembly for consideration at its seventh session if possible". The Council, at its fourteenth session, requested 239/ the Social Commission to submit to it recommendations on a programme of concerted action in the social field, in accordance with General Assembly resolution 535 (VI), taking into account the priorities in the social field established

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231/ E/AC.24/SR.102, p. 3; E/AC.24/SR.106, pp. 5-7.

232/ E S C (XIV), 662nd mtg.

233/ Ibid.

234/ Ibid., 661st mtg., p. 694.

235/ E S C resolution 497 C (XVI).

236/ E S C resolutions 324 (XI), 402 B (XIII) and 451 A (XIV).

237/ E S C resolution 553 (XVIII).

238/ G A resolution 535 (VI).

239/ E S C resolution 434 A (XIV).

by the Council under resolution 451 A (XIV). At its sixteenth session, the Council formulated 240/ its views with regard to the particular projects on which a concerted programme of practical action in the social field should be concentrated, within the framework of the criteria and priorities established by the Council previously. The general principles, methods and techniques defined by the Council at its fourteenth session were subsequently endorsed 241/ by the General Assembly, with certain changes, at its eighth session.

b. REGIONAL CO-ORDINATION 242/

265. The question of co-ordination of the activities of the specialized agencies with those of the regional economic commissions of the Council was raised at the eighth session of the Council, in connexion with the report 243/ submitted by the Secretary-General on arrangements for programme co-ordination between the specialized agencies and regional economic commissions. This report, based on a preliminary review of the situation, had noted the considerable progress made in the development of appropriate working relationships between the specialized agencies and regional commissions, including, in certain cases, joint programmes. In the course of discussion, one representative pointed out 244/ the importance of co-ordination by the specialized agencies and regional economic commissions at the preparatory stage, and another representative suggested, 245/ with regard to collaboration between the specialized agencies and regional economic commissions, that it would be wise to specify the precise part to be played by the Secretary-General. Still another representative expressed the view 246/ that the establishment of joint committees of the specialized agencies and the United Nations was contrary to the provisions of the Charter and to the letter and the spirit of the agreements concluded between the United Nations and the specialized agencies, and he objected to the practice by which important questions were progressively being referred to the specialized agencies by the regional commissions.

266. At the ninth session of the Council, its Co-ordination Committee submitted the following recommendations: 247/ (1) that there should be full consultation as far in advance as possible, through ACC, on the establishment of new regional or branch offices by specialized agencies; (2) that, wherever possible, the Council should be given adequate information by ACC early enough to enable it to make any necessary recommendations to the respective agencies, before the authorities concerned in those agencies had reached a final decision on the location of such offices; (3) that in particular cases in future, whenever a regional or branch office was established where there were no regional or branch offices of the United Nations or other specialized agencies, ACC should report to the Council the reasons therefor; and (4) that where two or more agencies had offices in the same city, they should aim at securing all possible economies through the use of common services.

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240/ E S C resolution 496 (XVI).

241/ G A resolution 732 (VIII).

242/ For details on regional co-ordination as regards the establishment of regional offices and regional liaison arrangements, see also paras. 174-182 and 223-227 above.

243/ E S C (VIII), Annex, p. 127, E/1091.

244/ E S C (VIII), 241st mtg., pp. 140-142.

245/ Ibid., pp. 142-144.

246/ Ibid., p. 147.

247/ E S C resolution 259 (IX), annex.

267. At its eleventh session, the Council had before it a report 248/ by the Secretary-General on regional co-ordination of programmes of the United Nations and specialized agencies. The Council noted that particular attention had been paid to co-ordination and co-operative arrangements between the regional economic commissions and several specialized agencies, which were considerably developed during the period under review. At the same session, the Council also endorsed 249/ the report 250/ of its Co-ordination Committee in which the hope that ACC would continue to report to the Council on the development of techniques for co-ordination and avoidance of duplication at the regional level was expressed.

268. At its thirteenth session, after considering a report 251/ by the Secretary-General on regional co-ordination of programmes of the United Nations and the specialized agencies, the Council noted 252/ that in certain fields there was a growing need for co-ordination of the activities of the United Nations and the specialized agencies with the activities of regional inter-governmental organizations outside the United Nations. It expressed the view that continuing attention should be paid to the question of regional co-ordination as a whole.

269. At its fourteenth session, the Council noted the principles of regional co-ordination presented by ACC in its eleventh report, 253/ which outlined the actions required at three levels: at headquarters, at the regional centres (or as between regional organizations), and in the individual countries in which work has been carried out. The essential criterion, the report stated, was that the measures taken within each organization to co-ordinate central and regional action and measures of regional co-ordination affecting a number of organizations should not frustrate one another. It also reviewed some of the arrangements made for co-operation and co-ordination between the specialized agencies and the regional economic commissions, stating that this had led to integration of regional activities with those initiated at the respective headquarters. These principles were noted by the Council's Co-ordination Committee in its report 254/ to the Council. Mention may also be made, in this general connexion, of the terms of reference and the rules of procedures of the regional economic commissions, which have been designed to provide for collaboration with the specialized agencies; thus the terms of reference of the regional commissions contain similar paragraphs which provide, before any subsidiary body is established, for "discussion with any specialized agency functioning in the same general field", in the case of the Economic Commission for Europe (ECE) and the Economic Commission for Asia and the Far East (ECAFE), 255/ or for "discussion with any specialized agency concerned", in the case of the Economic Commission for Latin America (ECLA). 256/ In addition, to participate, without vote, in the deliberations of the regional commissions with respect to agenda items relating to matters within the scope of the activities of the specialized agencies.

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248/ E/1684.

249/ E S C resolution 324 A (XI).

250/ Ibid., annex (E/1810).

251/ E S C (XIII), Annexes, a.i. 39, p. 11, E/1991/Add.1

252/ E S C resolution 402 B (XIII), annex.

253/ E S C (XIV), Annexes, a.i. 33, p. 8, E/2203. See also report of the Secretary-General on regional co-ordination (ibid., p. 18, E/2204).

254/ E/2306.

255/ E S C resolution 36 (IV), para. 5; E S C resolution 69 (V), para. 2.

256/ E S C resolution 106 (VI), para. 10.

c. CO-ORDINATION OF ACTIVITIES OF THE SPECIALIZED AGENCIES WITH RESPECT TO OPERATING OR EMERGENCY AGENCIES OF THE UNITED NATIONS

270. At its fourteenth session, the Council had before it, as part of the eleventh report 257/ of ACC, a review of co-operation between the United Nations and the specialized agencies on the one hand and emergency agencies 258/ of the United Nations on the other, dealing with the principles of co-operation in emergency programmes. The following principles, as set forth by ACC, were noted in the report 259/ to the Council by its Co-ordination Committee. In an emergency situation, the information concerning the particular area, the technical experience and the assistance that the specialized agencies could furnish should be placed at the disposal of the emergency organization. Subject to the constitutional powers and procedures of the specialized agencies, however, the nature and scope of its tasks, as well as local matters, should be left to the emergency agency. Special funds for the emergency programmes should be allocated and put to use by the emergency organization itself. Specialized agencies should, however, be encouraged to make separate budgetary provisions for the support of emergency programmes. Stress was laid on the value of regular consultations among officers of the emergency agencies and specialized agencies through the machinery of ACC.

271. Further information on co-operation with respect to the emergency agencies of the United Nations or to such operational agencies as UNICEF has been submitted by ACC in subsequent reports and noted 260/ by the Council at its sixteenth and eighteenth sessions.

2. Consultations with the specialized agencies

272. At the ninth session of the Council, its Co-ordination Committee considered a proposal 261/ by which the Council would invite the Chairmen, or their deputies, of the governing bodies of the specialized agencies to meet with the Council with a view to dealing with questions on which it had been impossible to reach an agreement in ACC. During the discussion 262/ of this proposal, it was observed that it was for the agencies themselves to decide whom they would empower to represent them. 263/ The Council accepted the Committee's recommendation that the specialized agencies be informed of the readiness of the Council to discuss with duly empowered representatives any particular difficulties which ACC might report. 264/

273. At its eleventh session, the Council requested 265/ the Secretary-General, through ACC, to make arrangements to ensure that all proposals which concerned more than one organization would be the subject of inter-agency consultations prior to their adoption by the organs concerned, and that the results of these consultations would be put before the competent organs of the United Nations and the specialized agencies when they were considering new projects. It further recommended that the United Nations, specialized agencies and States members thereof should insist on a dead-line for the

257/ E S C (XIV), Annexes, a.i. 33, p. 8, E/2203.

258/ The United Nations Korean Reconstruction Agency (UNKRA) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

259/ E/2306.

260/ E S C (XVI), 740th mtg.; E S C (XVIII), 806th and 807th mtgs.

261/ E/AC.24/W.22.

262/ E/AC.24/SR.34, pp. 15-17.

263/ Ibid., p. 16, statement by ILO.

264/ E S C resolution 259 (IX), annex, para. IV, 3.

265/ E S C resolution 324 B (XI).

submission of new projects of at least six weeks prior to the opening of the conferences at which the substance of these projects was to be discussed.

274. At its fourteenth session, the Council incorporated 266/ a new rule (rule 80) into its revised rules of procedure relating to consultation by the Secretary-General with the agency or agencies concerned prior to inclusion of a proposal for new activities in the provisional agenda or the supplementary list of items for a session of the Council. 267/

### 3. Recommendations to the General Assembly

275. The Council has made a number of recommendations to the General Assembly in connexion with the co-ordination of the activities of the specialized agencies.

276. In particular, in its report 268/ to the General Assembly at the second part of its first session, the Council recommended the approval by the General Assembly of the draft agreements between the United Nations on the one hand, and ILO, FAO, UNESCO and ICAO on the other, as approved by the Council at its second session, and the draft agreement with FAO, UNESCO and ICAO, as amended by the Council at its third session by the addition of an article relating to the procedure for obtaining advisory opinions of the International Court of Justice. In its report 269/ to the General Assembly at its second session, the Council recommended approval by the General Assembly of the draft agreements with UPU, ITU, WHO, the Bank and the Fund. In its report 270/ to the General Assembly at its third session, the Council recommended approval by the General Assembly of draft agreements with IRO and IMCO, and a supplementary agreement concerning the use of the United Nations laissez-passer with ICAO and UPU. In its report 271/ to the General Assembly at its fourth session, the Council recommended that no measures for revision of the agreements with the specialized agencies should be taken at that time by the Council or the General Assembly. In its report 272/ to the General Assembly at its fifth session, the Council stated that it had decided that it was unnecessary, at that stage, to recommend to the General Assembly any measures for the revision of the agreements between the United Nations and the specialized agencies, unless the matter were raised by the General Assembly, the Council itself, the Secretary-General, or one of the specialized agencies; and in its report 273/ to the General Assembly at its sixth session, the Council recommended that the draft agreement with WMO be approved by the Assembly without change.

### 4. Recommendations to Members

277. The Economic and Social Council has made a number of recommendations to the Members of the United Nations as regards co-ordination of the activities of the specialized agencies.

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266/ E S C resolution 456 A (XIV).

267/ For details concerning the rules of procedure of the Council, see in this Repertory under Article 72.

268/ G A (I/2), Suppl. No. 2 (A/125), paras. 69, 70 and 73.

269/ G A (II), Suppl. No. 3 (A/382), paras. 158-161.

270/ G A (III), Suppl. No. 3 (A/625), paras. 231, 232 and 235.

271/ G A (IV), Suppl. No. 3 (A/972), para. 390.

272/ G A (V), Suppl. No. 3 (A/1345), para. 399.

273/ G A (VI), Suppl. No. 3 (A/1884), para. 1026.

## a. CO-ORDINATION AT THE NATIONAL LEVEL

278. The question of the responsibility of Members for co-ordination was raised, at the outset by the Preparatory Commission in its report 274/ to the General Assembly, wherein the Commission stated that "While the United Nations, and particularly its Economic and Social Council, has the task of co-ordinating the policies and activities of specialized agencies, this task can be performed only if Members individually will assist in making co-ordination possible. The acceptance by each Member of this responsibility for harmonizing its policies and activities in the different fields covered by the specialized agencies and the United Nations will prevent confusion and conflict and enable the United Nations to achieve the purposes of Chapter IX of the Charter".

279. At the second session of the General Assembly, a draft resolution 275/ was submitted to the Joint Second and Third Committee, by which the Assembly would recommend that Members should take measures at the national level to ensure that their delegations to the Economic and Social Council and to the different specialized agencies adopt a co-ordinated policy, and to instruct their delegations to the specialized agencies of which they were members, to further actively the close co-ordination of the policies of the Council and the policies and the activities of the specialized agencies. A draft resolution 276/ with similar provisions was submitted to the Fifth Committee. In the course of meetings of the Joint Second and Third Committee and the Fifth Committee meeting jointly, a draft resolution 277/ along similar lines was submitted, and, during the discussions thereon, the view was expressed 278/ that a principal obstacle to harmonizing the problems and actions of the numerous inter-governmental organizations was to be found in the fact that different delegations representing the same Member States at various international conferences sometimes took divergent or incompatible positions on significant issues, and that such conflicts of policy were not reconciled at the national level. One representative, however, considered that it was improper to make recommendations of this nature. The draft resolution, as amended, was adopted both in Committee and in plenary meeting. 279/

280. At the first part of the third session of the General Assembly, this question was again raised in the Joint Second and Third Committee and the Fifth Committee meeting jointly. A draft resolution was adopted by which the General Assembly would call the renewed attention of Member States to the recommendations addressed to them by General Assembly resolution 215 (II). The draft resolution was adopted 280/ by the General Assembly.

281. The importance of this question was likewise referred to by the Council at its eighth, ninth and eleventh sessions. In connexion with an interim report by the Secretary-General on general co-ordination matters, 281/ it was noted, 282/ at the eighth session of the Council, that too few Governments had replied on the subject of the recommendations addressed to them by General Assembly resolution 125 (II) on

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- 274/ Report of the Preparatory Commission to the United Nations PC/20, 23 Dec. 1945, chap. III, section 5, para. 43.  
275/ G A (II), Joint 2nd and 3rd Com., p. 67, annex 3 c (A/C.2 and 3/51).  
276/ G A (II), Joint 2nd and 3rd Com., p. 83, A/C.5/150.  
277/ G A (II), Joint 2nd and 3rd Com., p. 91, annex 8 b (A/C.2 and 3/63-A/C.5/193); p. 94, annex 8 c (A/C.2 and 3/63/Add.1-A/C.5/193/Add.1).  
278/ A/C.2 and 3/SR.23 and 24, statements by China, France, Norway and United States.  
279/ G A resolution 125 (II).  
280/ G A resolution 210 (III).  
281/ E S C (VIII), Annex, p. 136, E/1114.  
282/ E S C (VIII), 241st mtg., p. 143.

co-ordination at the national level; one representative stated 283/ that his Government had already put into operation a procedure for laying down a coherent policy concerning the various international organizations. At the ninth session of the Council, its Co-ordination Committee expressed the view 284/ that both the Council and the General Assembly would require all possible support from Governments, particularly by the effective co-ordination of their policies at the various international meetings. At its eleventh session, the Council endorsed the view, 285/ put forward in a report by the Secretary-General on concentration of effort and resources of the United Nations and the specialized agencies; 286/ that the co-ordination of national action was of paramount importance to the concentration of international effort and that without it other measures had little value. The Co-ordination Committee stressed this point, in its report to the Council, in particular in connexion with the application of proposed criteria for priorities, in connexion with the consistent briefing of national delegations for international conferences, and the co-ordination of requests made by Governments to international agencies for technical advice or services.

282. The importance of national co-ordination was also stressed in the General Assembly, at its fifth, 287/ sixth 288/ and seventh 289/ sessions. Emphasis was placed on the importance of maintaining the independence of the specialized agencies, but the need was also stressed for achieving the widest possible co-ordination which could be attained by agreement at the national level between the various departments and ministries of each Government.

b. RECOMMENDATIONS TO MEMBERS REGARDING INTER-GOVERNMENTAL ORGANIZATIONS OUTSIDE THE UNITED NATIONS

283. In connexion with the consideration of relations with inter-governmental organizations in the economic, social, cultural, educational, health and related fields having responsibilities similar to those of the United Nations and the specialized agencies, the Council, at its seventh session, recommended 290/ that Member States should submit their views regarding (1) the possible termination, absorption or integration into the United Nations of certain of these organizations, and (2) relationships which might be established between any of these organizations and the United Nations or the specialized agencies. At its ninth session, the Council recommended 291/ to Member Governments which were also members of the International Chemistry Office to take steps within that body to bring about its dissolution and the transfer of its assets and functions, if appropriate, to other organizations, and recommended to those Member Governments which were also members of the International Bureau for Technical Training to take steps within that body to bring about its dissolution and the transfer of its assets and functions to ILO. At its tenth session, the Council recommended 292/ to Members of the United Nations which were also members of the International Commission for the Scientific Exploration of the Mediterranean

283/ Ibid., p. 145.

284/ E S C resolution 259 (IX), annex.

285/ E S C resolution 324 (XI), annex.

286/ E S C (XI), Annex, a.1. 43 b, E/1683.

287/ G A (V), Joint 2nd and 3rd Com., 48th to 51st mtgs., statements by Brazil, France, Mexico and United Kingdom.

288/ G A (VI), Joint 2nd and 3rd Com., 59th to 64th mtgs., statements by Australia, Canada, Mexico and New Zealand.

289/ G A (VII), 5th Com., 370th mtg., statements by Belgium and the United States.

290/ E S C resolution 171 (VII).

291/ E S C resolution 262 A (IX).

292/ E S C resolution 286 (X).

Sea to take steps to terminate that organization, and to those Members of the United Nations which were also members of the International Relief Union to take similar steps with regard to the latter. At its eleventh session, the Council recommended 293/ that Members of the United Nations which were members of FAO and of the International Office of Epizootics should give further consideration to the possibility of establishing an international system for the collection and dissemination of information and for the co-ordination of activities in the control of animal diseases satisfactory to the Governments concerned. At the same session, it invited 294/ the Government of Belgium to consult with the parties to the Convention relating to liquor traffic in Africa signed at St. Germain-en-Laye on 10 September 1919 concerning the present value of the International Central Office for the Control of the Liquor Traffic in Africa and their interest in maintaining it; and at its thirteenth session, the Council urged 295/ that every effort be made by all Governments concerned to find a formula acceptable to both the International Office of Epizootics and FAO which would be in the interest of their member countries and would produce efficient control of animal diseases the world over.

c. RECOMMENDATIONS TO MEMBERS ON THE TIMING OF MEETINGS

284. As regards recommendations to Members on the timing of meetings, the Council, at its tenth session, recommended to Member Governments which were also members of ITU that further consideration be given to the time at which meetings of the Administrative Council of ITU were held. 296/

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293/ E S C resolution 333 D (XI).

294/ E S C resolution 333 G (XI).

295/ E S C resolution 412 A, I (XIII).

296/ E S C resolution 284 (X).

