

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 is the same as that of Article 63 in the *Repertory* and its *Supplements Nos. 1* and *2*. It is recommended that the reader cross-reference with articles 57 and 59 of this *Supplement*.

I. GENERAL SURVEY

A. Conclusion of agreements with the specialized agencies

2. During the period under review, the United Nations concluded relationship agreements in accordance with Article 63¹ with the World Intellectual Property Organization² and the International Fund for Agricultural Development.³ In each case, the Economic and Social Council requested that its Committee on Negotiations with Intergovernmental Agencies⁴ take "into account the agreements previously concluded between the United Nations and the specialized agencies."⁵ Also during the reporting period, the principal organs of the United Nations addressed the question of the conversion of UNIDO into a specialized agency.⁶ The Committee to Draw Up a Constitution for the United Nations Industrial Development Organization as a Specialized Agency, over the course of its five sessions in 1976-1977,⁷ reached agreement on the text of a draft resolution on transitional arrangements to be proposed for adoption by the General Assembly. The proposed text contained a request that the Economic and Social Council arrange "for the negotiation with the converted UNIDO to constitute it as a specialized agency in accordance with Articles 57 and 63 of the Charter", and to enter into such agreement subject to the approval of the General Assembly.⁸ No action was taken on the proposed draft.

¹The United Nations also considered the question of transforming the United Nations Industrial Development Organization into a specialized agency. These negotiations were not concluded during the period under review. See this *Supplement*, under Article 59.

²G A resolution 3346 (XXIX).

³G A resolution 32/107.

⁴Established by E S C resolution 11 (I).

⁵See E S C resolution 2006 (LX) in case of IFAD and E/AC.24/L.460 in case of WIPO.

⁶See this *Supplement*, under Article 59.

⁷A/32/182, paras. 3 and 4.

⁸*Ibid.*, annex I, appendix 3, para. 11.

B. Terms of the agreements with the specialized agencies

3. The International Civil Service Commission was established by the General Assembly in its resolution 3357 (XXIX) of 18 December 1974 in order to implement, inter alia, those clauses in relationship agreements relating to the desirability of coordination in matters of personnel.⁹

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

4. At its fifty-fourth session, the Economic and Social Council requested that the Secretary-General submit to the Council at its fifty-seventh session a descriptive and analytical report on the previous and current relationship between the United Nations and the specialized agencies, in particular in the field, and on aspects of the relationship between the United Nations and IAEA, within the competence of the Council as set forth in the Charter. The executive heads of the specialized agencies and the IAEA were invited to present their views on the matter to the Council, through the Secretary-General.¹⁰

5. The report of the Secretary-General and the views of the executive heads of the specialized agencies and IAEA¹¹ submitted to the Economic and Social Council at its fifty-seventh session in pursuance of the above request contained no formal recommendations as to amending or supplementing the relationship agreements. The Secretary-General indicated that major conceptual and organizational developments had taken place since the first relationship agreements had been concluded.¹² He noted that

⁹E/C.1/L.6, para. 61. In particular, under certain agreements the parties agree to "(a) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured." *Ibid.*, para. 59.

¹⁰E S C resolution 1768, V (LIV).

¹¹E/5524 and Add.1-5, and E/5476 and Add.1-13, respectively.

¹²E/5524/Add.3, paras. 94-100. For a descriptive account of these arrangements and understandings see E/5524/Add.4.

in response to the new developments, "and to fill to some extent the gaps in the relationship agreements", the organizations had established supplementary agreements and understandings and different types of informal arrangements.¹³ With regard to the views submitted by the specialized agencies, the executive heads generally found no need for formal revisions to the agreements.¹⁴

6. By its resolution 1906 (LVII) of 2 August 1974, the Economic and Social Council decided to refer the descriptive and analytical report of the Secretary-General on the previous and current relationship between the United Nations and the specialized agencies, together with the views of the executive heads of the specialized agencies, IAEA and GATT to an inter-sessional meeting of the Policy and Programme Coordination Committee. The meeting was to be convened in New York as soon as possible, but not later than the end of February 1975. It would last for three weeks and would review the agreements thoroughly, and make such recommendations as might be necessary, with a view to making the United Nations system a more effective instrument of world economic and social cooperation, taking into account, in particular, the new international economic order.

7. At the fifty-eighth session of the Economic and Social Council, the Policy and Programme Coordination Committee submitted its interim report.¹⁵ During the consideration of the item in the Committee, a number of delegations considered that the existing agreements provided sufficient basis for cooperation within the United Nations

¹³Ibid., para. 101.

¹⁴E/5476/Add.1, p. 2. For example, ILO indicated that a number of undertakings between the United Nations and the agencies, such as the development of technical cooperation activities, envisaged cooperation either absent from the formal relationship agreements or unforeseen at the time of their framing. "Profound changes in the United Nations system which are the result of organic growth and adaptation to the changing and enhanced needs of the international community" entailed "resulting institutional developments [which] go beyond the terms of the agreement or have taken place in a field not covered by the agreement." ILO indicated, however, that the agreement, while no longer fully reflecting the current situation, in no way impeded the dynamic evolution of the United Nations and remained an adequate basis for the further development of cooperation between the organizations. The executive head of UNESCO pointed out that the relationship agreements had been supplemented with other formal and informal procedures—inter-agency agreements, joint programmes, prior consultation on projects, outlines of medium-term programmes. E/5476/Add.3, p. 7, and Add.5, p. 3.

¹⁵E/5633. See also E/AC.24/SR.549-554.

system.¹⁶ Others expressed the opinion that the agency agreements contained gaps, in some cases contained superfluous provisions and in others stipulated only general provisions for coordination in substantive matters.¹⁷ Other delegations expressed concern that the use made by the specialized agencies of the autonomy implicit in their agreements had helped to encourage centrifugal tendencies within the United Nations system and they emphasized the need for the reassertion of the constitutional function and the coordinating role of the Council as provided for in Chapters IX and X of the Charter.¹⁸ Delegations proposed, inter alia, that agreements should include a reference to operational activities, that changes should be made through amendments rather than by complete renegotiation and that negotiations should be initiated on a standardized supplementary agreement applicable to all or the majority of the specialized agencies.¹⁹

8. The Committee recommended that the Economic and Social Council request the Secretary-General to bring the Committee's report to the attention of the Ad hoc Group of Experts examining the structure of the United Nations system, in preparation for the seventh special session of the General Assembly. By its resolution 1920 (LVIII) of 5 May 1975, the Council decided that provision should be made in 1976 for the completion of the review, in the light of the work of the General Assembly at its special session.

9. By its resolution 32/197 of 20 December 1977 regarding the restructuring of the economic and social sectors of the United Nations system, the General Assembly endorsed the conclusion that:

"The review by the Economic and Social Council of the relationship agreements between the United Nations and the specialized agencies should be guided, inter alia, by the need to ensure that the agencies give full and prompt effect in accordance with the Charter of the United Nations and within the scope of their respective basic instruments to the recommendations made by the General Assembly and the Council for the coordination of their policies and activities."²⁰

¹⁶E/5633, paras. 5 and 7; E/AC.24/SR.553, p. 36.

¹⁷E/AC.24/SR.552, pp. 26 and 27.

¹⁸E/5633, para. 5.

¹⁹Ibid.

²⁰G A resolution 32/197, annex, VII, para. 57.

II. ANALYTICAL SUMMARY OF PRACTICE

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

1. WORLD INTELLECTUAL PROPERTY ORGANIZATION²¹

10. The Economic and Social Council, on the recommendation of the Policy and Programme Coordination Committee and without adopting a formal resolution, decided that it was desirable that WIPO should be brought

into relationship with the United Nations in accordance with Articles 57 and 63 of the Charter of the United Nations, and that the Council should enter into negotiations with it for that purpose.²² The Council decided that its Committee on Negotiations with Intergovernmental Agencies, taking into account, inter alia, the views of the Coordination Committee on the subject, would meet to consider the draft agreement proposed by WIPO and that the former Committee would submit its report on the negotiations, including a draft agreement, to the Coordination

²¹See also this *Supplement*, under Article 57.

²²E S C (LV) Suppl. No.19, agenda item 18, p. 33, para (a).

Committee no later than during the fifty-seventh session of the Council.²³ Meeting in 1973 and early 1974,²⁴ the Committee drafted an agreement which, it had felt, the United Nations might adopt as a suitable basis for negotiations leading to an agreement for bringing WIPO into relationship with the United Nations.²⁵

11. The item was allocated to the Policy and Programme Coordination Committee, which approved the text of a resolution proposed by several delegations.²⁶ On the Committee's recommendation, the Economic and Social Council approved the text as resolution 1890 (LVII) of 31 July 1974, whereby it transmitted the draft agreement to the General Assembly for its approval at its regular 1974 session.

12. The Director General of WIPO informed the Secretary-General of the United Nations that the General Assembly of WIPO, at an extraordinary session of 1974, had unanimously approved the draft agreement without change.

13. At its twenty-ninth session, the General Assembly allocated the item to its Second Committee (economic and financial questions). That Committee in turn requested the Sixth Committee (legal questions) to study the text from the drafting point of view prior to the Second Committee's formulation of a recommendation. For the task, the Sixth Committee established a working group composed of 15 representatives from Member States, which made a number of editorial changes to the draft agreement. The Sixth Committee as a whole approved the text and remanded it to the Second Committee. Thereafter, the Second Committee approved without a vote the text of a resolution prepared by the Secretariat. The General Assembly, on 17 December 1974, on the recommendation of the Second Committee, approved the agreement, which was annexed to the resolution on the item.²⁷

14. In addition, at its 2319th plenary meeting, on 14 December 1974, the General Assembly, on the recommendation of the Fifth Committee²⁸ with regard to the draft Agreement between the United Nations and WIPO,²⁹ took note of the report of the Advisory Committee on Administrative and Budgetary Questions;³⁰ approved the administrative and budgetary provisions of the draft Agreement between the United Nations and WIPO; and took note of

²³Ibid., paras. (c) and (d).

²⁴As in the case of the agreement with IFAD, the Committee had before it a report by the Secretary-General comprising a comparative analysis of the text of the draft agreement proposed by the WIPO Coordination Committee and the texts of the agreements with the specialized agencies and IAEA. E/AC.24/L.460.

²⁵E/5535. Some reservations and differences in understanding of the interpretations of various draft articles of the relationship agreements by certain States represented on the Committees were voiced and are reflected in the reports on the negotiations submitted to the Council at its July-August 1974 session.

²⁶E/5562, para. 18.

²⁷G A resolution 3346 (XXIX).

²⁸See G A (29), Suppl. No. 3 annexes agenda item 75, A/9966, para.

8.

²⁹G A resolution 3346 (XXIX), annex.

³⁰A/9852.

³¹The Assembly, by its resolution 179 (II), considered it desirable that any specialized agency brought into relationship with the United Nations should derive its privileges and immunities from the Convention on Privileges and Immunities of the Specialized Agencies of 21 November 1947. In their application to each agency, the standard clauses of the Convention were to operate subject to any modification, which might be set forth in an annex relating to the agency in question. The Convention provided that the Secretary-General transmit to any

chapter VI, section A.6, of the report of the Economic and Social Council.³¹

2. INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT³²

15. In its resolution 2006 (LX) of 13 May 1976, the Economic and Social Council invited the Preparatory Commission for IFAD to "prepare and submit to the Committee on Negotiations with Intergovernmental Agencies proposals for bringing the Fund into relationship with the United Nations, taking into account the agreements previously concluded between the United Nations and the specialized agencies." In addition, the Council decided that "for the purposes of negotiation with the Preparatory Commission for IFAD, the Committee on Negotiations with Intergovernmental Agencies should be composed of the representatives of the States members of the Council which have notified the Secretary-General of their intention to become members of the Committee by 21 June 1976". Subsequently, the Council decided that the Committee would meet and would conduct the necessary negotiations with IFAD during the sixty-second session of the Council.³³

16. The Preparatory Commission for IFAD held its first session in Rome from 27 to 30 September 1976 and adopted resolution 3 (I) of 30 September 1976, entitled "Relationship Agreement between the United Nations and the International Fund for Agricultural Development,"³⁴ in which it took note of Council resolution 2006 (LX) and requested its interim secretariat to submit to the Commission at its second session a draft relationship agreement between the United Nations and IFAD. Later that year, the Chairman of the Preparatory Commission, pursuant to the Commission resolution 8 (II), transmitted a draft of the proposed relationship agreement considered by the Commission during its second session.

17. The Committee on Negotiations with Intergovernmental Agencies held its session in April/May 1977 with the participation of the Chairman and two vice-Chairmen of the IFAD Preparatory Commission.³⁵ The Committee had before it a note by the Secretariat containing the text of the draft relationship agreement, a letter addressed to the Secretary-General by the Chairman of the Commission and a note by the Secretariat containing background information on the nature of Article 63 relationship agreements and on the draft agreement with IFAD as considered by the Preparatory Commission, together with the texts of the agreements with existing specialized agencies.³⁶ The Committee adopted the draft agreement, on the understanding

agency not mentioned by name in the Convention a draft annex recommended by the Economic and Social Council containing such modifications. The Council in its resolution 2106 (LXIII) transmitted such a draft annex with the required recommendation. Convention on the Privileges and Immunities of the Specialized Agencies, 1947, United Nations, Treaty Series, vol. 33 p. 261, art. X sections 33-40.

³²See also this *Supplement*, under Article 57.

³³E S C decision 205 (ORG-77).

³⁴E/5908, para. 3. According to article 8 of the agreement establishing the IFAD:

"[T]he Fund shall enter into negotiations with the United Nations with a view to concluding an agreement to bring it into relationship with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. Any agreements concluded in accordance with Article 63 of the Charter shall require the approval of the governing Council, by a two-thirds majority of the total number of votes, upon the recommendation of the Executive Board."

³⁵E/5924

³⁶Ibid., para. 6.

that its adoption would be without prejudice to the right of the members of the Committee to take whatever final position they might wish to take on the draft at a later stage.

18. Pursuant to Economic and Social Council resolution 2006 (LX), the Committee submitted its report, including the text of the draft agreement, to the Council at its sixty-third session, whereupon the Council, in its decision 241 (LXIII) of 13 May 1977, took note with appreciation of the report and decided to transmit the draft Relationship Agreement between the United Nations and IFAD to the IFAD Preparatory Commission for its approval. The Preparatory Commission of IFAD approved the draft Agreement in its resolution 13 (IV) of 13 July 1977. By its resolution 2104 (LXIII) of 3 August 1977, the Council recommended that the General Assembly adopt the agreement.

19. At the thirty-second session of the General Assembly, the Council's recommendation was embodied in a resolution sponsored by several delegations in the Assembly's Second Committee. By the text of the Council's draft resolution, adopted on the recommendation of the Second Committee, the Assembly approved the Agreement between the United Nations and IFAD annexed to the resolution on the item.³⁷

20. Prior to the approval of the Agreement, the Fifth Committee (administrative and budgetary questions) of the General Assembly discussed a number of questions regarding the Agreement. In its report to that Committee, the Advisory Committee On Administrative And Budgetary Questions stated that it considered that the language of article IX, regarding IFAD's cooperation with ICSC on matters concerning the regulation and coordination of the conditions of service of staff, was not sufficiently clear in relation to article 3 (b) of the Regulations of the United Nations Joint Staff Pension Fund.³⁸ The Committee expressed the opinion that if the draft Relationship Agreement negotiated by the Council with IFAD were to be approved, IFAD would become the first specialized agency which need not participate fully in the common system. Action by the Assembly therefore would require a pronouncement on the eligibility for admission of such an agency under article 3 (b) of the Regulations of the Fund, as well as on whether IFAD, if deemed eligible nevertheless, should be admitted as a matter of policy to the Pension Fund.³⁹ By its resolution 32/74 of 9 December 1977, the Assembly decided to admit IFAD to membership in the Pension Fund with effect from the date on which it became a specialized agency. By its resolution 32/102 of 13 December 1977, the Assembly invited IFAD to participate in the common system for the regulation and coordination of the conditions of employment of staff and, in particular, to accept the ICSC statute.⁴⁰

21. Within the Fifth Committee, one delegation proposed that the General Assembly should take note of the report of ACABQ and the chapters of the report of the Economic and Social Council relating to the Agreement. In addition, in order to clarify the position of the General Assembly on the question of IFAD's participation in the common system, the delegation urged the Committee to

approve the following individual articles of the draft text: VII (budgetary and financial arrangements), VIII (administrative cooperation), and IX (personnel arrangements). The Assembly adopted the Committee's recommendation in its decision 32/428 A of 15 December 1977.

22. As in the case of WIPO⁴¹ and in accordance with provisions of the Convention on the Privileges and Immunities of the Specialized Agencies (section 35),⁴² the Secretary-General, on 13 October 1977, addressed a note to the Economic and Social Council transmitting a draft annex relating to IFAD. In their application to each specialized agency, the standard clauses of the Convention were to operate subject to any modification set forth in the annex relating to the agency in question. The Convention would become applicable to IFAD upon the Fund's acceptance of the annex. On the recommendation of the Policy and Programme Coordination Committee, the Council adopted resolution 2129 (LXIII) of 31 October 1977, which contained the draft annex and recommended it to IFAD for adoption.

B. Terms of the agreements with the specialized agencies

1. WORLD INTELLECTUAL PROPERTY ORGANIZATION

23. The analysis that follows describes the provisions of the Relationship Agreement between the United Nations and WIPO (hereinafter the adopted Agreement), particularly in the light of the provisions of the draft Agreement submitted to the Council by WIPO (hereinafter the WIPO draft).⁴³

24. The agency agreement with WIPO both as proposed and as adopted is generally similar to those negotiated in the past. Article 1 of the WIPO draft⁴⁴ recognizes WIPO's area of competence in more general terms than the corresponding provision in the adopted Agreement, which specifies WIPO's competence "for promoting creative intellectual activity and for facilitating the transfer of technology related to industrial property of the developing countries in order to accelerate economic, social and cultural development."⁴⁵ In both drafts, these responsibilities are subject to the general responsibilities of the United Nations system. Responding to the question put by one delegation in the Policy and Programme Coordination Committee, the Director-General of WIPO agreed that article 1 should not be construed as encroaching upon the competence of other organizations of the United Nations system by reason of the fact that it gave certain emphasis to some aspects of the objectives and activities of WIPO.⁴⁶

25. Equally general in scope is the articulation of coordinating responsibilities in the WIPO draft,⁴⁷ which simply recognizes that the General Assembly and the Economic

⁴²See footnote 31 above. Section 35 provides that the Secretary-General shall transmit to any specialized agency not mentioned by name in the Convention a draft annex recommended by the Economic and Social Council.

⁴³E/5360, annex, para. 1.

⁴⁴Ibid.

⁴⁵G A resolution 3346 (XXIX), annex, art. 1. The WIPO draft stipulates the organization's responsibilities "for taking such action as may be appropriate under its basic instruments, including the conventions, agreements and treaties administered by it, for the accomplishment of the objectives and the exercise of the functions set forth therein". E/5360, annex, para. 1.

⁴⁶E/5562, paras. 2, 6 and 7.

⁴⁷E/5360, annex, para. 2.

³⁷G A resolution 32/107.

³⁸A/32/325, paras. 5-8.

³⁹Ibid.

⁴⁰See G A resolution 3357 (XXIX), annexing text of statute.

⁴¹See para. 14 above

and Social Council have responsibilities in this area. The adopted Agreement expands the provision to include the following language:

“Accordingly, the Organization [WIPO] agrees to cooperate in whatever measures may be necessary to make coordination of the policies and activities of the United Nations and those of the organs and agencies within the United Nations system fully effective. The Organization agrees further to participate in the work of any United Nations bodies which have been established or may be established for the purpose of facilitating such cooperation and coordination, in particular through membership in the Administrative Committee on Coordination”.

26. Unlike the combined provision for administrative and technical services found in most relationship agreements adopted in the past, the adopted Agreement sets out these provisions separately, albeit in language similar to that which was found in past agreements.⁴⁸ Like the provisions in past agreements, however, the WIPO Agreement recognizes the desirability, in the interest of administrative and technical uniformity, of avoiding wherever possible the establishment and operation of competitive or overlapping facilities and services. The parties thus undertake to cooperate in the provision of technical assistance “for development in the field of intellectual creation”,⁴⁹ undertake to achieve effective coordination of technical assistance activities within the framework of existing coordination machinery and agree to cooperate in administrative matters of mutual interest, consulting together “from time to time concerning particularly the most efficient use of facilities, staff and services and the appropriate methods of avoiding” duplication in this area.⁵⁰

27. In addition, although absent from the WIPO draft, the final Agreement, under article 10, contains a separate provision regarding cooperation in the field of transfer of technology:

“The Organization agrees to cooperate within the field of its competence with the United Nations and its organs, particularly the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Industrial Development Organization, as well as the agencies within the United Nations system, in promoting and facilitating the transfer of technology to developing countries in such a manner as to assist these countries in attaining their objectives in the fields of science and technology and trade and development.

Responding to a question put by one of the delegates to CPC, the Director-General of WIPO agreed that article 10 should not be understood to imply that cooperation in respect of other appropriate matters was not also covered by the Agreement.⁵¹

28. The provision for reciprocal representation,⁵² both as proposed and as adopted, follows the practice developed in past relationship agreements, stipulating complete reciprocity within the limits of relevant fields of interest. The

⁴⁸G A resolution 3346 (XXIX), annex, arts. 9 and 14. The WIPO draft contains no provision for technical assistance. See also E/5524/Add.2, paras. 79-81; and E/C.1/L.6, paras. 48-50.

⁴⁹E/C.1/L.6, paras. 48-50.

⁵⁰G A resolution 3346 (XXIX), annex, art. 14.

⁵¹E/5562, paras 2, 6 and 7.

⁵²See E/5524/Add.2, paras. 38-49. See also this *Supplement*, under Article 70.

scope of representation is comprehensive as to the United Nations and specific as to WIPO “with respect to items . . . relating to intellectual property matters within the scope of the activities of [WIPO] and other matters of mutual interest.”⁵³

29. With slight variations, the WIPO Agreement sets out provisions for relations with other international organizations, regarding cooperation with regard to Trust, Non-Self-Governing, and other Territories similar to those included in past relationship agreements.⁵⁴ The two documents contain identical recitations in article 6 regarding information and documents and statistical services, with stipulations substantially similar to those of past agreements. Provisions regarding assistance to the Security Council or to the Trusteeship Council, and concerning headquarters and regional offices, are absent from the adopted Agreement.

2. INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

30. The analysis that follows examines those provisions which vary to some degree from those of past agreements. Past relationship agreements have fallen into one of two categories, establishing either a closer linkage or a looser relationship between the United Nations and the Economic and Social Council and the specialized agency concerned.⁵⁵ The analysis therefore describes the emerging relationship with regard both to the terms proposed by the IFAD Preparatory Committee and to the Agreement as adopted by the General Assembly.

31. In the explanatory note accompanying the proposed Agreement submitted to the Council’s Committee on Negotiations with Intergovernmental Agencies submitted by the Chairman of the Preparatory Commission, the Commission expressed its concern in formulating the draft Agreement “to protect the parameters prescribed by the Fund Agreement and at the same time to work out a balanced and harmonious relationship between the two organizations.”⁵⁶

“The success of the Fund’s operations and prospects for the periodic replenishment of its resources will largely depend on the continued maintenance of the delicate balance of interests and objectives, which the Fund Agreement has attempted to accommodate . . . Because [of] . . . these relationships with other institutions the Fund’s operational mechanism will involve a greater degree of complexity than is the case in most other specialized agencies. As a source of funds for development lending, the Fund will be an organization similar to the World Bank and its affiliate, the International Development Association. Taking all these factors into account, the Fund Agreement reflects the need for a degree of autonomy in its policy formulation and financing operations and in its relationships with its own member countries. . . . The Fund’s autonomy, while necessary for

⁵³Ibid.

⁵⁴E/5360, annex, para. 11; see E/C.1/L.6, para. 53; E/5524/Add.2, para. 91.

⁵⁵E/C.1/L.6, paras. 24 and 25.

⁵⁶E/C.1/40

its operational efficiency, will not prevent it from actively cooperating with the United Nations.⁵⁷

32. While several of the terms stipulated in the draft Agreement submitted by the Commission⁵⁸ would retain a degree of autonomy similar to that of the World Bank and IDA, those terms nevertheless varied from the final Agreement⁵⁹ adopted by the General Assembly. By draft article I, the United Nations would recognize the Fund "as a specialized agency, operating as an independent organization within the United Nations system".⁶⁰ Article II (1)(b) of the final Agreement allows the United Nations to participate in "broad policy-making meetings" of Fund organs and committees (other than those of the Governing Council). In the final draft, article III regarding the "Proposal of agenda items" states, contrary to language in the earlier draft, that the Fund would, "subject to preliminary consultation as may be necessary", include items in the provisional agenda as proposed by the other party.⁶¹

33. Under article II of the final Agreement, the representatives of the United Nations are entitled to participate without vote in the meetings of the Governing Council of the Fund.⁶² The representatives of the Fund are entitled to attend meetings of the General Assembly of the United Nations for purposes of consultations and participate without vote in meetings of the Main Committees and other organs of the General Assembly and of the Economic and Social Council. Consultations, moreover, would take place "before presenting any formal recommendations" to the other body.⁶³ By article XI of the final Agreement, the Fund pledged to cooperate with and assist the United Nations "as the latter may request under its Charter, particularly for the accomplishment of the principles and purposes set forth in Article 55" of the Charter.⁶⁴

34. The United Nations, by article IV (2) of the Commission proposal, would have recognized all actions "to be taken by the Fund on any financing operation" as "a matter to be determined by the independent exercise of the Fund's own judgement in accordance with the Agreement". This language, while deleted from counterpart article V of the final Agreement, is included under article IV (2) on coordination and cooperation, with the added clause: "... taking fully into account the overall policy guidelines established by the United Nations in the field of economic and social, and particularly agricultural, development".⁶⁵

35. The Fund agreed to participate in the work of the United Nations aimed at strengthening such cooperation

⁵⁷Ibid., paras. 5-7. The agreements between the United Nations and both IBRD and IMF stated 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." See *Repertory*, vol. III, Article 63, para. 114.

⁵⁸E/5998, annex.

⁵⁹G A resolution 32/107, annex.

⁶⁰E/5998, annex, art. I.

⁶¹Ibid., art. III.

⁶²See also this *Supplement*, under Article 70.

⁶³Compare also Commission proposal article VI with agreement article XII, both addressing technical assistance, whereby cooperation under the agreement is articulated more extensively than within the proposal.

⁶⁴In addition to assistance for the accomplishment of the principles in Article 55, one delegation had proposed to broaden the context of cooperation by including Chapters IX, XI and XII and the Declaration on the Granting of Independence to Colonial Countries and Peoples in the language of article XI of the final Agreement. E/SR.2060, paras. 24-28.

⁶⁵The aim of the proposed language is similar to that in the Agreements with the World Bank and the International Monetary Fund. See *Repertory*, under this Article, paras. 149-151.

and coordination, in particular through membership in ACC and, as appropriate, in the work of other bodies established for that purpose.⁶⁶

36. With regard to budgetary and financial arrangements, and unlike the agreement between the United Nations and IMF, the final Agreement contains no provision recognizing "the full autonomy [of the appropriate authorities of the Fund] in deciding the form and content of such budget".⁶⁷ Budgetary and financial arrangements entered into between the United Nations and the Fund are subject to General Assembly and Governing Council approval.⁶⁸

37. The provisions in article VI regarding exchange of information are worded similarly to most past relationship agreements, but differ from the corresponding language in the agreements with the Bank or the Fund, as described in the original *Repertory*.⁶⁹ Regarding personnel arrangements, the Fund, under article IX, agrees to cooperate with the International Civil Service Commission on matters concerning the regulation and coordination of the conditions of service of staff. In addition, the United Nations and the Fund agree to cooperate in the interchange of staff when desirable. The Fund may participate in the United Nations Joint Staff Pension Fund. Article IX (3) leaves the terms and conditions regarding specific facilities or services to be negotiated as appropriate in subsidiary agreements. Unlike many relationship agreements adopted in the past, the agreement is silent as to questions of provision of assistance to the Security Council, the Trusteeship Council (in regard to assistance to Trust and Non-Self-Governing and other Territories), membership and liaison with the United Nations and the Fund.

C. Coordination of the activities of the specialized agencies

1. RECOMMENDATIONS TO THE SPECIALIZED AGENCIES

38. During the period under review, reference to the coordinating role of the Economic and Social Council under Article 63(2) was mentioned frequently. In its resolution 3202 (S-VI) of 1 May 1974, the General Assembly reaffirmed that "the Economic and Social Council shall define the policy framework and coordinate the activities of the specialized agencies". Recalling Article 63, paragraph 2, of the Charter, the Council, at its fifty-first session, considered the need to increase the efficiency of the activities of the United Nations system in the economic, social and related fields, inter alia, through a move by the United Nations family of organizations towards a more coordinated and rational approach in terms of the formulation and implementation of programmes on a system-wide basis.⁷⁰ Throughout the period, a number of delegations stated their opinion that the Council had been unable to play its

⁶⁶G A resolution 32/107, annex, Art. IV (1).

⁶⁷See *Repertory*, under this Article, para. 214.

⁶⁸See *Repertory*, under this Article, paras. 210-212.

⁶⁹See *Repertory*, under this Article, paras. 153 and 154.

⁷⁰E S C resolution 1643 (LI).

coordinating role effectively as provided for in Articles 57, 58 and 63 of the Charter.⁷¹

39. The Economic and Social Council kept the question of strengthening the machinery for inter-agency coordination under constant review. It affirmed that ACC constituted the main coordinating body at the Secretariat level, envisioning that the Committee could assist the Council in fulfilling its task of coordinating the activities of the system in the economic, social and related fields.⁷² The role and function of CPC was also reviewed during the period.⁷³ The reconstituted CPC, under terms of reference annexed to the Council resolution on the item,⁷⁴ would be responsible to the Council and through it to the General Assembly, would advise and assist the Council in discharging its coordination functions under Articles 58, 63 and 64 of the Charter, and would, inter alia, keep United Nations activities under review and study the procedures for coordination and cooperation. The Committee's consolidated terms of reference, adopted by the Council in its resolution 2008 (LX) of 14 May 1976, affirmed the Committee's function as the main subsidiary organ of the Council and the General Assembly for planning, programming and coordination which would, inter alia, assist the Council in the performance of its coordination functions within the United Nations system, recommend guidelines for the agencies of the United Nations system on their programmes and activities, and study the reports of ACC and those of the specialized agencies and IAEA.⁷⁵

40. Throughout the period, CPC and ACC followed the practice of holding joint meetings, pursuant to the mandate by the Council in its resolution 1171 (XLI) of 5 August 1966.⁷⁶ In its resolution 1771 (LIV) of 18 May 1973, the Council recommended that the formal group dialogue between ACC and CPC should develop into a more active working discussion of questions currently on the agenda of the Council, particularly those with system-wide implications and those where problems of coordination between the agencies and organs of the United Nations system had arisen or might arise.

41. By resolution 1547 (XLIX) of 30 July 1970, the Economic and Social Council instructed CPC to review the sphere of activities and competence of ACC in order to achieve more effective coordination within the Council in the light of the discussion in the Council at that session.⁷⁷ ACC was given the task of reviewing and implementing measures to be suggested by the Council with regard to its sphere of activities and competence in order to ensure the full and effective implementation of the relationship agree-

⁷¹See, e.g., E/AC.24/SR.550.

⁷²E S C resolution 1643 (LI).

⁷³Some delegations within the Coordination Committee expressed the opinion that CPC was not carrying out its coordination functions efficiently and, questioning its utility, proposed the suspension of CPC on a trial basis, transferring the Committee's standing functions and powers to the Policy and Programme Coordination Committee. Others expressed the need for caution. At its fifty-sixth session, the Council agreed in its decision 20 (LV1) that CPC would not meet before the fifty-seventh session. See E/AC.24/SR.441, pp. 104-107; E/AC.24/SR.442, p. 122, and E/AC.24/SR.456, p. 93.

⁷⁴E S C resolution 1472 (XLVIII) and annex.

⁷⁵E S C resolution 2008 (LX), annex, A. See also E S C resolution 1472 (XLVIII), annex, paras. 29-33.

⁷⁶See E S C resolution 1472 (XLVIII); *Repertory, Supplement No. 4*, under Article 63, para. 12.

⁷⁷E S C resolution 1547 (XLIX).

ments between the United Nations, the specialized agencies and IAEA.⁷⁸

42. ACC noted that the arrangements for inter-agency cooperation dated back in their essential features to the 1950s, a time when a limited number of organizations worked together on a limited number of common programme sectors. The responsibilities falling to the United Nations system, it was stated, had grown in number and complexity. Thus, ACC had endeavoured to reorient its work and that of its machinery. The Committee had undertaken a review aimed at rationalizing the various consultative arrangements operating under its aegis in programme and administrative fields, with a view to avoiding duplication and maintaining flexibility within those arrangements.⁷⁹ In that light, ACC had merged or discontinued a number of existing consultative bodies, arranging ad hoc meetings as appropriate. On an experimental basis, ACC acknowledged its establishment of small, functional panels attended by ACC members directly concerned, and meeting to consider certain key issues in depth.⁸⁰

43. By its resolution 1622 (LI) of 30 July 1971, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution in which the Council would be invited to take appropriate measures with a view to the regulation and improved coordination of economic, social scientific and technical activities within the United Nations system. In addition, the Council called attention to the need for greater precision and efficiency in the exercise of its functions and powers as defined in Article 63 of the Charter. Consideration of the item was deferred by the Assembly until its twenty-ninth session, when it adopted resolution 3341 (XXIX) of 17 December 1971, in which the Assembly emphasized the Council's responsibilities for coordination under the Charter, and expressed the conviction that the Council should reorganize its work, including modifications as might be necessary in the existing pattern of inter-agency cooperation.⁸¹ At its thirty-second session, the General Assembly adopted resolution 32/197 of 20 December 1977, by which it endorsed and annexed to the resolution the conclusions and recommendations of its Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, established by the Assembly in its resolution 3362 (S-VII). In the provisions relating to inter-agency coordination, the Assembly recommended that, at the intergovernmental level, coordination should be governed by policy guidelines, directives and priorities established by the Assembly and, under its authority, by the Economic and Social Council. The machinery for inter-agency coordination at the inter-secretariat level should assist in the prepa-

⁷⁸E S C resolution 1643 (LI).

⁷⁹With 24 organizations and programmes participating in ACC, more than 30 programme sectors and 10 service sectors requiring multilateral cooperation, and a growing proportion requiring integrated, intersectoral approaches cutting across traditional fields of competence, "multiplying the points of contact between organizations" activities and calling for new forms of cooperation." E/5973, paras. 21 and 22; E/4840, I, A, para. 12.

⁸⁰*Ibid.*, para. 16. These consisted of panels (or groups) including one on the environment. E/5133, para. 8.

⁸¹G A resolution 3341. The Assembly decided at the same session that the substance of Council resolution 1622 (LI) had been resolved through the adoption of Assembly resolution 3341 (XXIX). G A (29) A/9601, p. 78, agenda item 12.

ratory work for decisions and for their implementation and should conform to objectives and priorities of Governments, but should be centred within ACC. The Environment Coordination Board, the Inter-Agency Consultative Board and the Advisory Committee of the United Nations Industrial Development Organization should be merged with ACC. The agenda, functioning and reporting systems of ACC should be adjusted to respond to the priorities and work programme of the Assembly and the Council.

44. ACC proposed certain measures to strengthen the analytical and technical support it provided to the United Nations intergovernmental bodies concerned with long-term development planning, including the replacement of the ACC Subcommittee on the Development Decade with a new Task Force on Long-term Development Objectives.⁸² ACC implemented several provisions of the resolution with the goal of restructuring its machinery: it reported that new inter-secretariat structures would avoid rigid mechanisms and procedures and would implement flexible structures which could be more easily adjusted to specific needs and changing circumstances.⁸³ It noted that it would increasingly resort to brief, subject-oriented sessions at which the executive heads principally concerned would participate and agree on action to be taken. Moreover, the Environment Coordination Board and the Inter-Agency Consultative Board merged with ACC. Finally, following the proposed new practice of the Economic and Social Council, ACC would adopt a biennial programme of work.⁸⁴

a. *Priorities and concentration of effort and resources*

45. The issues of priorities and the avoidance of duplication were considered during the period under review. By its resolution 1547 (XLIX) of 30 July 1970, the Economic and Social Council invited the Secretary-General and the executive heads of the specialized agencies and IAEA, UNIDO, UNCTAD and the regional commissions to pay special attention to this concern. By its resolution 1548 (XLIX) of the same date, the Council invited the specialized agencies and IAEA to include in their future analytical summaries, inter alia, a chapter entitled "Coordination with other organizations of the United Nations system" which would include a description of outstanding coordination problems and difficulties encountered in solving them.

46. By its resolution 1643 (LI) of 30 July 1971, the Economic and Social Council called upon ACC to present annually to the Council a list of possible topics for in-depth consideration, with a system-wide coverage, and, following Council approval of the list, to present to the Council and the legislative bodies of specialized agencies separate reports on each topic, containing a concise and factual picture of the way in which the system as a whole operates and pointing out any duplication arising from the implementation of policies and programmes of work related to the topic in question. Pursuant to that mandate, ACC submitted suggestions for such topics in its annual reports.⁸⁵

47. By its resolution 1724 (LIII) of 28 July 1972, the Economic and Social Council considered that the statements of the Executive Secretaries of the regional commis-

sions and executive heads of the specialized agencies should focus on issues of vital concern to their regions and sectors which had important implications for international economic and social policy and required examination and decision by the Council. The Council also requested that the report of the joint meetings of CPC and ACC should focus attention on one or more issues requiring priority consideration by the Council in the field of coordination, and that the report on the meetings of the Executive Secretaries of the regional commissions should similarly draw attention to issues in the field of regional cooperation requiring policy decisions by the Council.

48. During the discussion in ACC regarding the multinational, interdisciplinary development advisory teams proposed in the context of General Assembly resolution 2563 (XXIV) of 13 December 1969, a few executive heads of the specialized agencies expressed concern over the possibility of duplication with the planning missions being organized by IBRD and with the prospective country programming activities of UNDP. The Under-Secretary-General for Economic and Social Affairs stated that consultations with the specialized agencies had taken place to establish interdisciplinary teams whose purpose would be to establish continuing consultative services designed to help countries strengthen their planning machinery, to discover obstacles, to plan implementation and to advise Governments. The Under-Secretary-General foresaw no risk of duplication with the missions organized by IBRD or with the UNDP country programming exercise, with which the United Nations missions would actively collaborate.⁸⁶

49. With regard to the division of responsibilities between the United Nations and IAEA, the Economic and Social Council, in its resolution 1550 (XLIX) of 30 July 1970, recognized the special competence of the Agency to conduct surveys for nuclear metals as requested by Member States, while reaffirming the primary responsibility of the United Nations for the conduct of mineral surveys. The Council moreover requested the Secretary-General and the Director General of IAEA to consult in order to avoid duplication between the organizations.

50. Regarding its coordination machinery, the Economic and Social Council, by its resolution 1768 (LIV) of 18 May 1973, decided that the Council organ with responsibility for the functions of programming and coordination should examine and coordinate the programme objectives submitted by the Council's subsidiary bodies, consider on a sector-by-sector basis the activities and programmes of the agencies for effective coordination of the system, and make recommendations for the adoption of programmes of the United Nations. In that regard, the Council adopted resolution 1802 (LV) of 7 August 1973, and invited the ACC to prepare a concise report covering the work programmes and the spheres of competence of the components of the United Nations system in the field of marine science and its applications, in order to avoid overlapping and duplication of activities in this field. By its resolution 1889 (LVII) of 1 August 1974, the Council recommended that ACC strengthen the Inter-Organization Board for Information Systems and Related Activities to ensure its capacity for consultation with agency management, with a view to the development of common concepts.

⁸²E/5973, paras. 6 and 7.

⁸³See E/1978/107, para. 12.

⁸⁴G A resolution 32/197.

⁸⁵See e.g., E/5488, para. 23.

⁸⁶E/4840/Add.1/Rev.1.

51. At its sixty-third session, the Economic and Social Council endorsed the recommendation of the joint meetings of CPC and ACC⁸⁷ in favour of a "programme-sector-by-programme-sector approach" to coordination,⁸⁸ and invited ACC, with the active cooperation of the specialized agencies, to submit annually to CPC the relevant elements and information for the selection of programme sectors to be reviewed in depth on a United Nations system-wide basis.

b. *Regional coordination*

52. During the period under review, the Economic and Social Council continued to review the coordination of the efforts of the regional bodies with those of the United Nations system. By its resolution 1724 (LIII) of 28 July 1972, the Economic and Social Council requested the Secretary-General, at the summer sessions of the Council, to arrange for the Executive Secretaries of the regional commissions and the Director of the United Nations Economic and Social Office in Beirut to take part as appropriate in the meetings of ACC and its Preparatory Committee, and in the joint meetings of CPC and ACC. By its resolution 1756 (LIV) of 16 May 1973, the Council called upon all organizations and agencies of the United Nations system to work closely with the regional commissions to achieve the overall economic and social development objectives at the regional level. By its resolution 1757 (LIV) of the same date, the Economic and Social Council requested the Secretary-General, in cooperation with the executive heads of the organizations and specialized agencies of the United Nations system, to organize regional inter-secretariat meetings as necessary to be held under the chairmanship of the Executive Secretaries of the regional commissions, and with the participation of all the interested specialized agencies, in order to improve coordination and cooperation at the regional level.

53. At its sixty-first session, a number of delegates in the Economic and Social Council indicated the increased need for decentralization⁸⁹ within the system of regional bodies as the activities of the United Nations system proliferated and grew more complex. It was stated that the regional commissions should be given the requisite increased status to carry out the coordinating role involved. With regard to the relationship between the regional commissions and the work of the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System, it was felt that the regional commissions should play their full role within the system, particularly by assuming team leadership and responsibility for coordination, and by coordinating intersectoral approaches to development at the regional level; for their part, the specialized agencies and other appropriate United Nations bodies should continue to be responsible for leadership and operational responsibility in specific sectoral fields.⁹⁰

54. Certain delegations advised a cautious approach in defining the expanded role of the regional commissions, in order to strike the proper balance between the commis-

sions on the one hand and United Nations Headquarters and the specialized agencies on the other. One delegation expressed reservations as to whether regional bodies would adopt binding decisions or simply recommendations.⁹¹

**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*

55. At its forty-ninth session, the Economic and Social Council allocated the agenda item entitled, "Assistance in cases of natural disaster," to its Coordination Committee. The Committee considered, inter alia, the interim report of the Secretary-General, prepared pursuant to the mandate laid down by the General Assembly in its resolution 2435 (XXIII) of 19 December 1968.⁹² In the report, the Secretary-General had pointed to the lack of a focal point from which to initiate action and exercise more effective coordination in cases of natural disaster. At the same session, the Secretary-General stated his intention to entrust a senior Secretariat official with the responsibility of acting for him on a regular basis in developing and coordinating assistance from the United Nations system,⁹³ an initiative subsequently commended by the Council in its resolution 1546 (XLIX) of 30 July 1970. The focal point was thus established by the Secretary-General in his bulletin of 26 October 1970,⁹⁴ by which the Assistant Secretary-General for Inter-Agency Affairs was appointed to advise the Secretary-General when required and to represent him in matters relating to the various aspects of natural disaster.⁹⁵

56. At its fifty-first session, the Economic and Social Council considered the item in plenary, proceeding primarily on the basis of the report of ACC,⁹⁶ the Secretary-General's comprehensive report on the implementation of Assembly resolutions 2435 (XXIII) and 2717 (XXV) and of Council resolution 1546 (XLIX).⁹⁷ On the recommendations of the Secretary-General, an Office of the Disaster Relief Coordinator was termed indispensable to the implementation of proposals contained in the comprehensive report. The report moreover sought to define the scope of activity of the proposed Office within each stage of disaster preparedness and relief.⁹⁸

⁹¹Ibid., para. 23; E S C (61), plen.

⁹²E/4853. In response to several natural disasters occurring in the early 1960s, the Economic and Social Council, at its thirty-sixth session, had annexed to its resolutions and decisions an extract from the report of ACC requesting the Secretary-General, in conjunction with the specialized agencies and the League of Red Cross Societies, to make appropriate arrangements to provide rapid and concerted disaster relief. E S C (36), Suppl. 7, p. 39. At the Council's thirty-seventh session, the Secretary-General had proposed to strengthen existing arrangements in New York and Geneva by the designation of officers to maintain necessary contacts with NGOs and countries stricken by disaster. E/3886, part XIII, paras. 127-137. ACC had envisioned similar coordination and cooperation in its report to the Council at its thirty-sixth session. E/3765, paras. 163-169.

⁹³E S C (49) 1696th mtg., para. 36.

⁹⁴ST/SGB/131/Amend.24.

⁹⁵E/4994, para. 3. The administrative framework of the focal point was established without additional staff.

⁹⁶E/5012, para. 41.

⁹⁷See E/4994.

⁹⁸Ibid., paras. 85-91.

⁸⁷E/6009, paras. 11-13, 26 and 27.

⁸⁸E S C resolution 2098 (LXII). This decision was consistent with the consolidated terms of reference for CPC, adopted in E S C resolution 2008 (LX), annex, A (3)(a).

⁸⁹See E S C (61), plen., 2023rd mtg., paras. 30, 42; 2024th mtg., paras. 19, 76.

⁹⁰E S C (61), plen., 2024th mtg., para. 37.

57. In introducing the Secretary-General's report, the consultant to the Secretary-General pointed out that the new Office would be responsible for gathering in one place all relevant information for assisting Governments in their disaster prevention and preparedness arrangements, and assisting in the coordination of disaster relief efforts of international organizations, Governments and voluntary agencies.⁹⁹ One delegation proposed that instead of adding a new body to the bureaucratic machinery of the United Nations, a representative might be appointed whose task, *inter alia*, would be to conclude in advance arrangements with appropriate States, United Nations bodies and NGOs for the provision of assistance and the organization of relief in cases of disaster.¹⁰⁰

58. In the plenary discussion on the question, while most representatives expressed support for the Secretary-General's proposals, a few took the view that relief efforts should use available resources and should be coordinated by the existing organs of the United Nations Secretariat, with the role of Disaster Relief Coordinator entrusted to a serving Under-Secretary-General or Assistant Secretary-General.¹⁰¹ The scope of the efforts of the proposed Office and of disaster relief by the United Nations were also the subject of debate. The Economic and Social Council voted on a revised draft resolution¹⁰² and amendments thereto, rejecting those amendments calling for coordination by existing organs of the Secretariat.¹⁰³ In its resolution 1612 (LI) of 23 July 1971, the Council called upon the Secretary-General to appoint a Disaster Relief Coordinator who would report directly to the Secretary-General, and articulated the scope of the Coordinator's role and authority. The Council also recommended that the General Assembly endorse the foregoing recommendations at its twenty-sixth session.

59. At its twenty-sixth session, the General Assembly allocated the agenda item "Assistance in cases of natural disaster" to the Third Committee (social, humanitarian and cultural questions).¹⁰⁴ The Committee had before it the Secretary-General's comprehensive report and a draft resolution¹⁰⁵ based on the recommendations of the Economic and Social Council. On the recommendation of the Third Committee, the Assembly adopted resolution 2816 (XXVI) of 14 December 1971, in which it called upon the Secretary-General to appoint a Disaster Relief Coordinator and defined the authority of the post in terms which generally mirrored the language of Council resolution 1546 (LXIX).

2. CONSULTATIONS WITH THE SPECIALIZED AGENCIES

60. The Council and its ACC endeavoured during the period under review to strengthen the procedures for prior consultations among the United Nations and the specialized agencies. The report of the Enlarged Committee on Programme and Coordination contained the following recommendation:

"[E]ach draft work programme should be sent, with request for comments particularly with a view to avoid-

ing duplication, to . . . [organizations] having programmes in related areas. These comments should be transmitted, with the observations of the executive head of the organization concerned, to the programme-reviewing organ which would have an opportunity to consider and act on problems of coordination before they arise in practice. Perhaps even more important, it would enable each programme-reviewing organ to ensure that the projects it approves complement and reinforce those of other organizations in areas of common concern.¹⁰⁶

"General Assembly resolution 2579 (XXIV) endorsed the recommendation and requested the Secretary-General, as Chairman of ACC, to bring it to the attention of all organizations in the United Nations system."

61. At its April 1970 session, ACC reported that it had completed a review aimed at rationalizing the various consultative arrangements operating under its aegis in programme and administrative fields with a view to avoiding duplication and maintaining flexibility and adaptability. In that vein, ACC had merged or discontinued a number of existing consultative bodies, calling ad hoc meetings in their place.¹⁰⁷ That same year, the Committee put together detailed proposals for the implementation of the recommendation of the Enlarged Committee on Programme and Coordination on the question of prior consultations on work programmes.¹⁰⁸ At its forty-ninth session, the Economic and Social Council endorsed the framework elaborated at the joint meeting of ACC and CPC,¹⁰⁹ which was operative effective 1 January 1971. In addition, the Council requested the Secretary-General to ensure that prior consultations with secretariats of other United Nations organizations would be held before proposals of interest to them were presented by the various branches of the United Nations Secretariat to intergovernmental bodies and before changes were made in the execution of approved programmes.¹¹⁰

62. During discussions in the Coordination Committee, it was suggested that the procedures for prior consultations would obviate the need for a posteriori coordination of measures taken by different agencies in the same field. There was in fact no sector, it was stated, in which a single agency had exclusive competence; consultations should therefore be held at all stages.¹¹¹ During the fifty-third session of the Economic and Social Council, one representative in the Coordination Committee recognized the importance of prior consultation, but wondered whether such consultation often could not be carried out by correspondence. He noted that, in any event, coordination entailed the constant supervision of a single body aware of the activities of the entire United Nations system, and that although the major coordinating role lay with the Council, Article 63, paragraph 2, of the Charter stated that the Council "might" coordinate the activities of the specialized agencies.¹¹²

63. ACC endeavoured to devise satisfactory arrangements for prior consultations with regard to short- and medium-term programmes, utilizing them, in addition, to

⁹⁹E S C (51), plen. 1785th mtg., paras. 59-64.

¹⁰⁰E/AC.24/SR.395, p. 109.

¹⁰¹E S C (51), plen., 1786th mtg., para. 37, 1787th mtg., para. 14.

¹⁰²E/L.1438/Rev.1.

¹⁰³E/L.1438 and E/L.1440 and Corr.1.

¹⁰⁴A/8430/Add.1, para. 1.

¹⁰⁵A/C.3/L.1897.

¹⁰⁶E/4748, para. 71.

¹⁰⁷E/4840, paras. 12 and 13. See also E/1978/43, para. 13.

¹⁰⁸E/AC.51/42.

¹⁰⁹E S C resolution 1549 (XLIX).

¹¹⁰E S C resolution 1642 (LI); see also resolution 1643 (LI).

¹¹¹E/AC.24/SR.416, p. 73.

¹¹²E/AC.24/SR.436, p. 39.

identify areas in which joint or concerted action would be appropriate or where action by one organization could usefully complement that of another.¹¹³ Formal procedures thus were put in place for prior consultations on draft work programmes and budgets covering one budget cycle. ACC reported that some organizations had governing bodies, sitting permanently, which could review and adjust work programmes to avoid overlap and duplication, or generate timetables for the preparation of their budgets allowing for the consideration of comments by other organizations before final approval of work programmes. ACC also identified the meetings of the ACC subcommittees and ad hoc groups as important for exchanges of information. At the departmental and divisional level, organizations would keep each other informed, through consultation and correspondence, of thinking about new programme proposals under consideration for formal submission to their governing bodies. Periodic meetings of programme officers were held to keep procedures of prior consultations to medium-term programmes on a system-wide basis under review.¹¹⁴

64. At the interim session of the Policy and Programme Coordination Committee in 1975, it was suggested that compulsory prior consultations on programmes and budgets should take place and that there should be closer consultations among programme planning officers of the various elements of the United Nations system, particularly on multisectoral programmes.¹¹⁵

65. By its resolution 1768 (LIV) of 18 May 1973, the Economic and Social Council requested ACC to extend the prior consultation procedure to the medium-term plans of the United Nations and the specialized agencies, utilizing, as appropriate, the technique of programme budgeting. The Council further decided that a series of short-term measures should be devised to move systematically towards greater uniformity and synchronization of planning, programming and evaluation within the United Nations system, and recommended that ACC should undertake further efforts to ensure the comparability of terminology and concepts in the existing medium-term plans, so as to permit more meaningful prior consultations, including joint informal discussions between ACC and CPC.¹¹⁶

66. In its annual report for 1972-1973, ACC noted that the adoption of programme budgeting and of medium-term planning by many organizations of the United Nations system provided an opportunity to move towards a clearer definition of objectives, stricter ordering of priorities and more systematic thinking about forecasting and planning. While a number of procedures still required careful examination, ACC recognized the enhanced possibilities for the organizations to work beyond the level of the individual organization towards those objectives.

67. In its 1973-1974 report, ACC noted that the 1973 joint meetings of CPC and ACC confirmed the importance of strengthening inter-secretariat arrangements and procedures in the area of prior consultations on work programmes on a system-wide basis. Discussions identified a series of broad tasks for widening the scope of such planning, including undertaking cross-organizational analyses of programmes and activities in selected areas.¹¹⁷ In

its 1974-1975 report, ACC noted that it was examining the implications of efforts towards joint programming and implementation for the functioning of the ACC machinery, involving existing procedures for consultation on programme planning documents and consideration of necessary adjustments to enable ACC machinery to contribute effectively to the process of programme coordination.¹¹⁸

68. Regarding the relationship between inter-secretariat bodies and intergovernmental organizations, during the 1971 joint CPC/ACC meetings and plenary meetings of the Economic and Social Council, it was emphasized by some delegates that ACC should not be used as a device for infringing upon the prerogatives of intergovernmental bodies; just as policy formulation and decision-making were the prerogative of intergovernmental organizations, so were the responsibilities of the Secretariat and ACC limited to the implementation of programmes and decisions. Some wished ACC to play a more dynamic role in view of the increasing interdependence of the activities of the United Nations bodies, while others wished to restrict its role to purely mechanical coordination work, stripping it of any initiative with regard to policy-making.¹¹⁹

3. RECOMMENDATIONS TO THE GENERAL ASSEMBLY

69. At its fifty-seventh and sixty-third sessions respectively, the Economic and Social Council recommended to the General Assembly that it approve the draft agreements with WIPO¹²⁰ and IFAD.¹²¹

4. RECOMMENDATIONS TO MEMBERS

70. In accordance with an Economic and Social Council decision of 2 August 1968,¹²² the Council had before it at its forty-ninth session a report by the Secretary-General on coordination at the national level, based on information submitted by Governments.¹²³ The report described means and methods currently employed by those Governments for coordinating their national policies regarding the implementation of United Nations decisions, as well as the difficulties found in coordinating policy in different bodies. Without adopting a resolution, the Council took note with interest of the report and expressed the hope that the information contained in the report might be of value to Governments of Member States in connection with the modalities of national coordination. It was also decided to take no further action on the question.¹²⁴

71. In the context of the review of the agreements between the United Nations and the specialized agencies, IAEA, the Secretary-General stated:

“As is well known, problems sometimes arise when Governments take differing positions in intergovernmental organs . . . It may be said that the problem is not so much one of the conflicting decisions of intergovernmental organs (though this is not unknown) as of divergent, uncoordinated approaches towards the same or closely related problems . . . [O]ne of the tasks of ACC

¹¹³E/5133, para. 35.

¹¹⁴E/5289, part I, paras. 35-37.

¹¹⁵E/5633, para. 12.

¹¹⁶E S C decision (LIV), agenda item 17(b), I and II, p. 31.

¹¹⁷E/5488, paras. 24-27.

¹¹⁸E/5675, para. 16.

¹¹⁹E/AC.24/SR.413, pp. 30 and 31; /SR.417, pp. 77-82; /SR.419, pp. 111-11; E S C (LXII).

¹²⁰E S C resolution 1890 (LVII).

¹²¹E S C resolution 2104 (LXIII).

¹²²E S C resolution 1369 (XLV).

¹²³E/4844.

¹²⁴E S C (49), Suppl. I, p. 22; E S C (49), plen., 1720th mtg.; A/8003 and Corr.1, chap. XIII.C.

and its subsidiary bodies is to try to reconcile and rationalize the programmes that stem from such divergent approaches. Obviously, it would be altogether better if this process of reconciliation . . . could take place within each Government . . . Just as obviously, this kind of ideal situation is as unattainable in practice as is perfect coordina-

tion on the part of international organizations . . . It is hoped, therefore, that Governments will maintain their alertness to this problem."¹²⁵

¹²⁵E/5524/Add.5, paras. 83 and 84.