

ARTICLE 68

CONTENTS

	<i>Paragraphs</i>
Text of Article 68	
Introductory Note	1-2
I. General Survey	3-55
A. Types of organs set up by the Council	8-16
**1. Commissions	
2. Other organs and bodies established by the Council	8-16
<i>a. Ad hoc</i> committees of Government representatives	8-9
<i>b. Ad hoc</i> committees of experts or members appointed in their individual capacity, groups of experts, rapporteurs	10-12
<i>c. Standing</i> committees	13
<i>d. Sessional</i> committees	14
<i>e. Ac hoc</i> committees, drafting groups and working parties	15-16
<i>f. Other</i> bodies established by the Council	17
B. Methods of establishment	18
C. Functions and powers	19-21
1. Commissions and committees	19-21
**2. Regional economic commissions	
D. Membership	22-40
1. Commissions	22-32
<i>a. Functional</i> commissions	22-24
<i>b. Sub-commissions</i>	25
<i>c. Regional economic</i> commissions	26-33
2. Committees and other bodies established by the Council	34-41
E. Duration and termination	42-46
F. Sessions or meetings	47-51
G. Method of reporting	52-56
II. Analytical Summary of Practice	57-106
**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	57-59
**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	60-64
<i>a. Functional</i> commissions	60-61
<i>b. Sessional</i> committees	62-64
E. The question of membership in the regional economic commissions	65-84
1. Economic Commission for Europe	65-66
2. Economic Commission for Asia and the Far East	67-69
3. Economic Commission for Latin America	70
4. Economic Commission for Africa	71-84
F. The question of the representation of a Member State in the organs established by the Council	85-95
1. Functional commissions and committees	85
2. Economic Commission for Asia and the Far East	86-89
3. Economic Commission for Africa	90-94
4. Economic Commission for Europe	95
G. The power of subsidiary organs of the Council to adopt rules of procedure	96
H. The participation in the work of the subsidiary organs of the Council, of other organs of the United Nations, specialized agencies, intergovernmental organizations and non-governmental organizations	97-101
**1. The participation of Members of the United Nations	
2. The participation of other subsidiary bodies	97
3. The participation of the specialized agencies	98
4. The participation of intergovernmental organizations	99-101
**5. The participation of non-governmental organizations	
**I. Delegation of power to and by organs established by the Council	
J. The binding quality of decisions of organs established by the Council	102
**K. The 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	103-106

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 new commissions. This *Supplement* deals with the new committees and groups created by the Council and with any decisions taken which affected existing bodies.

2. The same major headings as those used in the *Repertory* and its *Supplements Nos. 1* and *2* are retained. There was no new material under the following headings: I.B. "Methods of establishment"; 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.I. "Delegation of power to and by organs established by the Council"; and II.K. "The question of the approval by the Council of studies to be undertaken by a functional commission". The question of the representation of Non-Self-Governing Territories which was considered during the period under review appears in section F of the Analytical Summary of Practice.

I. GENERAL SURVEY

3. The Council continued to make extensive use of its power to set up various organs, by creating committees, sub-committees, working groups and groups of experts.

4. During this period the General Assembly created two new bodies in the fields of international trade and of industrial development, namely, the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Industrial Development Organization (UNIDO), which led to the curtailment of the Council's activities in those areas and was reflected in the termination of some of its subsidiary bodies.

5. The General Assembly further approved the establishment of a World Food Programme (WFP) to be undertaken jointly by the United Nations and the Food and Agriculture Organization of the United Nations (FAO), and to be guided by a United Nations/FAO Intergovernmental Committee.

6. This was also the period during which the Expanded Programme of Technical Assistance (EPTA) and the Special Fund¹ were consolidated by the General Assembly² to become the United Nations Development Programme (UNDP).

7. The Council retained certain links with these newly established bodies, receiving their reports and,

in the case of UNDP, electing the members of its Governing Council.

A. Types of organs set up by the Council

**1. COMMISSIONS

2. OTHER ORGANS AND BODIES ESTABLISHED BY THE COUNCIL

a. *Ad hoc committees of Government representatives*

8. At its thirty-third session, following its usual practice, the Council established an *ad hoc* committee of seven members to assist it in considering candidates for election to the Permanent Central Opium Board,³ and at its forty-first session, the Council, with its own membership by then increased to twenty-seven members, established an *ad hoc* committee of thirteen Member States to review candidates for election to the International Narcotics Control Board.⁴

9. The Council established (a) an *ad hoc* committee of eight representatives of Member States (later expanded and renamed *ad hoc* Committee of Ten⁵) to undertake a study of further steps needed to organize the technical co-operation activities of

³ E S C (XXXIII), 1207th mtg.

⁴ E S C (XLI), 1442nd mtg.; see also E S C resolution 1106 (XL).

⁵ E S C resolution 851 (XXXII) amended by E S C resolution 900 A (XXXIV).

¹ The Expanded Programme of Technical Assistance was established by Council resolution 222 A (IX) and the Special Fund was created by General Assembly resolution 1240 (XIII).

² G A resolution 2029 (XX).

the United Nations family for greater aid to Member States, on their request, in the preparation of country development programmes; (b) and *ad hoc* working group on co-ordination⁶ to prepare for the Council a concise statement of the issues and problems in the field of co-ordination requiring special attention by the Council; (c) a preparatory committee for the United Nations Conference on Trade and Development;⁷ (d) an *ad hoc* working group on social welfare;⁸ (e) an *ad hoc* working group to consider the recommendations contained in the study entitled "Survey of the main trends of inquiry in the field of natural sciences, the dissemination of scientific knowledge, and the application of such knowledge for peaceful ends";⁹ (f) an *ad hoc* working group on the question of a declaration on international economic co-operation;¹⁰ (g) a preparatory committee for the second world population conference;¹¹ (h) a preparatory committee for an international conference of Ministers responsible for social welfare.¹²

b. *Ad hoc committees of experts*¹³ or members appointed in their individual capacity, groups of experts, rapporteurs

10. As in the past, the Council requested the Secretary-General to set up several expert groups. The Secretary-General was called upon to (a) appoint a small group of highly qualified experts¹⁴ to prepare a report concerning the activities of various international organizations on commodity problems and on other trade problems of particular importance to the developing countries to be transmitted to the preparatory committee on the United Nations Conference for Trade and Development; to convene (b) an *ad hoc* group on housing and urban development¹⁵ to advise the Social Commission; (c) an *ad hoc* group of experts to advise the Social Commission and the Council on the relation of community development programmes to natural development programmes including land reform;¹⁶ (d) a group of experts on international travel and tourism;¹⁷ (e) a group of experts for evaluation of techniques of medium and long-term projections;¹⁸ (f) a group of experts on the measurement of the flows of capital

⁶ E S C resolutions 798 (XXX) and 842 (XXXII). The functions of this *ad hoc* group were later assumed by the Special Committee on Co-ordination (see para. 13 below).

⁷ E S C resolution 917 (XXXIV), amended by E S C decision of 19 December 1962 (see E S C (XXXIV), Suppl. No. 1 A, p. 3) and E S C resolution 943 (XXXV).

⁸ E S C resolution 975 G (XXXVI).

⁹ E S C (XXXII), Suppl. No. 1, p. 33.

¹⁰ E S C resolution 875 (XXXIII); see also E S C resolution 939 (XXXV).

¹¹ E S C resolution 820 C (XXXI).

¹² E S C resolution 1140 (XLI).

¹³ By resolution 994 (XXXVI), the Council renamed the Committee of Experts for Further Work on the Transport of Dangerous Goods "Committee of Experts on the Transport of Dangerous Goods".

¹⁴ E S C resolution 919 (XXXIV).

¹⁵ E S C resolution 830 C (XXXII).

¹⁶ E S C resolution 830 F (XXXII).

¹⁷ E S C resolution 813 (XXXI).

¹⁸ E S C resolution 777 (XXX).

and aid to the developing countries¹⁹ and (g) a group of experts on the relationship between social policy and distribution of income in the nation.²⁰

11. The Secretary-General was requested²¹ to establish three small groups of qualified consultants in the fields of minerals, water resources and energy.

12. In addition, the Council requested²² the Secretary-General to appoint a special rapporteur on slavery.

c. *Standing committees*

13. The Council established the following standing committees: (a) the Committee for Industrial Development,²³ to advise it on matters related to the acceleration by less industrialized countries of their industrial development;²⁴ (b) the Committee on Housing, Building and Planning,²⁵ to deal with housing and related community facilities and physical planning; (c) the Advisory Committee on the Application of Science and Technology to Development,²⁶ *inter alia*, to keep under review progress in the application of science and technology and to propose to the Council practical measures for such application for the benefit of the less developed areas; (d) the Special Committee on Co-ordination,²⁷ renamed at the forty-first session²⁸ of the Council "Committee for Programme and Co-ordination", which, *inter alia*, would keep under review the work programme of the United Nations and its related agencies in the economic, social and human rights fields and assume the functions of the *Ad Hoc* Working Group on Co-ordination²⁹ and (e) the Committee for Development Planning,³⁰ consisting of a group of highly qualified experts who would make their experience in development planning available to the United Nations for use in the formulation and execution of development plans.

d. *Sessional committees*

14. With respect to its sessional committees of the whole, the Council re-established the Economic Committee at nine of its sessions, the Social Committee at ten, and the Co-ordination Committee at nine; at its thirty-first session the Council re-established only the Social Committee and at its thirty-eighth session only the Co-ordination Committee. At its thirtieth and thirty-second sessions, the Council re-established³¹ the Committee on Questions Relating

¹⁹ E S C resolution 1088 B (XXXIX).

²⁰ E S C resolution 1086 D (XXXIX).

²¹ E S C resolution 1127 (XLI).

²² E S C resolution 960 (XXXVI).

²³ E S C resolution 751 (XXIX).

²⁴ Discontinued by E S C resolution 1194 (XLI). See para. 46, below.

²⁵ E S C resolution 903 C (XXXIV).

²⁶ E S C resolution 980 A (XXXVI).

²⁷ E S C resolutions 920 (XXXIV) and 1090 G (XXXIX).

²⁸ E S C resolution 1171 (XLI), operative para. 7.

²⁹ See para. 9 above.

³⁰ E S C resolutions 1079 (XXXIX) and 1148 (XLI).

³¹ E S C (XXX) 1112th mtg., para. 10; and E S C (XXXII) 1150th mtg., para. 20.

to the Special Fund and the Expanded Programme of Technical Assistance³² and at its fortieth session it established an *ad hoc* Committee of the Whole of the Council³³.

e. *Ad hoc committees, drafting groups and working parties*

15. The Council approved³⁴ the setting up by the Commission on International Commodity Trade of a technical working group to study in greater detail systems of compensatory financing to mitigate the effects of short-term fluctuations in export earnings of primary exporting countries and to offset long-term declines in their export receipts and the deterioration in their terms of trade.

16. The Council also endorsed³⁵ the establishment by the Administrative Committee on Co-ordination of an inter-agency study group to examine the reports of the evaluation teams concerning programmes of technical co-operation, and to propose steps for their improvement.

f. *Other bodies established by the Council*

17. In the following case the Council, while recommending to its own subsidiary body the establishment of an *ad hoc* working group, proceeded to elect some of the members of that proposed body. At its thirty-sixth session, the Council invited³⁶ States members of the Social Commission "to add, if necessary, and in consultation with the Secretary-General, to their representatives to the Social Commission, experts in international and national social welfare programmes, to serve on an *ad hoc* working group on social welfare to meet immediately prior to the sixteenth session of the Social Commission". The Council decided to elect ten States members of the Commission to serve on the group and also authorized representatives of other interested current and newly elected members of the Commission to take part in the meetings of the group. The Council also established detailed terms of reference for the group. The Council elected the ten members of the *Ad Hoc* Working Group on Social Welfare at its 1307th meeting during its resumed thirty-sixth session.

B. Methods of establishment

18. Practices in setting up committees and other subsidiary organs did not vary from those indicated in the studies in the *Repertory* and its *Supplements Nos. 1 and 2*. For example, the standing Committee for Industrial Development was established by the Council's resolution 751 (XXIX), following a recommendation by the General Assembly that the

³² This was originally established by E S C resolution 692 C (XXVI) "to assist in the examination of the reports submitted to the Council concerning the Special Fund and the Expanded Programme of Technical Assistance, and of such questions relating to their operation as the Council may refer to it".

³³ See E S C (XL), 1414th mtg., para. 54. See also this *Supplement* under Article 72, para. 6.

³⁴ E S C resolution 915 (XXXIV).

³⁵ E S C resolution 1151 I (XLI).

³⁶ E S C resolution 975 G (XXXVI).

Council, "in accordance with Article 68 of the Charter of the United Nations", give consideration to the prompt establishment of a commission on industrial development.³⁷ No committee was established³⁸ by the Council when the General Assembly requested³⁹ that it consider the establishment of a standing committee or any other appropriate machinery, in accordance with Article 68 of the Charter, to keep under constant and systematic review the inflow of international assistance and development capital to the developing countries, but the Council concurred⁴⁰ with the Secretary-General's decision to convene a group of experts to consider some problems in this area.

C. Functions and powers

I. COMMISSIONS AND COMMITTEES

19. In response to a request⁴¹ from the General Assembly, the Council reviewed⁴² its resolution 496 (XVI), reappraised the role of the Social Commission, and established a revised work programme for the Commission. *Inter alia*, the Council decided⁴³ (1) that the Commission should retain its status as a functional commission of the Economic and Social Council, but should be redesignated the Commission for Social Development so as to clarify its role as a preparatory body of the Council in the whole range of social development policy; (2) that the Commission should also advise the Council on vital social problems in respect of which action or recommendations might be required either by the Council itself or by the General Assembly. The Council also decided that the Commission for Social Development might establish its own sub-committees in conformity with rule 66 of the rules of procedure of the functional commissions.

20. The terms of reference⁴⁴ of the Committee for Industrial Development contained a clause whereby any State Member of the United Nations or member of the specialized agencies or the International Atomic Energy Agency (IAEA), not represented on the Committee, might "bring to the attention of the Committee any problem relating to its industrial development and take part, in a consultative capacity, in the deliberations on the subject".

21. With respect to the Administrative Committee on Co-ordination, the Council, by its resolution 992 (XXXVI), requested the Secretary-General, in his capacity as Chairman of that Committee, "to arrange for a meeting between the Administrative Committee on Co-ordination and the Officers of the Council and the Chairman of the Council's Co-ordination Committee to discuss practical and

³⁷ G A resolution 1431 (XIV).

³⁸ G A (XX), Annexes, a. i. 38, A/5767.

³⁹ G A resolution 1938 (XVIII).

⁴⁰ E S C resolution 1088 B (XXXIX).

⁴¹ G A resolutions 1916 (XVIII) and 2035 (XX).

⁴² Entitled "Programme of concerted practical action in the social field of the United Nations and the specialized agencies".

⁴³ E S C resolution 1139 IV (XLI).

⁴⁴ E S C resolution 751 (XXIX).

effective means to bring about a closer relationship between the two bodies". This meeting took place and the Council welcomed⁴⁵ the general agreement that there should be further such informal meetings.

**2. REGIONAL ECONOMIC COMMISSIONS

D. Membership⁴⁶

1. COMMISSIONS

a. Functional commissions

22. A special feature of the period under review was the expansion in the membership of various bodies reflecting the influx of new Members to the United Nations. At its thirty-second session, the Council decided to increase to twenty-one the membership of the Commission on Human Rights, the Commission on the Status of Women, the Social Commission, the Commission on Narcotic Drugs and the Commission on International Commodity Trade. It also decided to increase to eighteen the membership of the Population Commission and the Statistical Commission.⁴⁷

23. At its forty-first session, the Council decided⁴⁸ that the membership of the functional commissions should be further enlarged with effect from 1 January 1967. The membership of the Commission on Human Rights, the Commission for Social Development (formerly Social Commission)⁴⁹ and the Commission on the Status of Women was increased to thirty-two; the Population Commission to twenty-seven and the Statistical Commission and Commission on Narcotic Drugs to twenty-four members.

24. The term of office of the additional members was determined by drawing lots at the election. With its decision at its forty-first session that some of its subsidiary bodies should meet biennially beginning in 1968,⁵⁰ the Council also lengthened to four years the term of office of the members of the Statistical Commission, the Population Commission and the Commission on Narcotic Drugs.

b. Sub-commissions

25. The Council approved⁵¹ the decision of the Commission on Human Rights to increase the

⁴⁵ E S C resolution 1043 (XXXVII).

⁴⁶ It should be noted that, in accordance with a number of General Assembly decisions, the Council elected the members of the following bodies established by the General Assembly: Executive Board of the United Nations Children's Fund (UNICEF) (see G A resolutions 57 (1) and 1038 (XI)); Executive Committee of the Programme of the United Nations High Commissioner for Refugees (see G A resolution 1166 (XII)); the Governing Council of UNDP (formerly it elected the members of the Governing Council of the Special Fund) (see G A resolution 2029 (XX)). The Council also elected twelve of the twenty-four members of the United Nations/FAO Intergovernmental Committee of the World Food Programme, the other twelve members being elected by the Council of FAO (G A resolution 1914 (XVIII)).

⁴⁷ E S C resolution 845 (XXXII). The Commission on International Commodity Trade was later discontinued; see para. 44 below.

⁴⁸ E S C resolution 1147 (XLI).

⁴⁹ *Ibid.*, see also para. 19 above.

⁵⁰ E S C resolution 1156 II (XLI).

⁵¹ E S C resolution 1074 G (XXXIX).

membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities from fourteen to eighteen members in order to ensure adequate representation to different regions, legal systems and cultures.

c. Regional economic commissions

26. At its thirty-sixth session, the Council ratified⁵² the provisions of resolution 42 (IV)⁵³ of the Economic Commission for Africa (ECA) concerning the Non-Self-Governing African countries and the status of France and the United Kingdom, while modifying the provisions in respect of Spain to accord that country similar treatment to that of France and the United Kingdom. As a result of the adoption of this resolution, France, Spain and the United Kingdom ceased to be full members of ECA and became associate members as did all the Non-Self-Governing Territories situated within the geographical area of the Commission. At the same session, the Council decided to expel Portugal from membership and amended the terms of reference of ECA accordingly.⁵⁴ The Council also decided⁵⁵ that the Republic of South Africa should not take part in the work of ECA "until the Council, on the recommendation of the Economic Commission for Africa, shall find that conditions for constructive co-operation have been restored by a change in its racial policy".

27. During the period under review, the following countries became members of ECA as a consequence of their admission as Members of the United Nations: Cameroon, the Central African Republic, Chad, the Congo (Brazzaville), the Congo (Democratic Republic of), Dahomey, Gabon, the Ivory Coast, Madagascar, the Niger, Somalia, and the Upper Volta on 20 September 1960;⁵⁶ Mali and Senegal on 28 September 1960; Nigeria on 7 October 1960; Sierra Leone on 27 September 1961; Mauritania on 27 October 1961; Rwanda on 18 September 1962; Algeria on 8 October 1962; Uganda on 25 October 1962; Kenya and Zanzibar on 16 December 1963⁵⁷ (following ratification on 26 April 1964, of the Articles of Union between Tanganyika and Zanzibar, the United Republic of Tanganyika and Zanzibar continued as a single Member of the United Nations, later changing its name to the United Republic of

⁵² E S C resolution 974 D, I (XXXVI).

⁵³ E S C (XXXIV), Suppl. No. 10, p. 39.

⁵⁴ E S C resolution 974 D, III (XXXVI). Operative para. 3 (C) (ii) replaced operative para. 6 by the following text: "The following shall be associate members of the Commission (a) the Non-Self-Governing Territories situated within the geographical area defined in paragraph 4 above [i. e. the whole continent of Africa, Madagascar and other African islands]; (b) Powers other than Portugal responsible for international relations of those territories"; and operative para. 3 (C) (iii) omitted operative para. 7 dealing with territories admitted as associate members.

⁵⁵ E S C resolution 974 D, IV (XXXVI).

⁵⁶ G A resolutions 1476 (XV), 1488 (XV), 1485 (XV), 1486 (XV), 1480 (XV), 1481 (XV), 1487 (XV), 1484 (XV), 1478 (XV), 1482 (XV), 1479 (XV), 1477 (XV), and 1483 (XV), respectively.

⁵⁷ G A resolutions 1491 (XV), 1490 (XV), 1492 (XV), 1623 (XVI), 1631 (XVI), 1749 (XVII), 1748 (XVII), 1754 (XVII), 1758 (XVII), 1976 (XVIII), 1975 (XVIII), respectively.

Tanzania); Malawi and Zambia on 1 December 1964,⁵⁸ and the Gambia on 21 September 1965.⁵⁹ 28. At its thirtieth session, the Council admitted,⁶⁰ as separate associate members of the Economic Commission for Asia and the Far East (ECAFE), the two States, Brunei and Singapore, which had hitherto constituted a single associate member together with the territories of North Borneo and Sarawak.⁶¹

29. The Council amended the terms of reference of ECAFE to admit to membership the Mongolian People's Republic and to include it in its geographical scope.⁶² It also included in its geographical area continental Australia and New Zealand, which were already members of ECAFE, and approved the recommendation that Western Samoa be admitted to membership.⁶³

30. On 31 March 1965, Indonesia withdrew from membership of ECAFE having ceased co-operation with the United Nations. In September 1966, Indonesia resumed active participation in the work of ECAFE following its resumption of co-operation with the United Nations.

31. As a consequence of its admission as a Member of the United Nations,⁶⁴ Singapore became a member of ECAFE on 21 September 1965.⁶⁵

32. During the period under review, the membership of the Economic Commission for Europe (ECE) was increased⁶⁶ by the admission to the United

⁵⁸ G A (XIX), Suppl. No. 15, p. 9, and G A resolution 2008 (XX).

⁵⁹ On 1 September 1966 the membership of E C A was: *Full members*: Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Dahomey, Ethiopia, Gabon, Gambia, Ghana, Guinea, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, South Africa (subject to E S C resolution 974 D, IV (XXXVI), cited in para. 24 above), Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, and Zambia. *Associate members*: (a) The Non-Self-Governing Territories situated within the geographical area of the Commission (i. e. the whole continent of Africa, Madagascar and other African islands); (b) Powers other than Portugal responsible for international relations of those Territories. See G A (XXI), Suppl. No. 3, p. 121.

⁶⁰ E S C (XXX), Suppl. No. 2, para. 249.

⁶¹ On 16 September 1963, the Federation of Malaya changed its name to Malaysia following the admission of Singapore, Sabah (North Borneo) and Sarawak to the new Federation. Singapore later attained independence and having been admitted to membership in the United Nations, became a full member of ECAFE; see G A resolution 2010 (XX).

⁶² E S C resolution 859 (XXXII).

⁶³ E S C resolution 946 (XXXVI).

⁶⁴ G A resolution 2010 (XX).

⁶⁵ On 1 September 1966, the membership of ECAFE was: *Full members*: Afghanistan, Australia, Burma, Cambodia, Ceylon, China, France, India, Indonesia, Iran, Japan, Korea, Laos, Malaysia, the Mongolian People's Republic, Nepal, the Netherlands, New Zealand, Pakistan, the Philippines, Singapore, Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Viet-Nam and Western Samoa. *Associate members*: Brunei and Hong Kong. See G A (XXI), Suppl. No. 3, p. 121.

⁶⁶ G A resolution 1489 (XV) and G A (XIX), Suppl. No. 15, p. 9.

Nations of Cyprus on 20 September 1960, and Malta on 1 December 1964.⁶⁷

33. On 28 March 1960, the Federation of the West Indies⁶⁸ and British Guiana were admitted as associate members of the Economic Commission for Latin America (ECLA).⁶⁹ On 6 May 1961, ECLA admitted as associate member British Honduras (Belize). On 7 September 1961, Canada informed ECLA of its decision to participate thenceforth as a full member. When Jamaica and Trinidad and Tobago were admitted to membership in the United Nations⁷⁰ on 18 September 1962, they became full members of ECLA.⁷¹

2. COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL

34. At its resumed thirty-second session,⁷² the Council decided to continue the current membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees pending action to be taken by the General Assembly at its seventeenth session, on the future of the Office of the United Nations High Commissioner for Refugees.⁷³ At its thirty-sixth session,⁷⁴ the Council noted that the General Assembly had decided⁷⁵ to continue the mandate of the Office of the High Commissioner for a period of five years from

⁶⁷ On 1 September 1966, the membership of ECE was: Albania, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cyprus, Czechoslovakia, Denmark, Federal Republic of Germany, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia. Switzerland, not a member of the United Nations, participated in a consultative capacity in the work of ECE.

⁶⁸ See G A (XXI), Suppl. No. 3, p. 121. On 1 June 1962 the Federation ceased to be an associate member of ECLA due to the dissolution of the Federation.

⁶⁹ ECLA resolutions 170 (AC. 45) and 171 (AC. 45), respectively (E S C (XXX), Suppl. No. 4, pp. 20 and 21). Concerning the participation of Puerto Rico in ECLA seminars and conferences, see a legal opinion of the Secretariat of the United Nations in *United Nations Juridical Yearbook*, 1966, p. 233.

⁷⁰ G A resolutions 1750 (XVII) and 1751 (XVII), respectively. Concerning the inclusion of Jamaica and Trinidad and Tobago in the geographical scope of ECLA, see also a legal opinion of the Secretariat of the United Nations in *United Nations Juridical Yearbook*, 1962 (Provisional Edition), pp. 251 and 252.

⁷¹ On 1 September 1966, the following were members of ECLA: *Full members*: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Jamaica, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela. *Associate members*: British Honduras (Belize) and British Guiana. The Federal Republic of Germany and Switzerland participated by virtue of Council resolutions 632 (XXII) and 861 (XXXII), respectively, in a consultative capacity in the work of ECLA. See G A (XXI), Suppl. No. 3, p. 121.

⁷² E S C resolution 862 (XXXII).

⁷³ See *Repertory Supplement No. 2*, vol. III, under Article 68, paras. 30–32.

⁷⁴ E S C resolution 965 B (XXXVI).

⁷⁵ G A resolution 1783 (XVII).

January 1964. Since a review of the membership of the Executive Committee had been postponed until the General Assembly had taken action on the future of the High Commissioner's Office, the Council requested the General Assembly to enlarge the Executive Committee to thirty members, and pending such decision reconfirmed the existing membership of the Committee for the duration of the High Commissioner's mandate. The Council subsequently elected five additional members after the General Assembly had decided to extend the mandate.⁷⁶

35. By its resolution 863 (XXXII), the Council increased the membership of its Technical Assistance Committee (TAC) from twenty-four to thirty members.⁷⁷

36. The Preparatory Committee of the United Nations Conference on Trade and Development, convened under Council resolution 917 (XXXIV), originally comprised eighteen members. However, at its resumed thirty-fourth session,⁷⁸ the Council increased the Preparatory Committee's membership to thirty members, and at its thirty-fifth session, authorized⁷⁹ the President of the Council to designate to that Committee two additional Member States from Asia, pursuant to a recommendation made by ECAFE at its nineteenth session.⁸⁰

37. By its resolution 751 (XXIX), the Council established the Committee for Industrial Development⁸¹ to consist of all members of the Council and an additional six members⁸² to be elected for three-year terms from amongst States Members of the United Nations or members of the specialized agencies or IAEA. In accordance with General Assembly resolution 1525 (XV), the membership was increased to thirty by decision of the Council at its resumed thirtieth session. States members of the Committee were requested to endeavour to designate representatives holding key positions in planning and execution of national economic development, or other experts qualified to discuss problems of industrial development. The members⁸³ of the Committee on Housing, Building and Planning were designated (according to Council resolution 903 C

(XXXIV)) by the Governments of States, in agreement with the Secretary-General, with a view to achieving, as far as possible, a balanced coverage of required expertise in housing, building and planning.

38. As an interim measure, pending the enlargement of the Council, the General Assembly invited⁸⁴ the Council to enlarge the membership of its Economic Committee, Social Committee and Co-ordination Committee. At its resumed thirty-sixth session, the Council decided⁸⁵ to enlarge these Committees by nine seats, to elect⁸⁶ for one year nine States Members of the United Nations to serve on those three Committees and to review those arrangements at the resumed thirty-seventh session of the Council.

39. The Committee for Development and Planning, set up by the Secretary-General under Council resolution 1079 (XXXIX),⁸⁷ was composed of eighteen members, experts representing different planning systems, appointed by the Economic and Social Council, on the nomination of the Secretary-General, for a period of three years ending 31 December 1968.

40. The Advisory Committee on the Application of Science and Technology to Development, established under resolution 980 A (XXXVI), which originally consisted of fifteen members, was enlarged to eighteen members by resolution 997 (XXXVI). They were appointed by the Council, on the nomination of the Secretary-General after he had consulted with Governments, on the basis of their personal qualifications, knowledge or experience in that field with due regard to equitable geographical representation.⁸⁸

41. The membership of the Special Committee on Co-ordination⁸⁹ comprised the officers of the Council and the Chairman of the Council's Co-ordination Committee and ten members of the Council.⁹⁰

41 (a). The membership of the Committee on Non-Governmental Organizations was enlarged from seven to thirteen by E S C resolution 1099 (XL).

⁷⁶ G A resolution 1958 (XVIII).

⁷⁷ See *Repertory Supplement No. 2*, vol. III, under Article 68, para. 29.

⁷⁸ See E S C (XXXIV), Suppl. No. 1 A, p. 3.

⁷⁹ E S C resolution 943 (XXXV).

⁸⁰ E S C (XXXVI), Suppl. No. 2, part III, ECAFE resolution 44 (XIX).

⁸¹ Discontinued by E S C resolution 1194 (XLI) when the United Nations Industrial Development Organization was established.

⁸² In the event that any of the six additional members became a member of the Council, another State was to be elected for the remainder of the term of office of that member (E S C resolution 751 (XXIX)); see also E S C (XXX), 1135 mtg., paras. 61-65 and 1136th mtg., paras. 6 and 7.

⁸³ It was originally composed of eighteen members, but increased to twenty-one by the Council at its 1238th meeting (XXXIV) in accordance with G A resolution 1772 (XVII), and enlarged to twenty-seven members by E S C resolution 1147 (XLI). Terms of office were lengthened to four years in view of Council decision (E S C resolution 1156, II (XLI)) that the Committee meet biennially, starting in 1968.

⁸⁴ By G A resolution 1991 B (XVIII), Article 61 of the Charter was amended to increase the membership of the Council to twenty-seven. The amendment came into force on 31 August 1965. See also this *Supplement* under Article 61, paras. 12 to 18.

⁸⁵ E S C resolution 999 (XXXVI).

⁸⁶ Accepting, for the purpose of the election, the geographical distribution indicated in G A resolution 1991 B (XVIII).

⁸⁷ See also E S C resolution 1148 (XLI).

⁸⁸ See E S C (XXXVI), 1271st and 1273rd mtgs. for discussion concerning composition of membership.

⁸⁹ Established by E S C resolution 920 (XXXIV) and amended by E S C resolution 1090 G (XXXIX), and by E S C resolution 1171 (XLI) under which the Committee was re-named "Committee for Programme and Co-ordination".

⁹⁰ At its fortieth session, the Council decided that operative paragraph 3 of its resolution 1090 G (XXXIX) should be interpreted in such a way that the officers of the Council or the Chairman of the Council's Co-ordination Committee might, if necessary, designate alternates from their delegations to participate in the discussions of the Special Committee on Co-ordination and in the adoption of its decisions (E S C (XL) Suppl. I, p. 10).

E. Duration and termination

42. Upon the recommendation of the Council,⁹¹ the General Assembly decided⁹² to continue the Office of the High Commissioner for Refugees for a further period of five years from 1 January 1964. It further decided to review those arrangements, not later than at its twenty-second session, with a view to determining whether the Office should be continued beyond 31 December 1968.

43. At its thirty-fifth session, the Council decided⁹³ to extend the mandate of the *ad hoc* Working Group, established under its resolution 875 (XXXIII), on the question of a declaration on international economic co-operation, to permit it to present a further report to the Council at its thirty-seventh session.

44. When the General Assembly established⁹⁴ the United Nations Conference on Trade and Development as an organ of the General Assembly, it established a committee on commodities to carry out, *inter alia*, the functions of the Commission on International Commodity Trade (CICT), established by the Council, and stated that the Interim Coordinating Committee for International Commodity Arrangements, also established by the Council, would be maintained as an advisory body of the Trade and Development Board. As a result, the Council, at its thirty-seventh session, discontinued⁹⁵ CICT which it had created⁹⁶ at its eighteenth session.

45. Under General Assembly resolution 2029 (XX), the Expanded Programme of Technical Assistance and the Special Fund were combined⁹⁷ to become the United Nations Development Programme. Under that resolution the Technical Assistance Committee, created⁹⁸ by the Council, and the Governing Council of the Special Fund, created⁹⁹ by the General Assembly, were replaced¹⁰⁰ by a single intergovernmental committee known as the Governing Council of the United Nations Development Programme. An Inter-Agency Consultative Board was established by the General Assembly in the place of the former two inter-agency bodies, namely, the Technical Assistance Board,¹⁰¹ and the Consultative Board of the Special Fund.¹⁰²

46. At its forty-first session, the Council noted¹⁰³

⁹¹ E S C resolution 650 B (XXIV). See also *Repertory Supplement No. 2*, vol. III, under Article 68, para. 40.

⁹² G A resolution 1783 (XVII).

⁹³ E S C resolution 939 (XXXV).

⁹⁴ G A resolution 1995 (XIX), para. 23 (a). See also Article 22 in this *Supplement*.

⁹⁵ E S C resolution 1050 (XXXVII).

⁹⁶ E S C resolution 557 F (XVIII).

⁹⁷ On the recommendation of the Council in its resolution 1020 (XXXVII).

⁹⁸ E S C resolution 222 (IX) which established the Expanded Programme of Technical Assistance.

⁹⁹ G A resolution 1240 (XIII).

¹⁰⁰ See this *Supplement* under Article 22.

¹⁰¹ Also originally created by E S C resolution 222 (IX). See *Repertory*, vol. III, under Article 68, paras. 48 and 73.

¹⁰² Created by G A resolution 1240 (XIII).

¹⁰³ E S C resolution 1194 (XLI).

General Assembly resolutions 2089 (XX) and 2152 (XXI),¹⁰⁴ and decided to discontinue the Committee for Industrial Development, as requested by the Assembly in its resolution 2152 II (XXI), paragraph 41.

F. Sessions or meetings

47. At its thirty-sixth session, the Council decided¹⁰⁵ that there should be no sessions of the functional commissions in 1964, except for a one-week session of the Commission on Narcotic Drugs. The General Assembly, however, by its resolution 1922 (XVIII) urged the Council to waive its decision as far as the Commission on Human Rights was concerned, and the Council accordingly scheduled a session for that Commission in 1964.

48. During its thirty-seventh session, the Council decided¹⁰⁶ to continue to convene on an annual basis the Committee on Housing, Building and Planning, and the Committee for Industrial Development, the Social Commission (later renamed the Commission on Social Development), the Commission on Human Rights and its Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, the Commission on the Status of Women and the Commission on Narcotic Drugs; and to convene the Statistical Commission and the Population Commission biennially.

49. However, at its forty-first session, the Council decided¹⁰⁷ that, beginning in 1968, the functional commissions and the Committee on Housing, Building and Planning should meet biennially between August and mid-March inclusive, with the exception of the Commission on Human Rights,¹⁰⁸ the Commission for Social Development and the Commission on the Status of Women which should continue to meet annually. The Council stated it would convene a special session of a commission between regular sessions, if the need arose.

50. The Council took those decisions after considering whether as a general rule the functional commissions and its other subsidiary bodies should meet biennially. There was a considerable difference of opinion on the subject,¹⁰⁹ some delegations supporting the suggestion and others feeling that the commissions concerned would not be able to work effectively unless they met annually.

51. At its thirty-ninth session, the Council took note¹¹⁰ of the recommendation of ECA that its sessions be held biennially.

¹⁰⁴ See also Article 59, paras. 2–5, and Article 22 in this *Supplement*.

¹⁰⁵ E S C (XXXVI), Suppl. No. 1, p. 43, (a).

¹⁰⁶ E S C (XXXVII), Suppl. No. 1, p. 35, (d) and (f).

¹⁰⁷ E S C resolution 1156 II (XLI).

¹⁰⁸ By its resolution 1165 (XLI), the Council authorized the Commission on Human Rights "to have a longer session, but one not exceeding six weeks, beginning in 1967".

¹⁰⁹ E S C (XLI), 1444th mtg.

¹¹⁰ E S C resolution 1066 (XXXIX).

G. Method of reporting¹¹¹

52. By resolution 888 B (XXXIV), the Council decided¹¹² to continue the system of the communication by Governments of periodic reports on human rights and requested the Secretary-General to transmit the summaries of the triennial reports to the Commission on the Status of Women and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for their comments.

53. Under the resolution pertaining to the Committee on Housing, Building and Planning,¹¹³ the Council required that the Committee report to it, through the Social Commission,¹¹⁴ while at the same time forwarding its report to the Committee for Industrial Development and to the regional economic commissions, thus enabling the Council

¹¹¹ It should be noted that, in accordance with General Assembly decisions, the following bodies created by the General Assembly, not subsidiary to the Council, reported to the Council which then transmitted their reports to the General Assembly: the Governing Council of UNDP; the United Nations Capital Development Fund; the United Nations Institute for Training and Research (UNITAR), "as appropriate"; the United Nations Industrial Development Board; the United Nations Trade and Development Board; the Executive Committee of the Programme of the United Nations High Commissioner for Refugees; the United Nations/FAO Intergovernmental Committee of WFP; the Executive Board of UNICEF and the Permanent Central Opium Board. See this *Supplement* under Article 22.

¹¹² See also E S C resolution 624 B, I (XXII).

¹¹³ E S C resolution 903 C (XXXIV).

¹¹⁴ E S C (XXXVI) 1301st mtg., paras. 4. The Council authorized the Committee on Housing, Building and Planning and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities to report directly to the Council in 1964, as the Social Commission and the Commission on Human Rights, respectively, would not meet in that year. However, the Council reconsidered its decision concerning the Commission on Human Rights and decided (see E S C (XXXVI) 1305th mtg., para. 38) to convene it in February 1964.

to consider the report together with the comments of those bodies. These organizational arrangements were to be reviewed after three years. However, the Council made no change at its forty-first session and the procedures remained described as above.

54. The terms of reference of the *ad hoc* working group on Social Welfare¹¹⁵ required the group to report to the Social Commission at its sixteenth session its findings as to specific ways in which the United Nations social service programme should be organized and strengthened to make a maximum contribution to the mobilization of human resources during the United Nations Development Decade.

55. Pursuant to the resolution under which the Council requested¹¹⁶ the Secretary-General to convene a small group of experts to review the relationship between distribution of income in the nation and social policy, the Secretary-General was to report to the Social Commission on the progress made in that work.

56. In its resolution 1066 (XXXIX), the Council took note of the decision of ECA that its sessions should be held biennially, and requested the Executive Secretary of ECA, after consultation with the Governments members of the Commission, to submit a full report to the Council at its forty-first session. It also requested the Commission to determine the procedure for the submission of its reports to the Council in those years in which plenary sessions of the Commission were not held. The Commission decided that the Executive Secretary would, in the years in which the Commission did not meet, submit to the Economic and Social Council, in consultation with the Chairman of the Commission, a full report on the activities of its subsidiary bodies and of its secretariat.¹¹⁷

¹¹⁵ E S C resolution 975 G (XXXVI), operative para. 5 (d)

¹¹⁶ E S C resolution 1086 D (XXXIX).

¹¹⁷ E S C (XXXIX) Suppl. No. 10, para. 299.

II. ANALYTICAL SUMMARY OF PRACTICE

**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

57. During the period under review, new bodies were created to assist the Council. On several occasions the General Assembly has requested the Council to establish such new bodies, as for example the Committee for Industrial Development (CID),¹¹⁸ or the Secretary-General was requested by the Council to set up groups to assist it in its work.

58. The creation, by the General Assembly, of organs with functions in the areas of international trade and development and industrialization, caused the Council to concentrate less on those functions than hitherto. The creation¹¹⁹ by the General

Assembly of the United Nations Conference on Trade and Development (UNCTAD) led to the abolition¹²⁰ by the Council of the Commission on International Commodity Trade following the action of the General Assembly. Since the Interim Coordinating Committee for International Commodity Arrangements was to perform consultative functions and was transferred by the General Assembly to UNCTAD, it accordingly ceased to be a subsidiary body of the Council. In the case of the United Nations Industrial Development Organization, the Council abolished CID as it became redundant.

59. The consolidation of the Expanded Programme of Technical Assistance and the Special Fund is an example of the creation by the Council of bodies which were subsequently abolished when they ceased to be of assistance to it. On the recommendation of its Technical Assistance Committee (TAC), the Council created¹²¹ an *ad hoc* committee of repre-

¹¹⁸ G A resolution 1431 (XIV).

¹¹⁹ G A resolution 1995 (XIX).

¹²⁰ E S C resolution 1050 (XXXVII).

¹²¹ E S C resolution 851 (XXXII).

sentatives of eight Member States to undertake, with the assistance of the Executive Chairman of the Technical Assistance Board and the Managing Director of the Special Fund, a study of the further steps needed to organize the technical co-operation activities of the United Nations family of organizations to provide greater aid to Member States in the preparation of their development programmes. At its thirty-fourth session, the Council considered the report of its *ad hoc* Committee of Eight, and, on the recommendation of TAC, requested¹²² the Administrative Committee on Co-ordination to comment on the report. The *ad hoc* Committee completed its work, taking into account the comments received, and submitted its final report¹²³ to the Council, at its thirty-seventh session, recommending that the Council take the necessary steps to combine the Expanded Programme of Technical Assistance (EPTA) and the Special Fund into a "United Nations Development Programme". Subsequently, the Council adopted a resolution¹²⁴ endorsing an annexed draft resolution, prepared by the Secretary-General at the request of the *ad hoc* Committee for adoption by the General Assembly, on the merger of EPTA and the Special Fund. At its twentieth session, the General Assembly, by resolution 2029 (XX), consolidated the two programmes into the United Nations Development Programme (UNDP). As a result of this legislation, TAC was discontinued, its functions having been taken over by the Governing Council of UNDP.¹²⁵

****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

a. Functional commissions

60. At its thirty-second session,¹²⁶ the Council discussed the question of increasing the membership of its functional commissions. The importance of securing equitable geographical distribution was stressed and it was pointed out that the African States, in particular, were not sufficiently represented. The view was expressed that not only an equitable distribution of seats between States was required, but also between what was described as the three basic groups of States (the socialist countries, the neutralist countries and those belonging to the western alliances). Another view expressed was that the commissions should be representative of countries representing as wide a range of the economic and social tenets as possible, rather than political groups of countries. The Council decided¹²⁷ to increase to

¹²² E S C resolution 900 A (XXXIV).

¹²³ E S C (XXXVII), Annexes, a. i. 19, E/3862.

¹²⁴ E S C resolution 1020 (XXXVII).

¹²⁵ See para. 45, above.

¹²⁶ E S C (XXXII), 1180th mtg., paras. 6-34.

¹²⁷ E S C resolution 845 (XXXII). At its eighteenth session, the General Assembly, by resolution 1923 (XVIII), recalled E S C resolution 845 (XXXII) on increasing the membership of the Commission on Human Rights, and called upon the

twenty-one the membership of the Commission on Human Rights, the Commission on the Status of Women, the Social Commission, the Commission on International Commodity Trade and the Commission on Narcotic Drugs (to be elected from among the Members of the United Nations and the specialized agencies and the Parties to the Single Convention on Narcotic Drugs, 1961), and to increase to eighteen the membership of the Population Commission and the Statistical Commission.

61. At its fortieth session, the Council again considered¹²⁸ the question of the further enlargement of its functional commissions and of its Committee on Housing, Building and Planning. Fifteen members sponsored a draft resolution¹²⁹ providing for the enlargement of the membership of the functional commissions and the Committee. Their members would be elected according to a fixed pattern of geographical distribution, based largely on that set out in General Assembly resolution 1991 B (XVIII). Although the principle of enlargement was generally accepted, there were divergent views concerning the number of additional seats. Several members supported the proposal on membership in the draft resolution and felt that the membership should not exceed that of the Council itself. Other members held¹³⁰ that the socialist States of Eastern Europe should have a larger number of seats. Further consideration of the question was adjourned to the forty-first session,¹³¹ when the Council took¹³² a decision on that matter with effect from 1 January 1967. Accordingly, the membership of the Commission on Human Rights, the Commission for Social Development¹³³ (formerly Social Commission) and the Commission for the Status of Women was increased to thirty-two members to be elected on the basis of an equitable geographical distribution and to include eight members from African States, six members from Asian States, six members from Latin American States, eight members from Western European and other States, and four members from socialist States of Eastern Europe. The Population Commission and the Committee on Housing, Building and Planning were enlarged to twenty-seven members to include seven members from African States, five from Asian States, five from Latin American States, seven from Western European and

Economic and Social Council, in the elections to membership in the Commission on Human Rights, to bear in mind the principle of equitable geographical distribution and, in particular, the necessity of having Africa equitably represented.

¹²⁸ E S C (XL), 1417th and 1418th mtgs.

¹²⁹ E S C (XL), Annexes, No. 14, E/L. 1113/Rev. 1.

¹³⁰ E S C (XL), Annexes, No. 14, E/L. 1116, amending draft resolution E/L. 1113/Rev. 1.

¹³¹ E S C (XLI), 1442nd mtg.

¹³² E S C resolution 1147 (XLI).

¹³³ By resolution 1139 IV (XLI), the Council decided that "the Member States elected to the Commission (for Social Development) should nominate, to serve on the Commission for a period of three years, candidates who hold key positions in the planning or execution of national social development policies or other persons qualified to discuss the formulation of social policies in more than one sector of development". Under that resolution, the name of the Social Commission was changed to the Commission for Social Development.

other States, and three from socialist States of Eastern Europe. The Statistical Commission was enlarged to twenty-four members to include five members from African States, four from Asian States, four from Latin American States, seven from Western European and other States and four from socialist States of Eastern Europe. The Commission on Narcotic Drugs was enlarged to twenty-four members, taking into account the criteria used for election to that Commission as well as the principle of equitable geographical distribution.¹³⁴

b. *Sessional committees*

62. At its eighteenth session, the General Assembly adopted¹³⁵ a resolution, under which Article 61 of the Charter was amended to increase the membership of the Economic and Social Council from eighteen to twenty-seven members.¹³⁶ Since that amendment to Article 61 was not to come into force until ratified by Member States, the General Assembly, noting that many subsidiary bodies of the Council were larger than the Council itself, and in view of the fact that under Article 68 of the Charter it was within the competence of the Council to determine the membership of its subsidiary bodies, invited¹³⁷ the Council, as an interim measure and pending the enlargement of the Council itself, to enlarge the membership of its sessional committees, namely, the Economic Committee, the Social Committee and the Co-ordination Committee to permit those committees to become representative of the membership of the United Nations. At its resumed thirty-sixth session, the Council decided¹³⁸ to enlarge those three committees, and to elect, for one year, nine States Members of the United Nations to serve on them, accepting for that purpose the geographical distribution indicated by the General Assembly in its resolution 1991 B (XVIII).¹³⁹

63. During the discussion¹⁴⁰ which led to the adoption of the Council resolution, some members stressed the need for wider representation of African and Asian States in the Council. Others asked for better representation of socialist countries and suggested that the committees should be enlarged by ten rather than nine members. One member objected to the proposals for enlargement of the committees on the grounds that it would make permanent bodies of the committees which were sessional.

64. The nine additional members¹⁴¹ took part

¹³⁴ See para. 60 above.

¹³⁵ G A resolution 1991 B (XVIII). The amendment of Article 61 came into force on 31 August 1965. See also G A resolution 2046 (XX).

¹³⁶ See this *Supplement*, under Article 61, paras. 12–18.

¹³⁷ G A resolution 1992 (XVIII). For a legal opinion of the Secretariat relating to this resolution, see *United Nations Juridical Yearbook*, 1963, pp. 169–170.

¹³⁸ E S C resolution 999 (XXXVI).

¹³⁹ Seven members from African and Asian States, one from Latin American States and one from Western European and other States.

¹⁴⁰ E S C (XXXVI), 1310th mtg., paras. 33–37, and 1312th mtg. paras. 35–67.

¹⁴¹ Cameroon, Ghana, Indonesia, Iran, Italy, Madagascar, Mexico, United Arab Republic and United Republic of Tanganyika and Zanzibar.

in the work of the committees during the thirty-seventh session on the same basis as the other members of the committees. At the opening meeting of the Council's thirty-seventh session,¹⁴² the new members were seated at the Council table and invited to participate fully in the debates of the Council. They took part freely in the discussions at plenary meetings of the Council, but did not vote or sponsor proposals. However, where any one of them so desired, their support of a proposal was recorded in the text concerned or in the record of the plenary meeting.

E. The question of membership in the regional economic commissions

1. ECONOMIC COMMISSION FOR EUROPE

65. As in previous sessions, the "question of the representation of the German Democratic Republic in the Commission" was raised during the period under review.¹⁴³ It was pointed out that the principle of the universality of the Commission required that a sovereign European State, such as the German Democratic Republic, which was an important element in the economic life of Europe, should occupy its rightful place among the members of the Commission. However, opposition was reaffirmed to any change in its status within the Economic Commission for Europe (ECE).

66. Experts from Eastern Germany continued to participate in the meetings of ECE's subsidiary bodies, in accordance with paragraph 10 of its terms of reference.

2. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

67. By its resolution 859 (XXXII), the Council amended the terms of reference of ECAFE to include the Mongolian People's Republic within its geographical scope and membership. At the same time, it also included Australia and New Zealand within its geographical scope.

68. The Council at its thirty-second session adopted resolution 860 (XXXII) of 21 December 1961 under which it requested the Secretary-General to authorize the Executive Secretary of ECAFE to invite Switzerland to attend sessions of the Commission on a basis similar to that provided in paragraph 9 of the terms of reference of ECAFE for States Members of the United Nations, non-members of the Commission.

69. In a letter dated 20 January 1965 addressed to the Executive Secretary of ECAFE, the Foreign Minister of Israel applied for full membership in ECAFE noting, *inter alia*, that "Israel, as an Asian State, is an integral part of the continental area within which the Commission operates".¹⁴⁴ In March 1965, the Deputy Foreign Minister of Saudi

¹⁴² E S C (XXXVII), 1314th mtg., para. 6.

¹⁴³ E S C (XXXVII), Suppl. No. 7, para. 345; E S C (XXXIX), Suppl. No. 3, para. 327; E S C (XLI), Suppl. No. 3, para. 244.

¹⁴⁴ ECAFE (XXI), E/CN.11/691.

Arabia, in a cable to the Executive Secretary of ECAFE, also applied for full membership in the Commission. The cable noted that Saudi Arabia was an Asian State.¹⁴⁵ Following these two applications for membership in ECAFE, a fact-finding group composed of four members of the Commission and the Executive Secretary was set up by ECAFE at the twenty-first session to examine the geographical area and membership of the Commission and to report confidentially to a meeting of heads of delegations in closed meetings at the next session of the Commission. The group did not convene.¹⁴⁶

3. ECONOMIC COMMISSION FOR LATIN AMERICA

70. At its thirty-second session, the Council adopted resolution 861 (XXXII) under which it requested the Secretary-General to authorize the Executive Secretary of ECLA to invite Switzerland to attend sessions of the Commission on a basis similar to that provided in paragraph 6 of the terms of reference of ECLA for States Members of the United Nations, non-members of the Commission.

4. ECONOMIC COMMISSION FOR AFRICA

71. The Economic Commission for Africa requested¹⁴⁷ the Council to authorize the Executive Secretary of the Commission to authorize the Federal Republic of Germany and Switzerland to attend the sessions of ECA, should they so desire, on a basis similar to that provided for in paragraph 10 of ECA's terms of reference for States Members of the United Nations, which are not members of the Commission. The Council granted¹⁴⁸ that authorization to the Executive Secretary.

72. During the period under review, the question of membership in ECA was considered by the Economic and Social Council with respect to France, Portugal, South Africa, Spain and the United Kingdom.

73. In each instance, the matter was considered by the Council as a result of recommendations made by ECA.

France and the United Kingdom

74. With respect to France and the United Kingdom, the Council at its thirty-fourth session had before it the recommendations of the Commission that the membership of those two countries be changed to associate membership.¹⁴⁹ Those two countries stated then that they would refrain from voting against proposals relating mainly to the African region and supported by the majority of the

¹⁴⁵ *Ibid.*, E/CN.11/696.

¹⁴⁶ The question of applications for membership by Israel and Saudi Arabia was not referred to in ECAFE's annual report to the Council, E S C (XXXIX), Suppl. No. 2.

¹⁴⁷ E S C (XXX), Suppl. No. 10, p. 17, E C A resolution 6 (II), and E S C (XXXIV), Suppl. No. 10, p. 39, and E C A resolution 41 (IV), respectively.

¹⁴⁸ E S C resolutions 763 D (XXX) and 925 (XXXIV), respectively.

¹⁴⁹ E C A resolution 5 (II), E S C (XXX), Suppl. No. 10, p. 16.

countries of the region.¹⁵⁰ The Council decided to send the recommendation back to ECA for further study.¹⁵¹ At the thirty-sixth session of the Council, the representatives of France and the United Kingdom stated¹⁵² that their Governments would accept associate membership in the Commission and the Council ratified¹⁵³ the provision of the resolution of the Commission relating to the change of status of the two countries.

Spain

75. With regard to Spain, the Council considered, at its thirty-fourth session, the recommendation of ECA that Spain be deprived of membership in the Commission,¹⁵⁴ and a memorandum submitted by Spain and, as in the case of France and the United Kingdom, it referred back to the Commission its recommendation for further study.¹⁵⁵ At its thirty-sixth session, the Council modified¹⁵⁶ the provision of the above-mentioned ECA resolution according to which Spain should be deprived of membership in the Commission and changed its status to associate membership, so that it received similar treatment to that accorded in the case of France and the United Kingdom.

Portugal and South Africa

76. The question of depriving South Africa of membership in ECA was considered by the Council at its thirty-fourth and thirty-sixth sessions. At its resumed thirty-fourth session, the Council rejected¹⁵⁷ the draft resolution of ECA,¹⁵⁸ which would have deprived South Africa of membership in the Commission until it set a term to its policy of racial discrimination.

77. At its thirty-sixth session, the Council reconsidered its earlier decision at the request of the Commission¹⁵⁹ and decided¹⁶⁰ that South Africa should not take part in the work of ECA until the Council, on the recommendation of the Commission, would have found that conditions for constructive

¹⁵⁰ E S C (XXXIV), 1212th. mtg., para. 16, and 1213rd mtg., para. 39.

¹⁵¹ E S C resolution 927 (XXXIV).

¹⁵² E S C (XXXVI), 1269th mtg., para. 20, and 1268th mtg., para. 16, respectively.

¹⁵³ E S C (XXXIV), Suppl. No. 10, E C A resolution 42 (IV), and E S C resolution 974 D, I (XXXVI).

¹⁵⁴ E S C (XXXIV), Suppl. No. 10, part IV, draft resolution III.

¹⁵⁵ E S C resolution 927 (XXXIV). In the course of the discussion of the membership of Spain, several members directed attention to the willingness of the Spanish Government to comply with General Assembly resolution 1466 (XIV) on the participation of the Non-Self-Governing Territories in the work of the United Nations and the specialized agencies and with ECA resolution 24 (III) on the terms of reference of the Commission, and noted that that created a new situation. One delegation questioned that point of view (E S C (XXXIV), 1213th mtg., paras. 26, 45, 78 and 80).

¹⁵⁶ E S C resolution 974 D, I (XXXVI).

¹⁵⁷ E S C (XXXIV), 1239th mtg., para. 59.

¹⁵⁸ E S C (XXXIV), Suppl. No. 10, part IV, p. 49, draft resolution IV.

¹⁵⁹ E S C (XXXIV), Suppl. No. 10, para. 232; see also resolution 44 (IV).

¹⁶⁰ E S C resolution 974 D, IV (XXXVI).

co-operation had been restored by a change in that country's racial policy. During the discussion, the Council was informed that South Africa had decided "not to attend any Economic Commission for Africa Conferences in the future nor to participate in the other activities of the Commission while the hostile attitude of the African States towards South Africa persists".¹⁶¹

78. The membership of Portugal in ECA was also considered by the Council at its thirty-fourth and thirty-sixth sessions. The Council at its thirty-fourth session rejected the proposal of ECA to deprive Portugal of its membership in the Commission.¹⁶² However, at its thirty-sixth session, as in the case of South Africa, the Council reconsidered its decision, at the request of the Commission, and then expelled¹⁶³ Portugal from membership in the Commission, amending the Commission's terms of reference in respect of Portugal accordingly.

79. In the course of the discussion at the thirty-fourth session on the question of the membership of Portugal and South Africa, the members supporting the recommendation of ECA that Portugal and South Africa should be deprived of their membership in the Commission stated that in the existing circumstances, created by the policies and attitudes of the two countries, no co-operation could be expected between them and other African countries. The members opposing the Commission's recommendation stressed the principle of universality of the United Nations and the problems which might be created by the precedent involved in the recommendation.

80. At the thirty-sixth session, the discussion concerned not only the question of membership of those two countries in the Commission, but also the Commission's recommendation that its views and recommendations be transmitted to the General Assembly.¹⁶⁴ The Council did not adopt the latter recommendation.¹⁶⁵

81. In support of the Commission's request for reconsideration of the Council's previous decision and transmission of the Commission's views to the General Assembly, several delegations referred to the practices of South Africa and Portugal as a systematic violation of human rights, in defiance of the principles of the Charter and of the accepted standards of present-day international life, which amounted to a policy of genocide and colonial oppression. It was also stated that South Africa had refused to comply with General Assembly resolutions and with requests by ECA regarding South West Africa, and that Portugal had on several occasions refused to comply with resolutions of the General Assembly and the Commission concerning the granting of independence to colonial peoples and the representation of Non-Self-Governing Territories. The

communication from South Africa¹⁶⁶ in no way altered the situation since South Africa was not renouncing its membership in the Commission but merely announcing its non-participation for a period which it proposed itself to determine, whereas it should deservedly, together with Portugal, be formally deprived of membership. Failure by the Council to respect the wishes of the Commission in that regard could only obstruct the Commission's work.

82. Several other delegations stated that, while they could support reconsideration of the Council's previous decision, they could not agree to the second part of the Commission's proposal according to which the Council would transmit the Commission's views to the General Assembly, since they considered that it was for the Council, and not for the General Assembly, to decide the matter. Under Articles 60 and 68 of the Charter, the Council had both the primary responsibility and the authority to do so, and it would, it was suggested, be a serious mistake for it to surrender those prerogatives. Some delegations also suggested that, as the question was a political one, it would have been desirable first to have had a decision by the Security Council which was seized of the matter. However, they agreed that the Economic and Social Council should take a decision at its current session.

83. One delegation considered that any decision by the Council on the subject under discussion would constitute a political pronouncement and as such would fall outside the competence of the Council. It would also involve intervention in matters of domestic policy, which was contrary to the Charter. The Council should declare itself not competent and refer the matter to the General Assembly. Several other delegations considered that it was not for the Council to take the decision to expel South Africa from membership of an organ of which it was entitled to be a member by virtue of the fact that it was a Member of the United Nations and that it was indisputably situated within the geographical scope of the Commission. Such action could only be taken by the General Assembly upon the recommendation of the Security Council, since those organs alone were empowered to apply sanctions. It was, however, within the competence of the Council to decide upon the right of South Africa to participate in the work of the Commission. Still other delegations suggested that the Charter provided for cases of suspension or expulsion of Members, but not of non-participation.

84. Some members of the Council, while they could not endorse the policies pursued by the Portuguese Government, considered that it would have been more appropriate for the Council to grant Portugal associate membership in the Commission on the same basis as other European countries still having possessions in Africa. Other members considered that the action taken by the Council was not within its competence.¹⁶⁷

¹⁶¹ E S C (XXXVI), a. i. 12, E/3820, and E S C (XXXVI), 1289th mtg., para. 35.

¹⁶² E S C (XXXIV), E/L.972.

¹⁶³ E S C resolution 974 D, III (XXXVI).

¹⁶⁴ E S C (XXXVI), Suppl. No. 10, p. 40, resolution 68 (V).

¹⁶⁵ E S C (XXXVI), 1294th mtg., paras. 56—65.

¹⁶⁶ E S C (XXXVI), Annexes, a. i. 12, E/3820. See also para. 77 above.

¹⁶⁷ E S C (XXXVI), 1294th mtg., paras. 56—64.

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

I. FUNCTIONAL COMMISSIONS AND COMMITTEES

85. As in the past, statements were made¹⁶⁸ regarding the representation of China at meetings of the functional commissions and committees of the Economic and Social Council. Statements were also made¹⁶⁹ in the plenary meetings of the Council on the subject of the representation of China in connexion with the confirmation of members of the functional commissions.

2. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

86. The question of the representation of China was raised at each session of the Commission from the sixteenth to the twenty-second session.¹⁷⁰

87. The view was expressed that the continued exclusion of the People's Republic of China from the Commission undermined the authority of the Commission and reduced its effectiveness. The representatives who challenged that view stressed that the Government of the Republic of China was the only legally constituted Government of China and that the Commission was not competent to consider that political issue.

88. At the seventeenth session of the Commission, statements were made¹⁷¹ by some delegations concerning the credentials of the delegation of Laos. At the 246th meeting, the Chairman announced that, in accordance with rule 12 of the rules of procedure, he and the two Vice-Chairmen had examined the credentials of delegations to the session and found them to be in order.

89. At the twentieth session of the Commission, statements were made¹⁷² regarding the representation of Malaysia.

3. ECONOMIC COMMISSION FOR AFRICA

90. In its resolution 5 (II), ECA requested members with responsibility for territories in Africa or

¹⁶⁸ E S C (XXX), Suppl. No. 8, para. 5; Suppl. No. 7, paras. 4 and 5; Suppl. No. 9, paras. 6 and 7. E S C (XXXII), Suppl. No. 8, para. 5; Suppl. No. 7, para. 22; Suppl. No. 9, paras. 5 and 6. E S C (XXXIV), Suppl. No. 13, para. 5; Suppl. No. 12, paras. 4 and 5; Suppl. No. 8, para. 5; Suppl. No. 7, para. 27; Suppl. No. 9, paras. 9 and 10. E S C (XXXVI), Suppl. No. 12, paras. 4 and 5; Suppl. No. 8, para. 5; Suppl. No. 7, para. 23; Suppl. No. 9, paras. 7 and 8. E S C (XLI), Suppl. No. 10, para. 5.

¹⁶⁹ See for example, E S C (XLI), 1453rd mtg., paras. 14-18.

¹⁷⁰ E/CN.11/532, p. 88, para. 12; E/CN.11/566, p. 81, para. 20, p. 96, para. 12 and p. 258, para. 10; E/CN.11/594, p. 87, para. 21, p. 90, para. 35, p. 110, para. 36, p. 120, para. 33 and p. 121, para. 34; E/CN.11/628, p. 98, para. 37, p. 102, para. 46, p. 115, para. 31 and p. 126, para. 44; E/CN.11/667, p. 86, para. 34, p. 101, para. 26 and p. 104, para. 37; E/CN.11/709, p. 83, para. 40 and p. 88, para. 10; E/CN.11/740, p. 76, para. 36, p. 80, para. 52, p. 84, para. 10. (None of the annual reports of the above-mentioned sessions contained a reference to the question of the representation of China. The documents listed above are the mimeographed summary records pertaining to the appropriate meetings of those sessions.)

¹⁷¹ E S C (XXXII), Suppl. No. 2, para. 317.

¹⁷² E/CN.11/667 (mimeographed), p. 97, paras. 6 and 7.

members responsible for the external relations of African countries to consult forthwith with the Governments of those countries and to ascertain whether they wished to become associate members of the Commission. In resolution 24 (III), the Commission requested the Executive Secretary to convey urgently to the countries responsible for the international relations of Non-Self-Governing Territories the desire of the Commission to see those countries as associate members represented by Africans at the next session of the Commission. In resolution 42 (IV), the Commission recommended to the Council that the terms of reference of the Commission be changed, *inter alia*, to the end that the Non-Self-Governing Territories situated within the geographical area of the Commission should be associate members, thus making the associate membership of Non-Self-Governing Territories automatic and eliminating applications. At its thirty-sixth session, the Council adopted¹⁷³ that recommendation by the Commission.

91. In its resolution 94 (VI), ECA requested¹⁷⁴ its Executive Secretary to make representations to the Council on the terms and conditions for inviting representatives of the Non-Self-Governing Territories of Angola, Mozambique and South West Africa to attend future sessions of the Commission as associate members. The Council considered that matter at its thirty-seventh session. It had before it, in response to the request of several representatives, a note¹⁷⁵ on certain legal aspects of the question prepared by the Secretariat.

92. The Council adopted¹⁷⁶ a resolution by which it noted the communication of the Secretariat and transmitted it to the Executive Secretary of ECA for any appropriate action having as its object the participation of representatives or delegations of Angola, Mozambique and South West Africa in the work of the Commission. In furtherance of the Council's decision, the Executive Secretary invited opinions on the subject from Governments. The replies received were not sufficiently indicative of what the appropriate measures should be and the matter was therefore left in abeyance.¹⁷⁷

93. In the note referred to above, the Secretariat stated, *inter alia*, that since the three Territories were already associate members of the Commission, the question before the Council was not one of their admission but of the participation by their representatives in the work of the Commission. The first and foremost question was who should designate such representatives. It further stated that, under international law, external representation of dependent territories was the responsibility of the States administering those territories and responsible for their international relations. That principle was also recognized by the Charter and by the practice of the United Nations, and in a number of resolutions concerning the participation of Non-Self-Governing

¹⁷³ E S C resolutions 974 D, I and III (XXXVI).

¹⁷⁴ E S C (XXXVII), Suppl. No. 10, part III.

¹⁷⁵ E S C (XXXVII), Annexes, a. i. 17, E/3963.

¹⁷⁶ E S C resolution 1027 (XXXVII).

¹⁷⁷ E S C (XXXIX), Suppl. No. 10, para. 140.

Territories in the work of certain United Nations organs or dealing with specific questions affecting those Territories. Some representatives felt the action suggested¹⁷⁸ above would not be adequate and that the note reflected an approach which was too narrow and legalistic. It was further suggested that the question was not one of the representation of Governments, but one of representation of territories in a subsidiary body of the Council and that the action expected of the Executive Secretary should be clearly specified: he should ensure that representatives of delegations of Angola, Mozambique and South West Africa be invited to participate in the work of the Commission as associate members.

94. Some other representatives expressed the view that the Council should not direct the Executive Secretary of ECA to ensure participation of persons from the territories concerned as representatives. Emphasis was also given to the importance of the Commission acting within its terms of reference, within the framework of the legal opinion which the Council was transmitting to it, and in a manner consistent with practice of the United Nations and compatible with the Charter and the principles of international law.

4. ECONOMIC COMMISSION FOR EUROPE

95. As in the past, the question of the representation of the German Democratic Republic in the Commission was raised at each session during the period under review.¹⁷⁹

G. The power of subsidiary organs of the Council to adopt rules of procedure

96. At its seventeenth session, ECAFE unanimously decided¹⁸⁰ to include the following rule in the Commission's rules of procedure: "Draft resolutions and substantive amendments or motions, shall be introduced in writing and handed to the Executive Secretary, who shall circulate copies to the representatives at least twenty-four hours before they are discussed and voted upon, unless the Commission decides otherwise".

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

**1. THE PARTICIPATION OF MEMBERS OF THE UNITED NATIONS¹⁸¹

2. THE PARTICIPATION OF OTHER SUBSIDIARY BODIES

97. In view of the recommendation of the Commission on Human Rights that the Commission on

¹⁷⁸ See para. 92 above.

¹⁷⁹ E S C (XXXVI), Suppl. No. 3, para. 295; E S C (XXXVII), Suppl. No. 7, para. 345; E S C (XXXIX), Suppl. No. 3, para. 327; E S C (XLI), Suppl. No. 3, para. 244.

¹⁸⁰ E S C (XXXII), Suppl. No. 2, para. 321.

¹⁸¹ In connexion with the membership in the Inter-Sessional Working Group of the Committee for Industrial Development, the question arose whether two Member States whose terms of office in the parent committee had expired might continue

the Status of Women be invited to participate at every stage in the preparatory work for the International Year for Human Rights, the Council decided¹⁸² that a representative of that Commission, designated by its Chairman, be invited to attend meetings of the Working Party appointed¹⁸³ by the Commission on Human Rights.

3. THE PARTICIPATION OF THE SPECIALIZED AGENCIES

98. The specialized agencies participated as before in the work of the Council and its subsidiary bodies. Arrangements for reciprocal representation were made with the International Development Association.¹⁸⁴

4. THE PARTICIPATION OF INTERGOVERNMENTAL ORGANIZATIONS¹⁸⁵

99. As in the past, intergovernmental organizations participated in the work of the Council and its subsidiary bodies. The Organization of African Unity (OAU) was invited¹⁸⁶ to attend the sessions of the Council as an observer, and the Council established relations with the Organization of Petroleum Exporting Countries.¹⁸⁷

100. Observers from intergovernmental organizations attended the sessions of the Council and its functional commissions. The Council approved a list of intergovernmental organizations to be invited as observers to UNCTAD to attend the third session of the Preparatory Committee.¹⁸⁸

101. The regional economic commissions continued to maintain co-operative relationships with various intergovernmental organizations.

**5. THE PARTICIPATION OF NON-GOVERNMENTAL ORGANIZATIONS¹⁸⁹

to take part in the working group until the committee itself opened its new session. A legal opinion of the Secretariat of the United Nations considered that such participation would be permissible (*United Nations Juridical Yearbook*, 1963, p. 170).

Observers from Governments of non-Latin American countries were excluded from participation in closed meetings of a Latin American Seminar of Experts on Foreign Trade organized under a resolution of ECLA since the purpose of the seminar was to assist the Latin American countries to adopt a concerted position at the United Nations Conference on Trade and Development (*Ibid.*, p. 171).

¹⁸² E S C resolution 1074 F (XXXIX).

¹⁸³ E S C (XXXIX), Suppl. No. 8: Report of the Commission on Human Rights, p. 119, resolution 5 B (XXI).

¹⁸⁴ See this *Supplement* under Article 63, para. 7.

¹⁸⁵ See also Article 70 in this *Supplement*.

¹⁸⁶ E S C (XXXIX), 1397th mtg., paras. 1-3. G A (XX), Annexes, a. i. 108, A/6174, annex. An agreement between the United Nations and the Organization of African Unity, concluded on 15 November 1965, provided for co-operation between that Organization and the Economic Commission for Africa. (See also United Nations, *Treaty Series*, vol. 548, p. 315.)

¹⁸⁷ E S C resolution 1053 (XXXIX).

¹⁸⁸ E S C (XXXVI), 1306th mtg., paras. 57-73. See this *Supplement* under Article 70, footnote 5, for list of organizations.

¹⁸⁹ According to a legal opinion of the Secretariat of the United Nations, foundations, such as the Ford Foundation and the Asia Foundation, were not entitled to participate in ECAFE seminars and could not be given the legal status of observers, but their representatives could attend public meetings as "guests", without official status, and might receive non-restricted documents. (*United Nations Juridical Yearbook*, 1963, pp. 171-172.)

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

J. The binding quality of decisions of organs established by the Council

102. The question of the competence of the Council's Co-ordination Committee to recommend resolutions to the Council concerning technical assistance matters was raised¹⁹⁰ in the Technical Assistance Committee. In presenting the Committee's report to the Council, the Committee Chairman drew the attention of the Council to this matter. No action was taken by the Council.

****K. The 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

103. In the period under review, further regional agreements were sponsored by the regional economic commissions. The following conventions and agreements were prepared under the auspices of the Economic Commission for Europe:

Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation, done at Geneva on 15 March 1960 (E/ECE/388);

European Convention on Customs Treatment of Pallets used in International Transport, done at Geneva on 9 December 1960 (E/ECE/396);

European Convention on International Commercial Arbitration, done at Geneva on 21 April 1961 (E/ECE/433);

¹⁹⁰ See E S C (XXX), E/TAC/SR. 224; and E S C (XXX), 1132nd mtg., para. 4.

Agreement on Special Equipment for the Transport of Perishable Foodstuffs and on the Use of such Equipment for the International Transport of some of those Foodstuffs, done at Geneva on 15 January 1962 (E/ECE/456);

European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), done at Geneva on 19 January 1962 (E/ECE/457);

Convention relating to the Measurement of Inland Navigation Vessels, done at Geneva on 15 February 1966 (E/ECE/626).

104. The following agreement was prepared under the auspices of the Economic Commission for Asia and the Far East:

Agreement establishing the Asian Development Bank; opened for signature at Manila on 4 December 1965 (United Nations publication, Sales No.: 67.II.F.6, p. 513, and entered into force on 22 August 1966 (United Nations *Treaty Series* vol. 571, p. 123).

105. The following treaty was prepared under the auspices of the Economic Commission for Latin America:

Treaty establishing a free-trade area and instituting the Latin American Free-Trade Association; signed at Montevideo on 18 February 1960 (E/3333; E/CN.12/AC.45/13/Rev. 1, p. 101).

106. The following instruments were prepared under the auspices of the Economic Commission for Africa:

Agreement establishing the African Development Bank, signed at Khartoum on 4 August 1963 (United Nations publication, Sales No.: 64.II.K.6) and entered into force on 10 September 1964 (E S C (XXXIX), Suppl. No. 10, para. 11.)

Terms of Association of the Economic Community of Eastern Africa, signed at Addis Ababa, 4 May 1966 (E/CN.14/352).