

# ARTICLE 68

## Table of Contents

	<u>Paragraphs</u>
Text of Article 68	
Introductory Note . . . . .	1 - 4
I. General Survey . . . . .	5 - 27
A. Types of organs set up by the Council . . . . .	5 - 7
B. Methods of establishment . . . . .	8 - 9
C. Functions and powers . . . . .	10 - 12
D. Membership . . . . .	13 - 19
1. Commissions . . . . .	13 - 17
a. Functional commissions . . . . .	13
** b. Sub-commissions	
c. Regional economic commissions . . . . .	14 - 17
2. Committees and other bodies established by the Council . . . . .	18 - 19
E. Duration and termination . . . . .	20 - 21
F. Sessions or meetings . . . . .	22 - 23
G. Method of reporting . . . . .	24 - 27
II. Analytical Summary of Practice . . . . .	28 - 46
** A. Types of organs which Article 68 empowers the Council to set up	
B. The need for commissions and committees to assist the Council in carrying out its functions . . . . .	28 - 29
** C. Character of membership of the functional commissions and sub-commissions	
** D. Distribution of membership in functional commissions and other subsidiary organs of the Council	
E. The question of membership in the regional economic commissions . . . . .	30 - 33
1. Economic Commission for Europe . . . . .	30 - 31
2. Economic Commission for Asia and the Far East . . . . .	32 - 33
** 3. Economic Commission for Latin America	
F. The question of the representation of a Member State in the organs established by the Council . . . . .	34 - 36
1. Functional commissions and committees . . . . .	34 - 35
2. The Economic Commission for Asia and the Far East . . . . .	36

Table of Contents  
(continued)

	<u>Paragraphs</u>
** G. The power of subsidiary organs of the Council to adopt rules of procedure	
H. The participation in the work of the subsidiary organs of the Council, of other organs of the United Nations, specialized agencies, inter-governmental organizations and non-governmental organizations . . . . .	37
** I. Delegation of power to and by organs established by the Council	
** J. The binding quality of decisions of organs established by the Council	
K. Question of the approval by the Council of studies to be undertaken by a functional commission . . . . .	38 - 45
L. Conventions prepared under the auspices of the regional economic commissions . . . . .	46

TEXT OF ARTICLE 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

INTRODUCTORY NOTE

1. During the period under review the Economic and Social Council did not establish any commissions, but since a general study of the subordinate structure of the Council was made in the Repertory under Article 68, the present Supplement considers the new committees or bodies which it set up and reviews those of its actions which affect the status of existing organs.

2. The material included in the General Survey below is organized along the lines of the existing main headings of the Repertory.

3. No new material has been found which requires treatment under the following existing headings of the Analytical Summary of Practice: II.A.: Types of organs which Article 68 empowers the Council to set up; II.C.: Character of membership of the functional commissions and sub-commissions; II.D.: Distribution of membership in functional commissions and other subsidiary organs of the Council; II.G.: The power of subsidiary organs of the Council to adopt rules of procedure; II.I.: Delegation of power to and by organs established by the Council; II.J.: The binding quality of the decisions of organs established by the Council.

4. The following headings have been added to review material which could not be dealt with under existing headings of the Repertory:

- K. Question of the approval by the Council of studies to be undertaken by a functional commission
- L. Conventions prepared under the auspices of the regional economic commissions

## I. GENERAL SURVEY

### A. Types of organs set up by the Council

5. In addition to the organs and bodies which it had previously established and which have continued to assist it in the performance of its functions, 1/ the Council, during the period under review, set up a committee composed of representatives of States Members of the United Nations - the Ad Hoc Committee on Slavery 2/ - and, at the request of the General Assembly, reconstituted the United Nations High Commissioner's Advisory Committee on Refugees as the United Nations Refugee Fund (UNREF) Executive Committee, the membership of which includes States Members and non-members of the United Nations. 3/

6. The Council also provided for the establishment by the Secretary-General of expert groups. However, while in three cases 4/ the experts were to meet as a body and present recommendations to the Council through an existing subsidiary organ, in two other cases 5/ they were to act as consultants to the Secretary-General who was entrusted with the task of presenting recommendations to the Council. The latter cases are not considered under the present Article since the experts were not to meet as an organ or body.

7. The Council re-established, at each of its sessions, two sessional committees of the whole - the Economic Committee and the Social Committee - and, at its twentieth and twenty-second sessions, a third sessional committee of the whole - the Co-ordination Committee.

---

1/ See in the Repertory, under Article 68, paras. 10-14.

2/ E S C resolution 564 (XIX).

3/ E S C resolution 565 (XIX).

4/ E S C resolution 567 E (XIX): Committee of Experts on the Transport of Dangerous Goods; E S C resolution 585 F (XX): Working Group on Maintenance of Family Levels of Living; E S C resolution 626 H (XXII): Meeting of Scientists on Opium Research.

5/ E S C resolution 599 (XXI) on International Co-operation with respect to Water Resources Development, whereby the Council requested the Secretary-General to constitute a panel of world renowned experts to review "with the assistance of the United Nations Secretariat the administrative, economic and social implications of integrated river-basin development" and to advise "on the proper action - including, if they deem it advisable, the convening of an international conference - to be taken in order to ensure a world-wide exchange of experience and data in related domains;" the Secretary-General was requested to report on progress in these fields and to formulate recommendations. E S C resolution 600 (XXI) on International Co-operation on Cartography, whereby the Secretary-General was requested to draft, in co-operation with interested international organizations and "such experts as he may wish to consult within the limits of budgetary availability, the general framework of a programme looking towards maximum international uniformity in the writing of geographical names".

## B. Methods of establishment

8. While the two committees composed of Government representatives 6/ were established by the resolutions laying down their terms of reference, the procedure for establishing the expert bodies varied. In the case of the Committee of Experts on Maintenance of Family Levels of Living, the Secretary-General was authorized to convene it "in joint sponsorship with the International Labour Office and in co-operation with the other specialized agencies concerned"; 7/ and in the case of the Meeting of Scientists on Opium Research, the Secretary-General was requested to select the participants "in consultation with the Chairman of the Commission [on Narcotic Drugs]". 8/ The resolution providing for the reconvening of the Committee of Experts on the Transport of Dangerous Goods specified that the Secretary-General would reconvene the Committee "as soon as he has received a sufficient number of replies from Governments and international organizations" 9/ to previous recommendations of the Committee.

9. As in the past, the sessional committees were set up by decisions of the Council 10/ at the beginning of each session. On occasion, they established informal drafting groups or working parties. 11/

## C. Functions and powers

10. The Council by resolution 620 (XXII), confirmed 12/ for the time being the terms of reference of the Commission on International Commodity Trade and requested the Commission "in carrying out its work, to take into account the importance of the economic development of the under-developed countries, bearing in mind the relationship between the acceleration of the process of industrialization in these countries and the state of the world markets for primary commodities". Under the same resolution, the Council requested the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA) to continue to discharge for the time being the functions given to it under resolution 557 F (XVIII) of the Economic and Social Council. Moreover, provision was made in the resolution for obtaining the views of the Commission, ICCICA and the Food and Agriculture Organization "on any defects in the present organizational and procedural arrangements governing their activities in the field of international commodity problems and on co-ordination of their functions within the framework of the United Nations, and such specific suggestions on the elimination of those defects as they may be able to make".

---

6/ The Ad Hoc Committee on Slavery was constituted by resolution 564 (XIX) which also specified its membership; the UNREF Executive Committee was reconstituted by resolution 565 (XIX) and by election of five members to complete its membership (see para. 18 below).

7/ E S C resolution 585 F (XX).

8/ E S C resolution 626 H (XXII).

9/ E S C resolution 567 E (XIX).

10/ The sessional committees were set up at the time the Council adopted its programme of work for the session. See, for example, E S C (XXII), 926th mtg., and E/L.724, p. 2.

11/ See, for example, E/AC.6/SR.193.

12/ See in the Repertory under Article 68, paras. 23 and 74. The question had been postponed for the twentieth session (E S C (XX), 864th mtg.).

11. The UNREF Executive Committee was entrusted with functions of an executive and advisory nature which differ to some extent from those of committees hitherto set up by the Council. 13/ The executive functions which are exercised "in accordance with such principles as may be laid down by the General Assembly", 14/ include: giving directives to the High Commissioner for Refugees in carrying out the UNREF programme, determining an annual financial target and an annual operational plan, and exercising the necessary control in the use of the funds. The advisory functions are defined as advising "the High Commissioner for Refugees, at his request, in the exercise of his functions under his Statute". The powers of the UNREF Executive Committee also include the election of its officers, the drawing up of its rules of procedure and the setting up of such standing sub-committee or sub-committees as may be required for the execution of its functions.

12. With regard to the functions of the expert bodies that the Secretary-General was authorized to establish, it may be noted that some of the recommendations to be made by the Committee of Experts on the Transport of Dangerous Goods were to be circulated "as soon as they are completed" 15/ to Governments and interested international organizations; they were not therefore to be subject to previous review by the Transport and Communications Commission or by the Council. The function of the Working Group on Maintenance of Family Levels of Living was defined in resolution 585 F (XX) generally to "assist in the examination of the technical problems involved". At the twenty-second session, the members of the Council were informed that the Secretary-General had agreed with the International Labour Organisation on the Working Group's terms of reference 16/ and the Council took note with satisfaction of the various factors which the working group was to take into consideration in carrying out its work "in accordance with the terms of reference established for it". 17/

#### D. Membership

##### 1. Commissions

###### a. FUNCTIONAL COMMISSIONS

13. The terms of office of the members of the functional commissions meeting biennially were lengthened by one year under resolution 591 (XX) whereby the Council decided "that, beginning with the members elected in 1955, the term of office of the members of the Population Commission, the Statistical Commission, the Social Commission and the Transport and Communications Commission shall be four years."

---

13/ The Technical Assistance Committee exercises, however, similar functions with respect to the Expanded Programme of Technical Assistance.

14/ E S C resolution 565 (XIX), section A.

15/ E S C resolution 567 E (XIX). Other recommendations to be made by the Committee of Experts will be reviewed by the Transport and Communications Commission.

16/ E/AC.7/SR.341, pp. 4 and 9. A member of the Committee considered that the working group should have been left free to draw up its terms of reference in co-operation with the Secretariat.

17/ E S C resolution 627 (XXII), para. 8.

## \*\* b. SUB-COMMISSIONS 18/

## c. REGIONAL ECONOMIC COMMISSIONS 19/

14. Ten of the sixteen States admitted to membership in the United Nations on 14 December 1955 were European countries. Of these, Austria, Finland, Ireland, Italy and Portugal had become eligible for membership of the Economic Commission for Europe (ECE) by virtue of a previous Council decision. 20/ Only Italy had applied for membership and had become a member of ECE before 14 December 1955. Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Portugal, Romania and Spain became members of ECE by virtue of the General Assembly decision to admit them to United Nations membership.

15. At its twentieth session, the Council decided that the Federal Republic of Germany was eligible for membership in ECE on condition that it applied for membership and agreed to make an annual financial contribution 21/; the Federal Republic became a member of ECE on 21 February 1956. 22/ At the same session, the Council rejected a proposal to make the German Democratic Republic eligible for membership in ECE. 23/

16. All four States within the geographic scope of the Economic Commission for Asia and the Far East (ECAFE) that became Members of the United Nations pursuant to General Assembly resolution 995 (X), namely Cambodia, Ceylon, Laos and Nepal, had already become full members of ECAFE by virtue of a previous Council decision. 24/

17. The membership of the Economic Commission for Latin America (ECLA) has not changed during the period under review.

*2. Committees and other bodies established by the Council*

18. The membership of the Ad Hoc Committee on Slavery was laid down in resolution 564 (XIX) which established the Committee and listed the ten States which were to be members. With regard to the United Nations Refugee Fund Executive Committee, resolution 565 (XIX) provided that the Committee shall "Consist of twenty States Members and non-members of the United Nations, selected on the basis of their demonstrated interest in and devotion to the solution of the refugee problem, including

---

18/ The term of office of the members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities was extended to 31 December 1959 by the Commission on Human Rights. A member having resigned, a new member was elected by the Commission (E S C (XXII), Suppl. No. 3 (E/2844), paras. 122-124).

19/ See also paras. 30-33 below.

20/ E S C resolution 517 B (XVII).

21/ E S C resolution 594 (XX).

22/ As of 1 September 1956, the membership of ECE was as follows: Albania, Austria, Belgium, Bulgaria, Byelorussian SSR, Czechoslovakia, Denmark, Federal Republic of Germany, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, Ukrainian SSR, USSR, United Kingdom, United States, and Yugoslavia.

23/ E S C (XX), 899th mtg.

24/ E S C resolution 517 A (XVII). On 1 September 1956, the membership of ECAFE was as follows: Full members: Afghanistan, Australia, Burma, Cambodia, Ceylon, China, France, India, Indonesia, Japan, Korea, Laos, Nepal, the Netherlands, New Zealand, Pakistan, the Philippines, Thailand, USSR, United Kingdom, United States and Vietnam; Associate members: Hong Kong, Malaya and British Borneo (i.e., North Borneo, Brunei, the Federation of Malaya, Sarawak and Singapore).

the present members of the Advisory Committee, the membership being subject to review at the twenty-third session of the Council". 25/

19. Each of the resolutions providing for the establishment of new expert bodies by the Secretary-General mentioned in broad terms the qualifications required of the experts. 26/

#### E. Duration and termination

20. The Council under resolution 595 (XX) decided "not to reactivate the Economic, Employment and Development/ Commission at present".

21. The executive functions of the UNREF Executive Committee were to be exercised "during the period of the Fund's existence" 27/ and the date of termination of the Ad Hoc Committee on Slavery as well as that of the expert bodies was the date of adoption of their final reports.

#### F. Sessions or meetings

22. The rules of procedure of the functional commissions relating to sessions were not applied to the Commission on International Commodity Trade. The rules 28/ approved by the Council for this Commission, reflected specific provisions contained in the Commission's terms of reference, 29/ and provided for two regular sessions a year, 30/ the dates to be fixed previously by the Commission in consultation with the Secretary-General. 31/ Provision was also made to holding special sessions under certain conditions at the request of a majority of the members of the Commission. 32/ Prior authorization of the Council was required for the Commission to meet away from United Nations Headquarters. 33/

---

25/ The Council elected, at its 843rd meeting, five members, since the fifteen members of the former United Nations High Commissioner's Advisory Committee on Refugees became members of the Executive Committee.

26/ E S C resolution 585 F (XX) on maintenance of family levels of living, refers to experts "highly qualified in those fields and, at the same time, representative of countries at varying stages of economic development and with varying social structures"; E S C resolution 626 H (XXII) on a meeting of scientists on opium research, refers to "a seminar composed of not more than nine experts" and specifies that the participants should be selected "with due regard for adequate representation of the principal opium-producing and drug-manufacturing countries and the main geographical regions of the world concerned".

27/ E S C resolution 565 (XIX), section A.

28/ E S C (XX), Suppl. No. 7 (E/2745), annex. The rules were approved by the Council under resolution 532 (XX).

29/ E S C resolution 557 F (XVIII).

30/ Rule 1.

31/ Rule 2.

32/ Rules 3 and 4.

33/ Rule 5.

23. The procedure laid down <sup>34/</sup> by the Council for fixing the date of sessions of its commissions and committees <sup>35/</sup> was not applied to the United Nations Refugee Fund Executive Committee since resolution 565 (XIX) stated that it should "meet regularly twice a year and at such other times as it may be convened by the Chairman upon the request of any six of its members, or at the request of the High Commissioner in the exercise of his functions under his Statute".

#### G. Method of reporting

24. The rules of procedure of the Commission on International Commodity Trade provided that the reports of the Commission to the Council "may include the Commission's recommendations and shall be presented at least once a year". <sup>36/</sup>

25. In accordance with the resolution reconstituting the United Nations Refugee Fund Executive Committee, the report of the Executive Committee was to be attached to the report of the High Commissioner to the General Assembly. <sup>37/</sup>

26. With regard to the expert groups set up by the Secretary-General, no direct mention was made of their method of reporting in the Council's resolutions laying down their terms of reference. However, in providing for the setting up of the Working Group on Maintenance of Family Levels of Living, the Council invited <sup>38/</sup> "the Social Commission, the International Labour Organisation and the other specialized agencies concerned to examine the report of the working group" and requested the Secretary-General to transmit to it the report of the working group together with the observations of these bodies as well as his own observations.

27. The Technical Assistance Committee continued to report on all its activities to the Council, but the text of the annually recurring resolution of the General Assembly confirming the allocation of funds under the Expanded Programme of Technical Assistance was transmitted to the General Assembly by the Committee through the Secretary-General without prior consideration by the Council. <sup>39/</sup>

## II. ANALYTICAL SUMMARY OF PRACTICE

### \*\* A. Types of organs which Article 68 empowers the Council to set up

<sup>34/</sup> See in the Repertory under Article 68, para. 105.

<sup>35/</sup> E S C resolution 564 (XIX), establishing the Ad Hoc Committee on Slavery, specified that the Committee was to be convened by the Secretary-General "at a time and a place to be decided by him in consultation with the Governments represented on the Committee".

<sup>36/</sup> Rule 39. The provision of rule 40, whereby the Commission was, so far as practicable, to frame its recommendations as draft resolutions of the Council, was the same as that of rule 39 of the rules of procedure of the functional commissions.

<sup>37/</sup> E S C resolution 565 (XIX), para. 6.

<sup>38/</sup> E S C resolution 585 F (XX), paras. 3 and 4.

<sup>39/</sup> E S C resolution 542 B (XVIII), as approved by G A resolution 831 (IX). See in this Supplement under Article 60.

**B. The need for commissions and committees to assist  
the Council in carrying out its functions**

28. The Council considered the question of the terms of reference of the Economic, Employment and Development Commission at its resumed twentieth session and decided under resolution 595 (XX) not to reactivate the Commission at present:

"Believing that while the Commission has done valuable work in the past, its functions are at present adequately performed by the Council itself with the assistance of the Secretariat and, under the supervision of the Council, by the Council's committees, regional commissions and other subsidiary organs or ad hoc bodies established by the Council".

29. The question of the need for appropriate machinery within the United Nations to deal with matters relating to industrialization of under-developed countries was raised at the twenty-first 40/ and twenty-second 41/ sessions of the Council. Although a proposal was introduced 42/ to set up a co-ordinating body at the Secretariat level and mention was made of the possibility of creating a specialized agency, a functional commission or a committee of governmental experts, the type of organ, if any, which should be created was not further discussed. The Council adopted resolution 618 (XXII) in which it requested "the Secretary-General to consider further the question of machinery necessary in the field of industrialization of under-developed countries".

**\*\* C. Character of membership of the functional commissions and sub-commissions**

**\*\* D. Distribution of membership in functional commissions  
and other subsidiary organs of the Council**

**E. The question of membership in the regional economic commissions**

*1. Economic Commission for Europe*

30. With the exception of Switzerland, which continues to participate in ECE sessions in a consultative capacity, all other European countries which previously participated in that capacity have become full members of ECE by virtue of their admission to the United Nations. 43/

31. At its tenth session the Commission rejected a proposal to invite the German Democratic Republic and the Federal Republic of Germany to take part in the work of the session. 44/ At the eleventh session, in which the Federal Republic of Germany participated as a full member, 45/ a proposal that the Commission (a) recommend to the Council that the German Democratic Republic be admitted to membership in the Commission and (b) invite the German Democratic Republic to participate in the work of the session was rejected. 46/ Experts from the Eastern Zone of Germany continued to participate in

---

40/ E S C (XXI), 909th mtg., para. 32; E/AC.6/SR.191, p. 10; 192, pp. 7 and 8; 193, pp. 5, 7 and 8; 194, pp. 5, 6, 8 and 10; E S C resolution 597 A (XXI), para. 5 (a).

41/ E S C (XXII), annexes, a.i. 4, E/2895; E/AC.6/SR.200, pp. 11, 13 and 22; 201, pp. 5, 10, 12, 14 and 15; 202, pp. 7 and 10 to 17; 203, pp. 4, 5, 9 and 10.

42/ E/AC.6/L.152.

43/ See para. 14 above.

44/ E S C (XX), Suppl. No. 3 (E/2706), paras. 206-215.

45/ See para. 15 above.

46/ E S C (XXII), Suppl. No. 6 (E/2868), paras. 222-230.

meetings of the Commission's subsidiary bodies, in accordance with its terms of reference. 47/

## 2. *Economic Commission for Asia and the Far East*

32. At its twelfth session the Commission considered a proposal to include in the agenda a request addressed to the Executive Secretary of the Commission by the Mongolian People's Republic for admission to membership. The Commission decided to transmit the application of the Mongolian People's Republic to the Council without recommendation and together with the summary records of the debate. 48/

33. At the twenty-second session of the Council, the admission of the Mongolian People's Republic to membership in ECAFE was referred to by a number of delegations but no formal proposal was made and no action was taken. 49/

## \*\* 3. *Economic Commission for Latin America*

### F. The question of the representation of a Member State in the organs established by the Council

#### 1. *Functional commissions and committees*

34. During the period under review, statements were made regarding the representation of China at meetings of the functional commissions, 50/ standing 51/ and sessional 52/ committees of the Council. While some members stated that the representative sitting for China had been illegally appointed since he had not been nominated by the Central People's Republic of China, which, in their view, was the only legal government of China, other representatives considered that such remarks were out of order, that the organ was incompetent to discuss its membership or that the representative for China had been nominated by the legal government of China. Such statements were included in the records of the meetings, and in the case of the functional commissions mention of them was made in their reports to the Council.

35. As during the period covered by the Repertory, statements regarding the representation of a Member State were also made in plenary meetings of the Council in connexion with the confirmation of the members of the functional commissions, and votes were taken for the confirmation of members designated by the Byelorussian SSR, China, Czechoslovakia, Poland, the Ukrainian SSR and the USSR. 53/

#### 2. *The Economic Commission for Asia and the Far East*

36. The question of the representation of China, Korea and Vietnam was raised at the eleventh session of ECAFE, but the Commission took no action thereon. 54/ At its

47/ Ibid., para. 217 and annex III, para. 10.

48/ E S C (XXII), Suppl. No. 2 (E/2821), para. 201.

49/ E S C (XXII), 940th mtg.

50/ G A (X), Suppl. No. 3 (A/2943), para. 47 and G A (XI), Suppl. No. 3 (A/3154), para. 30.

51/ See, for example, E/C.2/SR.148.

52/ See, for example, E/AC.7/SR.295 and 307.

53/ E S C (XVIII resumed), 834th mtg.; E S C (XX), 895th mtg.; E S C (XXII resumed), 952nd mtg. The question was also raised in connexion with the election by the Council at its 834th meeting on 16 December 1954, of a member of the Permanent Central Opium Board nominated by the Government of the Republic of China.

54/ E S C (XX), Suppl. No. 5 (E/2712), paras. 198-202.

twelfth session, the Commission decided to adjourn consideration of the question of the representation of China, which had been raised on a motion to invite a representative of the Government of the People's Republic of China to participate in the work of the Commission and exclude the representative of the Republic of China. 55/

**\*\* G. The power of subsidiary organs of the Council  
to adopt rules of procedure 56/**

**H. The participation in the work of the subsidiary organs of the Council, of other organs of the United Nations, specialized agencies, inter-governmental organizations and non-governmental organizations 57/**

37. Under resolution 566 (XIX) the Council requested the Social Commission and the Commission on Human Rights to invite the Commission on the Status of Women to send representatives to participate without vote in their deliberations "when questions of direct concern to the Commission on the Status of Women are on the agenda".

**\*\* I. Delegation of power to and by organs established by the Council 58/**

**\*\* J. The binding quality of decisions of organs established by the Council 59/**

**K. Question of the approval by the Council of studies to be undertaken by  
a functional commission**

38. At the twenty-second session of the Council, the Social Committee considered, in connexion with its discussion of the report of the Commission on Human Rights, whether the approval of the Council was required for that Commission to embark upon studies of specific rights or groups of rights. 60/

39. The Commission on Human Rights, in its report, had submitted two draft resolutions for the Council's adoption, the first of which would have established a system of annual reports on human rights by Members of the United Nations or the specialized agencies, and the second of which would have provided for the undertaking of studies of specific rights or groups of rights by the Commission. 61/ According to the second draft resolution, the Council would have approved "as the first subject for study the right of everyone to be free from arbitrary arrest, detention and exile". The Commission also reported that it had appointed a committee composed of four of its members to study such a right and that the committee had had a preliminary discussion of its programme of work. 62/

55/ E S C (XXII), Suppl. No. 2 (E/2821), paras. 198-200.

56/ The United Nations Refugee Fund Executive Committee was authorized under Council resolution 565 (XIX) to establish its own rules of procedure (see para. 11 above).

57/ See in this Supplement under Article 69.

58/ See para. 9 above. Under resolution 567 E (XIX), the Secretary-General was invited to circulate to Governments and interested international organizations the final recommendations of the Committee of Experts on Transport of Dangerous Goods, "as soon as they are completed".

59/ See in this Supplement under Article 60.

60/ E/AC.7/SR.351 and 352.

61/ E S C (XXII), Suppl. No. 3 (E/2844), annex I.

62/ Ibid., para. 83.

40. The Social Committee received 63/ an amendment by Canada and Yugoslavia to the draft resolutions proposed by the Commission on Human Rights, which, in merging the two draft resolutions, left out the specific reference to the Council's approval of the first subject selected for special study. The sponsors of the amendment explained in this connexion that they felt that the Council should leave the selection of a subject for special study to the Commission as a technical matter.

41. Some members considered that the joint amendment raised a basic issue of the relationship of the Council to its functional commissions. They felt that while the Council's commissions should be left every possible latitude in carrying out their work programme, the selection of studies and general supervision of projects was an inalienable function of the Council. In addition, they considered that unless the Council approved the first subject for special study, the committee set up by the Commission to study the subject could not proceed with its work. They further stressed that the Commission had not sought the latitude given to it by the joint amendment, since it had submitted its proposal for the Council's approval. It was also emphasized that this approval was all the more necessary as the study had considerable financial implications and that, under the terms of Council resolution 557 B (XVIII), studies of this nature should be submitted to the Council for prior approval. It was also mentioned that certain rights came within the purview of the specialized agencies and that it was for the Council, in accordance with Council resolution 557 B (XVIII), to see whether or not the agencies could assume additional burdens arising out of projects undertaken by a functional commission. In the course of the discussion, it was pointed out that analogous studies by the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been formally approved by the Council.

42. Other members felt that, while the Council should formally approve the first choice of a subject for study, since the Commission had requested it to do so, it was unnecessary to make the future selection of studies subject to the approval of the Council, since the Council could always express its opinion on the selection when it reviewed annually the report of the Commission. The opinion was expressed that, while the Commission could choose a subject for study which did not call for "co-operation with the specialized agencies", studies which did should be subject to the Council's approval in accordance with resolution 557 B (XVIII).

43. Still other members felt that, while there was some inconsistency in the Commission's method of work, since it had submitted a subject for special study for the Council's approval and at the same time had set up a committee which had embarked upon its task prior to this approval, it could be explained by the fact that the Commission had assumed that the Council's approval would be forthcoming and of a formal nature. They considered that the Commission should be given as much latitude as possible and did not agree that the Council's approval was of major importance. In their view, while the Commission's programme of work should be approved by the Council, the Commission should be free to select topics for study within this general framework. They could not therefore support any wording in a resolution of the Council which would tie the hands of the Commission in such a technical matter as the selection of a subject for special study.

44. The representative of the United States introduced 64/ several sub-amendments to the amendment submitted by Canada and Yugoslavia, one of which made the selection from time to time by the Commission on Human Rights of rights or groups of rights for special study "subject to the approval of the Council". The Social Committee adopted

---

63/ E/AC.7/L.282.

64/ E/AC.7/L.283.

the sub-amendment by 16 votes to none, with 2 abstentions. Another amendment by the United States, inter alia, restored that part of the draft resolution proposed by the Commission on Human Rights, which provided that the Council "Approves as the first subject for study the right of everyone to be free from arbitrary arrest, detention and exile"; it was adopted by the Social Committee by 12 votes to 2, with 4 abstentions. 65/

45. The Council adopted by 13 votes to 3, with 2 abstentions the resolution containing the first sub-amendment, and by 10 votes to none, with 8 abstentions the resolution containing the second amendment. 66/

#### L. Conventions prepared under the auspices of the regional economic commissions

46. As mentioned in the Repertory 67/, the study of Article 62 (3) relating to the preparation by the Council of "draft conventions for submission to the General Assembly, with respect to matters falling within its competence" did not cover international instruments, when the Council played no direct part in connexion with their preparation, such as agreements of a regional character concluded under the auspices of the regional economic commissions of the Council 68/. The number of these regional agreements increased during the period under review and all three regional economic commissions have now sponsored such international instruments. The great majority of the agreements related to transport questions but two of the drafts prepared under the auspices of the Economic Commission for Latin America related to economic integration in Central America. 69/

65/ E/AC.7/SR.352.

66/ E S C resolutions 624 B, I (XXII) and 624 B, II (XXII).

67/ See in the Repertory under Article 62 (3), footnote 1/.

68/ Similarly, the study of Article 62 (4) in the Repertory mentioned only in its footnote 1/ the meetings convened by regional economic commissions, when the Council played no direct part in convening them. The practice with respect to these meetings has remained the same during the period under review.

69/ The following conventions have been prepared under the auspices of ECE:  
 Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road (signed at Geneva, on 16 June 1949 and entered into force 1 January 1950; United Nations Treaty Series, vol. 45, p. 149).  
 Additional Protocol relating to international transport of goods by container under the T.I.R. Carnet Régime (signed at Geneva and entered into force on 11 March 1950; United Nations Treaty Series, vol. 65, p. 319; superseded by the Additional Protocol, below).

Additional Protocol amending certain provisions of the Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road (open for signature in Geneva 20 November 1952 to 15 July 1953 and entered into force on 7 July 1955; E/ECE/TRANS/SC.1/155).

Customs Convention on the Temporary Importation for Private Use of Aircraft and Pleasure Boats (signed at Geneva on 18 May 1956, not yet in force; E/ECE/249).

Customs Convention on the Temporary Importation of Commercial Road Vehicles (signed at Geneva on 18 May 1956, not yet in force; E/ECE/250).

Customs Convention on Containers (signed at Geneva, on 18 May 1956, not yet in force; E/ECE/251).

European Agreement supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals (signed at Geneva on 16 September 1950 and entered into force on 20 December 1953; E/ECE/TRANS/228).

69/ (continued)

European Agreement on the application of article 3 of annex 7 of the 1949 Convention on Road Traffic concerning the dimensions and weights of vehicles permitted to travel on certain roads of the Contracting Parties (signed at Geneva on 16 September 1950, entered into force on 23 April 1954 and terminated on 27 November 1954; E/ECE/TRANS/230).

Declaration on the Construction of Main International Traffic Arteries (signed at Geneva and entered into force on 16 September 1950; United Nations Treaty Series, vol. 92, p. 91).

Agreement on Signs for Road Works, amending the European Agreement of 16 September 1950 supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals (signed at Geneva on 16 December 1955, not yet in force; E/ECE/223).

General Agreement on Economic Regulations of International Road Transport and Set of Rules (signed at Geneva on 17 March 1954, not yet in force; E/ECE/186).

Protocol relating to the adoption of Annex C.1 to the Set of Rules annexed to the General Agreement on Economic Regulations for International Road Transport (signed at Geneva on 1 July 1954, not yet in force; E/ECE/186/Add.1).

Convention on the Taxation of Road Vehicles for Private Use in International Traffic (signed at Geneva on 18 May 1956, not yet in force; E/ECE/252).

Convention on the Contract for the International Carriage of Goods by Road (CMR) (signed at Geneva on 19 May 1956, not yet in force; E/ECE/253).

International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail (signed at Geneva on 10 January 1952, entered into force on 1 April 1953; E/ECE/137).

International Convention to Facilitate the Crossing of Frontiers for Goods carried by Rail (signed at Geneva on 10 January 1952, entered into force on 1 April 1953; United Nations Treaty Series, vol. 163, p. 3).

Convention on the Taxation of Road Vehicles Engaged in International Passenger Transport (signed at Geneva on 14 December 1956, not yet in force; E/ECE/261).

Convention on the Taxation of Road Vehicles Engaged in International Goods Transport (signed at Geneva on 14 December 1956; E/ECE/262).

The following convention was prepared under the auspices of ECAFE:  
 Convention regarding the Measurement and Registration of Vessels Employed in Inland Navigation (signed in Bangkok on 22 June 1956, not yet in force; ECAFE/TRANS/SUB.3/31).

The following conventions have been drafted under the auspices of ECLA but had not, by 1 September 1956, been signed:  
 Acuerdo regional para la importación temporal de vehiculos de carretera (Regional agreement on the temporary importation of road vehicles - E/CN.12/AC.34/5).

Proyecto de tratado multilateral de libre comercio y integración económica Centroamericana (Draft multilateral agreement on Central American Free Trade and Economic Integration - E/CN.12/431).

Proyecto de regimen de industrias Centroamericanas de integración (Draft regime for Central America's integration industries - E/CN.12/431).