## VOLUME IV

### 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 co-ordinate 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. The structure of this study remains similar to that of Article 63 for Supplement No. 9. For further examination of recommendations regarding coordination and policy-making with respect to specialized agencies, the reader should refer to the study for Article 58.

2. For a more complete discussion of the relationships between the United Nations and its specialized agencies, the reader should also consult the Repertory studies for Articles 57 and 64.

I. GENERAL SURVEY

A. Conclusion of agreements with the specialized agencies

3. On 23 December 2003, the General Assembly adopted resolution 58/232, approving an agreement between the United Nations and the World Tourism Organization recognizing the World Tourism Organization as a specialized agency of the United Nations. This was done in consideration of resolution 2003/2 of the Economic and Social Council, dated 10 July 2003, which contained a draft agreement.

B. Terms of the agreements with the specialized agencies

4. Under Article 63 (1) of the Charter, the Economic and Social Council holds the power, subject to General Assembly approval, to define the terms of the relationships with specialized agencies. The terms of the relationship agreement with the World Tourism Organization, both proposed and adopted, are discussed below in part B of the Analytical Summary of Practice.

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

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1 See also the study on Article 57 in this Supplement of the Repertory.
II. ANALYTICAL SUMMARY OF PRACTICE

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

5. On 21 December 2001, the Secretary-General of the World Tourism Organization, in a letter to the Secretary-General of the United Nations, requested the initiation of the process of the transformation of the World Tourism Organization into a specialized agency of the United Nations.2

6. At its substantive session of 2002, the Economic and Social Council considered this request, and by its resolution 2002/24 of 24 July 2002, authorized the President of the Council to appoint from among States members of the Council, in consultation with the chairmen of the regional groups, the members of the Committee on Negotiations with Intergovernmental Agencies. The Council also requested that the Committee, on the basis of proposals submitted by the Secretary-General, negotiate with the World Tourism Organization a relationship agreement between the United Nations and the World Tourism Organization, and submit a draft relationship agreement for the consideration of the Council at its substantive session of 2003.3

7. In 2003, the Committee on Negotiations with Intergovernmental Agencies considered the text of the draft relationship agreement,4 approved it with a number of amendments and transmitted the text of the draft to the World Tourism Organization for its consideration. The World Tourism Organization approved the text of the draft agreement on 29 April 2003.5 The Council subsequently, by its resolution 2003/2, approved the agreement between the United Nations and the World Tourism Organization, also recommending that “the General Assembly . . . approve the agreement at its fifty-eighth session”.6

8. On 23 December 2003, the General Assembly, after considering the draft agreement that was intended to “transform the World Tourism Organization, an intergovernmental organization, into a specialized agency, in accordance with Articles 57 and 63 of the Charter of the United Nations”, approved the agreement by resolution 58/232.7

B. Terms of the agreements with the specialized agencies

9. The relationship agreement between the United Nations and the World Tourism Organization was substantially based8 on the Relationship Agreement between the

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2 E/2002/5.
3 E/2003/60, para. 3.
4 E/C.1/2003/1.
5 E/2003/60, para. 8.
6 E/2003/2, preamble.
7 GA resolution 58/232.
8 E/C.1/2003/1, para. 3.
United Nations and the United Nations Industrial Development Organization (UNIDO), which was approved by General Assembly resolution 40/180 of 17 December 1985.

10. As a whole, the relationship agreement with the World Tourism Organization, both as proposed and as adopted, generally follows the format of those previously negotiated and concluded. The following analysis sets forth certain relevant terms of the relationship agreement between the United Nations and the World Tourism Organization, as negotiated by the Committee and submitted for approval by the Council (hereinafter the adopted Agreement), particularly in light of provisions of the draft relationship agreement between the United Nations and the World Tourism Organization (hereinafter the proposed draft Agreement).

11. Similar to all previous relationship agreements, except those with the World Bank and the International Monetary Fund, the adopted Agreement opens with a preamble, setting out the authority to enter into agreement, as provided under Article 57 of the Charter of the United Nations, and articles 3 and 31 of the Statutes of the World Tourism Organization.9

12. Article 1 of both the proposed and adopted Agreements affirms the intergovernmental character of the World Tourism Organization, which, along with the growing importance taken on by tourism in international relations, justifies its conversion into a specialized agency of the United Nations. Article 1 of the proposed draft Agreement recognized the World Tourism Organization's area of contribution in more general terms than the corresponding provision in the adopted Agreement, which specifies that the World Tourism Organization contributes to “economic development, international understanding, peace, prosperity and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion”.10 In addition, article 1 of both the proposed and adopted Agreements refers to the role of tourism in sustainable development and poverty eradication, which are among the objectives of the Millennium Declaration: “Convinced that world tourism can contribute significantly to the pursuit of the shared objectives of achieving sustainable development and poverty eradication, the United Nations notes that, in accordance with its Statutes, the World Tourism Organization is paying particular attention to the interests of the developing countries in the field of tourism.”11

13. Article 2 recognizes the coordinating function of the World Tourism Organization in the field entrusted to it, as well as the comprehensive responsibilities in promoting economic and social development of the General Assembly and the Economic and Social Council. Through membership in the Chief Executives Board for Coordination, the World Tourism Organization agrees further to participate in, and to cooperate with any body which has been established by the United Nations for the purpose of facilitating such cooperation and coordination.12

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9 Ibid., preamble.
10 Ibid., Article 1, para. 2.
11 Ibid., Article 1, para. 3.
12 Ibid., Article 2, para. 4.
14. Article 7 of the proposed draft regarding the assistance to the Security Council is omitted in the adopted Agreement.\textsuperscript{13}

15. The title of article 12 of the adopted Agreement was changed from “technical cooperation” to “technical assistance.” In the interest of administrative and technical uniformity, article 12, as adopted, recognizes the desirability of avoiding wherever possible the establishment and operation of competitive or overlapping facilities and services. The parties thus undertook to work together in the provision of technical assistance in the field of tourism and tourism development. Article 12 also emphasizes that, “as one of the smaller specialized agencies without field representation, the World Tourism Organization may use resident coordinators to ensure its representation and promote its role.”\textsuperscript{14}

16. Additionally, under article 13 of the adopted Agreement, the text of the proposed draft was rephrased to read: “The United Nations recognizes the World Tourism Organization as the appropriate organization to collect, to analyse, to publish, to standardize and to improve the statistics of tourism and to promote the integration of these statistics within the sphere of the United Nations system.”\textsuperscript{15}

17. With regard to budgetary and financial arrangements, article 18, as proposed and adopted, states that, in the preparation of the budget, the Secretary-General of the World Tourism Organization shall consult with the Secretary-General of the United Nations in order to achieve uniformity in the presentation of the budgets of the United Nations and of the agencies within the United Nations system.\textsuperscript{16} Notably, article 18 also recognizes the possibility of the World Tourism Organization to using a different currency to formulate its budget.

C. Coordination of the activities of the specialized agencies

18. During the period under consideration, the Chief Executives Board for Coordination of the United Nations (CEB), previously known as the Administrative Committee on Coordination (ACC),\textsuperscript{17} as well as the Committee on Programme and Coordination

\textsuperscript{13} “The World Tourism Organization agrees to cooperate with the Security Council in furnishing such information and rendering such assistance for the maintenance or restoration of international peace and security as the Security Council may require.” Ibid., Article 7.

\textsuperscript{14} E/2003/60, Article 12.

\textsuperscript{15} G A resolution 58/232, Article 13, para. 3

\textsuperscript{16} Ibid., Article 17, para. 5.

\textsuperscript{17} On 24 October 2001, the Economic and Social Council adopted decision 2001/321, agreeing, \textit{inter alia}, to the change of the name of ACC to the United Nations System’s Chief Executives Board for Coordination (CEB), without any change in its mandate. In its Annual overview report of the ACC for 2000, it was noted that, at its October 2000 session, the Executive Heads had concluded that a new name for ACC would be desirable to highlight both its function as a board concerned with fostering the unity of the entire United Nations system, and its capacity to bring together all its member organizations at the highest executive level. It was stressed that the new name for ACC would not change

18 See Annual overview report of the Administrative Committee on Coordination for 2000, (E/2001/55), paras. 58 – 60.

19 See Annual overview report of the United Nations System Chief Executives Board for Coordination for 2002, (E/2003/55), chapter I.


23 Ibid., para. 24.
prepared the Toolkit for Mainstreaming Employment and Decent Work and reviewed its implementation. CEB member organizations undertook self-assessments of the employment and decent work outcomes\(^ {24}\) of their policies, programmes and activities with respect to the eradication of poverty worldwide.\(^ {25}\)

24. During the period under review, the CEB also coordinated with the various agencies regarding climate change. In 2007/08, the CEB, through its HLCP, prepared a report entitled “Coordinated United Nations system action on climate change”, which outlined the key areas where the United Nations system could work together in response to the outcome of intergovernmental discussions on the United Nations Framework Convention on Climate Change (UNFCC).\(^ {26}\) In 2008/09, with respect to the Climate Change Action Framework, the CEB identified five focus areas and four cross-cutting areas in response to the UNFCC negotiation process and pursuant to the broader mandates and capacities in the United Nations system. The above mentioned areas were established with corresponding convening agencies, such as UNIDO, the Food and Agriculture Organization (FAO), the World Bank Group, the World Meteorological Organization (WMO), and the United Nations Educational, Scientific and Cultural Organization (UNESCO), to ensure better coordination of concrete deliverables.\(^ {27}\)

25. In addition, a major outcome of the CEB Board review of 2007/08 was the integration of the United Nations Development Group into the CEB structure, which provided a greater impetus to the framework of inter-agency cooperation under the CEB and the Economic and Social Council.\(^ {28}\)

26. In 2008/09, the CEB focused on inter-agency cooperation with regard to the global financial and economic crisis.\(^ {29}\) The CEB agreed upon nine joint initiatives that would work comprehensively to tackle the global economic crisis. Many of the specialized agencies were appointed as lead agencies for some of the joint initiatives, including the World Bank and the United Nations Development Programme (UNDP) for the initiative on additional financing for the most vulnerable; the FAO, the United Nations, the World Food Programme (WFP) and the International Fund for Agricultural Development (IFAD) for the initiative on food security; the World Trade Organization and the United Nations on Trade and Development (UNCTAD) for the initiative on trade; ILO for the initiative on the global jobs pact; the World Health Organization (WHO) and ILO for the initiative on social protection; the WFP for the initiative on humanitarian action, security and social stability; as well as the World Intellectual Property Organization (WIPO),

\(^ {24}\) As adopted in the 2005 World Summit.
\(^ {26}\) See ibid., paras. 10 – 14.
\(^ {27}\) See Annual overview report of the United Nations System Chief Executives Board for Coordination for 2008/09, (E/2009/67), paras. 11 – 13 and Box 2.
\(^ {28}\) See Annual overview report of the United Nations System Chief Executives Board for Coordination for 2007/08, (E/2008/58), paras 50 – 54.
UNIDO and the International Telecommunication Union (ITU) for the initiative on technology and innovation. With the aim of increasing the coherence and impact of assistance provided in crisis and post-crisis countries, in October 2008, the United Nations and the World Bank agreed on a partnership framework for crisis and post-crisis situations.

27. Furthermore, during the period under review, the CEB considered through the HLCP the possibilities for strengthening the engagement of the United Nations system in the work of the Economic and Social Council, stressing the need to define approaches and develop modalities to engage the organizations of the system in a real dialogue with the Council regarding the global financial and economic crisis. Two panel discussions were organized during the coordination segment of the Council’s substantive session of 2009, the first on the role of the United Nations system in sustainable development, highlighting the food and energy crises and climate change, and the second on the impact of the financial crisis on sustainable development, including its social consequences.

1. RECOMMENDATIONS TO THE SPECIALIZED AGENCIES

a. Priorities and concentration of effort and resources

28. During the period under review, the Council and its subsidiary bodies continued to consider the questions and issues relating to priority-setting of the activities of all organizations of the United Nations system. The Council’s continued promotion of system-wide accountability on gender equality and the empowerment of women at both the global and country levels is illustrative. For example, by resolution 2008/34, the Council requested all specialized agencies to assess the gaps in gender mainstreaming and to unify methodologies for evaluation after the implementation of gender mainstreaming policies and programmes.

29. The Council’s subsidiary bodies also continued to address issues of prioritization in the context of inter-agency coordination. For example, in 2005, the Committee for Programme and Coordination (CPC) resumed its consideration of the report of the Secretary-General on priority-setting. The view was expressed that it was the responsibility of Member States to designate priorities at the macro level for the Organization and that priority-setting was key to the UN programme planning and

30 See Ibid., Box 1 for the full list of the nine joint initiatives.
31 Ibid., para. 21.
32 Ibid., para. 38.
34 E/2008/34, para. 4.
35 A/59/87. In this report, the Secretary-General addressed the difficulties that had been encountered over the years with the actual designation of priorities and noted that the fundamental problem was not how to implement the designated priorities, but how actually to identify, agree upon and designate priorities. According to the document, priority-setting had been linked over the years to the structure of the medium-term plan and the programme budget. The document proposed to replace the four-year medium-term plan by a two-year strategic framework.
budgeting process. Difficulties in priority-setting were highlighted, such as the requirement to implement all legislative mandates, the non-sectoral structure of the strategic framework of the medium-term plan, the General Assembly’s failure to designate priorities by programme or subprogramme, and the Assembly’s decision in resolution 53/207 that the priorities contained in the budget outline should conform with those of the medium-term plan. The view was also expressed that the Secretary-General should have the authority to make judgments at the subprogramme level, while others felt that priority-setting at all levels was the prerogative of Member States. The CPC concluded by emphasizing that priority-setting in the Organization was an intergovernmental process and that priorities represented its longer-term objectives.36

30. During the period under review, major areas discussed with regard to priority-setting by the Council and its subsidiary bodies also included Africa,37 the global financial and economic crisis,38 climate change,39 employment40 and migration41.

31. The CPC considered the CEB annual overview report for 2005/2006 and highlighted the high priority that CEB continued to attach to ensuring effectiveness and coordination of the United Nations system support for Africa and the New Partnership for Africa’s Development (NEPAD). The CPC also requested that the CEB ensure that support for NEPAD remained a priority for the United Nations system. It encouraged the CEB member organizations to further align their priorities with those of NEPAD and increase their efforts to support it.42

32. During the period under review, the CEB also considered the prioritization of inter-agency cooperation. Acknowledging the critical importance of productive employment and decent work in lifting people out of poverty, in 2005, the CEB, through the HLCP, selected employment as one of the priority issues on the inter-agency agenda. This decision was reinforced by the 2005 World Summit Outcome, which identified the goals of full and productive employment and decent work for all, including for women and young people, as a central objective of relevant national and international policies and national development strategies in order to achieve the Millennium Development Goals.43

36 See Report of the Committee for Programme and Coordination, (A/60/16), paras. 41 – 61.
38 Ibid., para. 115.
40 See Annual overview report of the United Nations System Chief Executives Board for Coordination for 2005/06, (E/2006/66), para. 35.
41 See ibid., para. 39.
43 Annual overview report of the United Nations System Chief Executives Board for Coordination for 2005/06, (E/2006/66), para. 11.
33. In addition, during the period under review, the HLCP identified migration as one of the priority issues of its work programme, an issue which had been given added impetus by the 2005 World Summit Outcome.\textsuperscript{44} The report of the Global Commission on International Migration, issued in October 2005, called, \textit{inter alia}, for the strengthening of inter-agency cooperation arrangements to ensure a more coherent and effective institutional response to the opportunities and challenges presented by international migration.\textsuperscript{45} The HLCP thus created the Global Migration Group,\textsuperscript{46} which, under the leadership of the ILO, was tasked with the collection and consolidation of information across the system to obtain an overall view of migration-related work.\textsuperscript{47}

34. In 2007, the CEB addressed a number of emerging and important programme issues, particularly climate change and support for development in Africa. It identified key focus areas and modalities for coordinated work in response to the UNFCC negotiating process and in pursuance of the broader mandates and capacities entrusted to the system. The Board also agreed on the United Nations system strategy to help developing countries confront the emerging global food crisis, and continued its consideration of the United Nations system support for Africa’s development.\textsuperscript{48}

b. \textit{Regional coordination}

35. During the period under review, the Economic and Social Council also continued to work toward strengthening regional cooperation and coordination.

36. The Council, through its resolution 1998/46 (annex III), had mandated the regional commissions to hold regular inter-agency meetings in each region with a view to improving coordination among the work programmes of the organizations of the United Nations system in their respective regions. Consequently, meetings of the regional coordination mechanism had been convened by the commissions since 1999. The experience and evolution of the Regional Coordination Mechanism varied among the regions. During the period under review, the regional coordination mechanisms were held regularly in four regions, with an executive tier discussing broader or emerging policy issues, and a thematic tier addressing specific programmatic issues regarding regional priorities and concerns.\textsuperscript{49}

37. Through its regional commissions, the Council worked toward achieving the Millennium Development Goals, including poverty and hunger eradication, by addressing an array of challenges according to the specificities of each region. The Council forged partnerships

\textsuperscript{44} In the 2005 World Summit Outcome, Member States acknowledged “the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, destination and transit.” GA resolution 60/1, para. 61.
\textsuperscript{45} Annual overview report of the United Nations System Chief Executives Board for Coordination for 2005/06, (E/2006/66), para. 39.
\textsuperscript{46} The Global Migration Group included such agencies as ILO, the International Organization for Migration (IOM), UNDP and the World Bank.
\textsuperscript{47} E/2006/66, para. 41.
\textsuperscript{48} See E/2008/58.
\textsuperscript{49} E/2009/15, para. 74.
with intergovernmental organizations and regional financial institutions in their respective regions, as well as with other United Nations agencies, civil society and the private sector. Through analysis and coordination of the regional assessments on the progress towards the achievement of the Goals, the Council identified gaps in implementation and provided a consensual basis for action among various partners to address those gaps and target the neediest. For example, the Economic Commission for Europe (ECE), in partnership with UNDP and the United Nations Children’s Fund (UNICEF), launched a Millennium Development Goal database established for monitoring progress in achieving the Goals in countries with economies in transition.  

38. In 2008, the Inter-Agency Cluster on Trade and Productive Capacity was established within the CEB. The Cluster was launched in the presence of the Secretary-General at the twelfth session of UNCTAD, held in Accra in April 2008. The five regional commissions, along with UNCTAD, UNIDO and FAO, became founding members. The main goal of the Cluster was to coordinate joint operations of a number of international organizations in the area of trade and capacity-building in the eight “One United Nations” pilot countries and in the United Nations development assistance plans at the country level.

**c. Coordination of activities of the specialized agencies with respect to operating or emergency agencies of the United Nations**

d. Coordination of assistance in cases of natural disaster

39. During the period under review, the Economic and Social Council continued to work on strengthening United Nations coordination of emergency humanitarian assistance in cases of natural disaster.

40. In 1999, the Council requested the Secretary-General to establish the International Strategy for Disaster Reduction (ISDR) as an inter-agency framework and mechanism to serve as a focal point within the United Nations system and with the mandate to promote public awareness and commitment, expand networks and partnerships, and improve knowledge about disaster causes and options for risk reduction. In 2000, the Inter-Agency Task Force and the secretariat of the International Strategy for Disaster Reduction were established as the main mechanisms for the implementation of the Strategy.

41. In 2001, by resolution 2001/35, the Council reaffirmed that the Inter-Agency Task Force on Disaster Reduction established in 2000 for the implementation of ISDR should serve as a main forum within the United Nations system for devising strategies and policies for

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50 E/2007/15, para. 27.
51 E/2008/15, para. 61.
52 The pilot countries included Cape Verde, Mozambique, Rwanda, Albania, Pakistan, Viet Nam, Uruguay and the United Republic of Tanzania.
53 For further discussion of this topic, see Supplement 9 under Article 63, part II.
54 E/1999/63, para. 6.
55 See GA resolution 54/219.
disaster reduction and to ensure complementary action by agencies involved in disaster reduction, mitigation and preparedness. The Council decided that the Task Force should be modified in order to provide for increased participation of regional organizations and to ensure the continued membership of key United Nations agencies; the Council also urged all relevant bodies within the United Nations system to cooperate fully within the context of this framework.56

42. Over subsequent years, the Task Force continued to evolve, adapting its programmes to current policy requirements and moving to new areas of work addressing emerging issues, following the recommendations contained in the report on the implementation of the Strategy.57 In 2006, however, a Global Platform for Disaster Risk Reduction was established as the successor mechanism of the Inter-Agency Task Force58 in order to extend participation of governments and organizations, strengthen the Strategy system and construct a more coherent international effort to support national disaster reduction activities.59

43. In 2009, the CEB Board reviewed the progress made towards mainstreaming disaster risk reduction in the policies and strategies in the United Nations system. Given the growing frequency and severity of natural disasters during the period under review, the CEB agreed on the need to consider disaster risk reduction as a cross-cutting issue at all levels, and endorsed the following actions by entities of the United Nations system, including specialized agencies: review of the stage reached in mainstreaming disaster risk reduction activities and the incorporation of disaster risk reduction objectives in results-based management systems, including the development and monitoring of appropriate outcome indicators measured against the Millennium Development Goals. The CEB also agreed on the need to contribute to strong United Nations system leadership on disaster risk reduction in their own sectors, as well as participation in ISDR processes to advocate at the highest political levels, particularly in the Global Platform for Disaster Risk Reduction and events associated with the General Assembly, the Economic and Social Council and other governing bodies of the United Nations.60

2. CONSULTATIONS WITH THE SPECIALIZED AGENCIES

44. During the period under review, the Council and its CEB continued to strengthen consultation among the United Nations and its specialized agencies. For example, in 2005, the CEB reported that views were expressed calling upon the organizations to share the lessons learned and to disseminate the best practices in the implementation of results-based management with a view to strengthening the common system, while

57 A/58/277.
58 GA resolution 61/198.
59 A/61/229, para. 65.
45. On one occasion, as a result of consultations among the specialized agencies and entities involved in trade-related assistance, an informal meeting on the establishment of a CEB thematic Cluster on Trade and Productive Capacity was held at UNCTAD on 20 April 2007, with the participation of UNIDO and FAO. It was agreed that the establishment of the Cluster could play an important role in ensuring that the issues related to trade and productive sectors and their interface with the Millennium Development Goals were adequately taken into account in the United Nations system-wide coherence process. It was emphasized that the membership of the Cluster should be open and flexible.

46. Moreover, in 2008, by resolution 2008/15, the Council expressed its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations helped to facilitate the effective formulation of programmes of assistance for the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Council also requested that, within the framework of their respective mandates, specialized agencies and other organizations and bodies of the United Nations system, as well as regional organizations, strengthen existing measures of support and formulate appropriate programmes of assistance for the remaining Non-Self-Governing Territories, in order to accelerate progress in the economic and social sectors of those Territories.

3. RECOMMENDATIONS TO THE GENERAL ASSEMBLY

47. As recalled previously, the Council recommended that the General Assembly approve at its fifty-eighth session the draft agreement with the World Tourism Organization. As noted previously, the draft agreement was approved by resolution 58/232 of 23 December 2003.

**4. RECOMMENDATIONS TO MEMBERS**

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63 E/2008/15, para. 9.
64 See section II.A above.