ARTICLE 68

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ARTICLE 68

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 established no new commissions, but did establish certain other new bodies and took various decisions affecting existing bodies. The Council also took decisions approving, confirming or authorizing the appointment of rapporteurs and working groups by certain of its subsidiary bodies. The present study, therefore, deals with committees and groups established by the Council and with Council decisions affecting previously created bodies.

2. The same major headings used in the Repertory and previous Supplements have been retained. A new subheading, I.A.3., had been earlier introduced covering subordinate bodies of commissions and committees established with the Council’s approval. Several annexes have been added in order to present for reference purposes a summary of the Council’s bodies in existence at the conclusion of this period and to identify certain changes and developments that occurred during the period. Bodies terminated during the period under review are indicated in annex IV.

I. GENERAL SURVEY

A. Types of organs established by the Council

**1. COMMISSIONS**

2. OTHER ORGANS AND BODIES ESTABLISHED
   BY THE COUNCIL

3. During the period under review, the Council continued to make use of its power to set up various organs by creating committees, working groups and groups of experts. It will be recalled, however, that the General Assembly, at its thirty-second session, had endorsed various proposals concerning the Council’s relationship with its subsidiary bodies. Among them was a recommendation urging the Council to limit the use of its power to create new bodies. In particular, the Assembly endorsed the following proposal:

"12. The Economic and Social Council should to the maximum extent possible refrain from establishing new subsidiary bodies; it should make every effort to meet the need for any new bodies by holding subject-oriented sessions ... For their part, subsidiary bodies of the Council should refrain from creating new subordinate sessional or intersessional groups without the prior concurrence of the Council."

While the Council during the period under review did create certain new subsidiary bodies, such instances were limited compared to the past.

4. During the period under review, the Council continued to employ three sessional committees of the whole to assist it in considering economic and social matters, and programme and coordination issues. The First (Economic), Second (Social), and Third (Programme and Coordination) Committees were constituted each year during the period under review. The First (Economic) Committee functioned during both the first and second regular sessions in all years except 1982 and 1984, during which it functioned only during the second regular session. The Second (Social) Committee met during all of the Council’s first regular sessions when social and human rights issues were considered, and the Third (Programme and Coordination) Committee met during the second regular sessions and were allocated issues concerning programmes and coordination.

5. The Council continued to maintain five standing intergovernmental committees meeting on a regular basis: Committee for Programme and Coordination, Committee on Natural Resources, Commission on Transnational Corporations, Commission on Human Settlements, and Committee on Non-Governmental Organizations. In

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1See annex 1 for a list of commissions established by the Council that were in existence during the period under review.

2See annexes II and III for a list of committees and bodies established by the Council. See also paras. 39 and 40 below and annex IV regarding termination of bodies.

3G A resolution 32/197.
addition, the Council reconvened a sixth standing intergovernmental committee, the Committee on Negotiations with Intergovernmental Agencies, which meets on an ad hoc basis when the Council enters into negotiations with one or more intergovernmental agencies. 4 By its decision 1983/105, the Council decided to authorize its President to appoint the committee’s members from among the States members of the Council, based upon consultations with the chairmen of the various regional groups.

6. The Council established two new ad hoc committees of governmental representatives: the Preparatory Subcommittee for the Second World Conference to Combat Racism and Racial Discrimination, to assist the Council in preparing for the Second World Conference; and the Ad Hoc Committee on the Preparations for the Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia. In the case of the former, during the period under review, the General Assembly decided that preparatory committees should be established for special conferences only if that function could not be appropriately performed by an existing intergovernmental organ and that the secretariats for special conferences should, to the extent possible, be provided by the existing Secretariat machinery with such temporary strengthening as might be required. 5 In that light, in one instance the General Assembly, at the Council’s suggestion, designated the Council as the preparatory body for the Second World Conference to Combat Racism and Racial Discrimination, to be held in 1983. 6 Nevertheless, the Council, at its first regular session of 1981, decided to establish an ad hoc committee of 23 Member States to assist it as a preparatory subcommittee for the Conference. 7

7. As noted, during the period under review, the Council established the Ad Hoc Committee on the Preparations for the Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia, which would, with assistance from the United Nations Centre on Transnational Corporations, prepare procedural and organizational guidelines for the public hearings to be submitted to the Commission on Transnational Corporations for adoption. 8 The Council also re-established an ad hoc body of governmental representatives, the Committee on Candidatures, to review nominations of candidates for vacancies that would occur on the International Narcotics Control Board. 9

8. The Council created no new standing committees composed of Member States or of experts working in their individual capacity. The Council did establish two new standing bodies composed of governmental experts or, in one case, established such a body to replace its predecessor. For the first four years of the period under review, the Council made use of a formally established sessional working group to assist it in considering the agenda item entitled “Implementation of the International Covenant on Economic, Social, and Cultural Rights”. 10 This group replaced an earlier, similarly named sessional working group established under Council decision 1978/10. 11 At its organizational session for 1981, the Council, in its decision 1981/102, urged States members of the working group to include in their delegations experts in matters dealt within the Covenant. Subsequently, by its decision 1981/158, modifying the group’s previously established methods of work, the Council decided to include the phrase “of Governmental Experts” in the working group’s title.

9. In another instance, one standing committee, the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting, was replaced by an ad hoc body of the same name established under resolution 1979/44. 12 This ad hoc body was mandated, inter alia, to take into account the work of an earlier group of experts and to report to the Commission on Transnational Corporations on further steps to be taken in the field of international standards of accounting and reporting within the scope of the Commission’s work and to formulate priorities.

10. In contrast with the Council’s practice regarding the establishment of standing committees, as in the past, the Council created several new ad hoc bodies of governmental experts to assist the Council. A working group of governmental experts was established in order to assist the Council in carrying out a comprehensive review of the functions, institutional arrangements and repayment system of the United Nations Revolving Fund for Natural Resources Exploration. 13 In addition, the Council continued to make use of organs composed of experts appointed in their individual capacities. In one instance, it established an ad hoc working group of experts on the social aspects of the development activities of the United Nations to examine the effectiveness of the implementation of various relevant resolutions and decisions relating to the social aspects of development. 14 In another instance, the Council requested the Secretary-General to convene a working group of experts to study the phenomenon of traditional practices affecting the health of women and children. 15 The Council also requested the Secretary-General to convene a group of experts on family violence 16 as well as on definitions and terminology for mineral resources. 17

11. From time to time, the Council made use of sessional ad hoc committees, drafting groups and working parties. In

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4 Council resolution 11 (I). See the present Supplement, under Articles 57 and 63.
5 G A resolution 35/10 C, para. 3. See also the present Supplement, under Article 62 (4).
6 G A resolution 35/3.
7 E S C decision 1982/33.
8 E S C resolution 1982/70. See also E S C resolution 1984/52.
9 E S C decision 1981/101. Council resolution 1106 (XLI) provides for the establishment of a 13-member Committee on Candidature in connection with elections to the International Narcotics Control Board.
one instance, it established a sessional ad hoc working group to consider the medium-term plan for the period 1980-1983. In another instance, an informal working group was used to consider priority items for the Council's consideration, and in a third instance the Council decided that an informal working group of the whole should review draft guidelines on consumer protection with a view to their adoption by the General Assembly at its next session.

12. As in the past, the Council continued to make use of special rapporteurs to assist it directly in its consideration of a subject. For example, the Council requested the Secretary-General to appoint a special rapporteur to synthesize various surveys and studies on the traffic in humans and the exploitation of the prostitution of others.

3. SUBORDINATE BODIES OF COMMISSIONS AND COMMITTEES ESTABLISHED WITH THE COUNCIL'S APPROVAL

13. As noted above, in General Assembly resolution 32/197, the General Assembly had endorsed the idea that "subsidiary bodies should refrain from creating new subordinate sessional or intersessional groups without the prior concurrence of the Council". During the period under review, the Council took a number of decisions authorizing its commissions and committees to establish subordinate bodies, appoint rapporteurs and set up working groups.

14. By its resolution 1982/64, the Council endorsed the recommendations of the Economic Commission for Western Asia (ECWA) and established a Standing Committee for the Programme as the main subsidiary organ of ECWA to assist it in the discharge of its responsibilities for programme planning and review. The Committee set out its functions in accordance with the terms of reference proposed by the Commission. Subsequently, in its resolution 1984/80, the Council decided to designate the Standing Committee as the Technical Committee and to add to its terms of reference consideration of the items of the provisional agenda for the annual session of the Commission, in preparation for the Commission's meeting at the ministerial level.

15. Throughout the period under review, the Council acted on draft proposals submitted to it by the Commission on Human Rights. On the basis of those drafts, it adopted resolutions or decisions endorsing or authorizing the Commission's establishment or continuance of expert bodies or of sessional and intersessional working groups.

Similarly, the Council adopted various resolutions and decisions authorizing or approving the appointment by the Commission on Human Rights of special rapporteurs to study specific human rights issues and to examine human rights situations in certain individual countries.

16. Also acting on the recommendations of the Commission on Human Rights, the Council took decisions authorizing the Subcommission on Prevention of Discrimination and Protection of Minorities to establish or continue working groups to prepare or update studies on issues relating to the mandate of the Subcommission and the promotion of human rights.

17. By its resolution 1983/27, the Council authorized the Commission on the Status of Women to appoint a working group to perform various functions in connection with the consideration of communications received by the Commission concerning the status of women.

**B. Methods of establishment**

C. Functions and powers

1. COMMISSIONS AND COMMITTEES

18. During the period under review, the Council assigned various functions and powers to both its existing and its newly established bodies, on various occasions expanding or altering the functions of particular subsidiary bodies. In one instance, noting the concepts enumerated in General Assembly resolution 32/130, the Council, by its resolution 1979/36, entitled "Further promotion and encouragement of human rights and fundamental freedoms", decided to add to other cruel, inhuman or degrading treatment or punishment; E S C decision 1979/40 (endorse the establishment of a working group to examine situations revealing a consistent pattern of gross violation of human rights); and E S C decision 1980/138 (establishing an open-ended working group to complete work on a draft convention on the rights of the child).

22See, e.g., E S C decision 1981/145 (special rapporteur on the question of human rights and mass exoduses); E S C resolution 1982/35 (special rapporteur on the question of summary executions).

23See, e.g., E S C decision 1979/32 (Chile); E S C decision 1982/135 (Guatemala); E S C decision 1981/147 (El Salvador — Special Representative); E S C decision 1981/148 (Bolivia — Special Envoy); E S C resolution 1984/37 (Afghanistan); E S C decision 1984/138 (Islamic Republic of Iran — Special Representative).

24See, e.g., E S C decision 1980/127 (approving the Commission's decision to have the Subcommission's Working Group on Slavery meet prior to the Subcommission's next session); and E S C resolution 1982/34 (authorizing the Subcommission to establish annually a working group on indigenous populations).

25See, e.g., E S C resolution 1980/28 (discriminatory treatment of members of racial, ethnic, religious or linguistic groups in the administration of criminal justice proceedings); E S C decision 1981/142 (the status of the individual and contemporary international law); E S C resolution 1984/24 (causal connection between serious violations of human rights and fundamental freedoms and disability).

26See, e.g., E S C decision 1980/123 (Report on Slavery); E S C resolution 1983/33 (study on the question of the prevention and punishment of the crime of genocide).
the terms of reference of the Commission on Human Rights, which were originally enumerated in resolution 5 (I) of 16 February 1946 and amended by resolution 9 (II) of 21 June 1946: the Council decided that the Commission should also “assist the Economic and Social Council in the coordination of activities concerning human rights in the United Nations system.”

19. In another instance, by its resolution 1982/26, the Council decided that the Commission on the Status of Women should serve, with the widest participation by Member States, as the preparatory body for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be convened in 1985. In still another case, the Council, recognizing the role of the Committee on Crime Prevention and Control of assisting the Council “in organizing and coordinating activities concerning crime prevention and control in the United Nations system,” increased the functions and long-term programme of work of its expert Committee. In doing so, the Council entrusted the Committee with various preparatory and coordinating functions. Finally, by its resolution 1981/87, the Council designated the Population Commission, meeting in open-ended session, with the participation of any other State, as the intergovernmental preparatory committee for the 1984 International Conference on Population.

20. As in the past, the Council took action to reaffirm the functions and powers of certain of its subsidiary bodies. By its resolution 1983/27, the Council reaffirmed the mandate of the Commission on the Status of Women to consider confidential and non-confidential communications on the status of women and took certain actions to institutionalize procedures enabling the Commission to consider such communications.

21. The functions and powers given to newly established organs varied. The Ad Hoc Working Group on Social Aspects of the Development Activities of the United Nations was given the mandate to examine the effectiveness of the implementation of various relevant resolutions and decisions with respect to social aspects of development, and to report directly to the Council at its first regular session of 1980. The group of experts on definitions and terminology for mineral resources, established under Council resolution 1979/72, was to develop a common set of definitions and terminology for the reporting, compilation and publication by the United Nations of statistics on mineral reproduction and consumption and to report to the Committee on Natural Resources. The Ad Hoc Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting was mandated to formulate priorities for and report to the Commission on Transnational Corporations, taking into account the work of an earlier group of experts, on further steps to be taken in the field of international standards of accounting within the scope of the work of the Commission.

22. In its resolution 1982/20, the Council requested the Secretary-General to appoint a special rapporteur to “make a synthesis of [United Nations and other] surveys and studies on the traffic in persons and the exploitation of the prostitution of others” and to “present that synthesis and propose appropriate measures to prevent and suppress those practices that are contrary to the fundamental rights of human beings”.

23. Acting on the recommendation of the Commission on Transnational Corporations, the Council decided that the renamed Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting should report to the Commission on further steps to be taken in the pursuit of the long-term objective of the international harmonization of accounting and reporting within the scope of the work of the Commission, and to concentrate on formulating priorities.

2. REGIONAL COMMISSIONS

24. At its thirty-third session, by section V of its resolution 33/202 of 29 January 1979, the General Assembly, having taken note of Council resolution 1978/74, decided that the regional commissions should have the status of executing agencies. At its second regular session of 1984, by its resolution 1984/74 entitled “Strengthening the role of the Economic Commission for Africa as an executing agency”, the Council requested the Secretary-General to consider certain actions with regard to administrative procedures so as to place the Commission on the same basis as other executing agencies of the United Nations system.

D. Membership

1. COMMISSIONS

(a) Functional commissions

25. During the period under review, the Council increased the membership of certain subsidiary bodies in response to factors operating in the field of the given body. For example, by its resolution 1979/36, the Council authorized an increase in the membership of the Commission on Human Rights from 32 to 43 in response to “the increase in the workload of the Division of Human Rights as a result, inter alia, of the entry into force” of the international

30 E S C resolution 1979/19.
32 E S C resolution 1979/45. The working group submitted its final report (E/1981/3) to the Council at its first regular session of 1981.
33 E S C resolution 1979/44.
34 E S C resolution 1982/67.
36 As part of the restructuring of the economic and social sectors of the United Nations system undertaken by GA resolution 32/197, the Assembly endorsed the concept that the regional economic commissions should be enabled to play their role as the main general economic and social development centres for their respective geographic regions.
covenants on human rights and international conventions on racial discrimination and apartheid. In another instance, by its resolution 1983/5, the Council decided to enlarge the membership of the Commission on Narcotic Drugs form 30 to 40 in response to the crisis proportions reached in the world problem of drug traffic and drug abuse.37

26. At its first regular session of 1983, in considering the report of the Subcommission on Prevention of Discrimination and Protection of Minorities, the Council adopted resolution 1983/32, providing for the selection of alternates to the Subcommission. The Council decided that the qualifications for alternates should be the same as for members and that no person could serve as an alternate unless selected in accordance with the procedure being established. The nomination of a candidate for membership on the Subcommission could be accompanied by the nomination of another expert of the same nationality as an alternate; the alternate would be elected simultaneously with the candidate for membership and could serve temporarily if the member was unable to attend.

(b) Regional commissions

27. During the period under review, the Council adopted resolutions and decisions amending the terms of reference of three of its regional commissions in response to decisions and recommendations made by the commissions involved to reflect the admission of various States and Territories as members and associate members, respectively.

28. With regard to the Economic and Social Commission for Asia and the Pacific (ESCAP), the Council, at its second regular session of 1979, amended the terms of reference of the Commission to take into account the admission of Fiji and Solomon Islands as members and the admission of New Hebrides and Niue as associate members.38 At its second regular session of 1981, the Council included Guam as an associate member,39 and at its second regular session of 1984, it amended the terms of reference further to include Vanuatu (formerly New Hebrides) as a member.40

29. With regard to the Economic Commission for Latin America (ECLA),41 the Council on various occasions amended the terms of reference of the Commission to include Spain as a full member,42 the Netherlands Antilles as an associate member,43 Portugal as a full member and the British Virgin Islands and the United States Virgin Islands as associate members.44

30. With regard to the Economic Commission for Africa (ECA), the Council, at its second regular session of 1981, noting that Zimbabwe had become a full member of ECA, amended the terms of reference of the Commission accordingly.45

2. COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL

31. During the period, the Council increased the membership of one standing committee. By its resolution 1981/50, it enlarged its Committee on Non-Governmental Organizations from 13 to 19. In the preamble to the resolution, the Council recognized "the need to enlarge the composition of the [Committee] in order to bring it into line with the present membership of the United Nations and with the principle of equitable geographical representation".

32. The ad hoc Working Group on the Social Aspects of the Development Activities of the United Nations, established under resolution 1979/45, was to be composed of 10 experts to be appointed by the President of the Council, with two experts chosen from each of the five regions.

33. By its resolution 1982/33 the Council changed the composition of the Sessional Working Group of Governmental Experts on Implementation of the International Covenant on Economic, Social and Cultural Rights so that, rather than being appointed from among the members of the Council, the 15 members of the Group of Experts were to be elected by the Council from among all States parties to the Covenant in accordance with the previously established geographical distribution.

34. The Council also enlarged two of its expert bodies. At the suggestion of its Committee on Crime Prevention and Control, by resolution 1979/30 the Council increased the membership of the Committee from 15 to 27. After requesting the Secretary-General to prepare a report on the question of an increase in the membership of the Ad Hoc Group of Experts on International Cooperation in Tax Matters in order to ensure a more equitable geographical representation,46 the Council decided to enlarge the membership of that body, increasing the number of experts from 20 to 25 by decision 1980/155.

35. At the request of the General Assembly, the Council, by its decision 1982/110, decided that the membership of the Board of the Executive Committee of the United Nations High Commissioner for Refugees should be increased from 40 to 41 in order to enable Namibia to be represented by the United Nations Council for Namibia as a full member.

E. Duration and termination

36. During the period under review, the Council decided to terminate two standing committees, the Committee on Science and Technology for Development, an intergovernmental committee, and the Advisory Committee on the Application of Science and Technology for Development, a body of experts.47 A third standing

37 See also E S C resolutions 845 (XXXII), 1147 (XLI) and 1663 (LII).
38 E S C resolution 1979/62.
39 E S C decision 1981/188.
40 E S C resolution 1984/66.
41 By its resolution 1984/67, the Council renamed the Economic Commission for Latin America as the Economic Commission for Latin America and the Caribbean (ECLAC).
42 E S C resolution 1979/63.
43 E S C decision 1981/188.
44 E S C resolution 1984/67.
45 E S C resolution 1981/188.
46 E S C resolution 1980/13.
47 Following the 1979 United Nations Conference on Science and Technology for Development, the General Assembly adopted resolution 34/218, in section II of which it established an Intergovernmental Committee on Science and Technology for
of its working groups. The resolution also provided that the Appraisal were held after 1977.

Discrimination and Protection of Minorities might be annual session of the Subcommission on Prevention of the Commission on Human Rights to hold a regular session Council adopted resolution 1979/36, in which it authorized biennial pattern of meetings and a calendar of conferences, the practice of the Council was to adopt every two years a extended to four weeks.

The Council decided that the regular sessions of the functional commissions and standing committees of the Council should normally have a duration of not more than eight working days. Three bodies, the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities, and the Committee for Programme and Coordination, were scheduled to hold sessions longer than eight working days. The Council also decided that once the calendar of meetings had been adopted no additional meetings involving departures from the biennial cycle of meetings would be authorized during the biennium.

41. On various occasions after the adoption of decision 1979/81, the Council authorized particular bodies to hold special sessions or to extend a session. The Commission on Narcotic Drugs was authorized to hold three special sessions; the Committee on Non-Governmental Organizations to hold "on an exceptional basis" a special session of five days' duration in 1984; and the Committee for Programme and Coordination "on an exceptional basis" to hold a resumed session in 1983. In its decision 1983/184, authorizing the convening of the eighth special session of the Commission on Narcotic Drugs and the resumed session of the Committee for Programme and Coordination, the Council in each case also recommended to the body concerned that in the future it adhere to the biennial cycle of meetings set out in resolution 1768 (LIV).

42. In another instance, the Commission on Transnational Corporations was authorized under Economic and Social Council decision 1982/68 to hold a special session of up to four weeks' duration for the purpose of continuing and completing work on a code of conduct for transnational corporations. By its decision 1984/109, the Council decided to reconvene the special session with a view to completing the work on the formulation of a draft code.

43. The Council took other decisions, authorizing additional meetings for particular bodies. In its decision 1984/116, for example, the Council approved the holding of a special meeting of the Committee of the Whole of the Economic Commission for Latin America. In its decision 1984/140, it authorized additional hours of meeting services for the Commission on Human Rights to allow for working group meetings.

44. At its organizational session for 1979, the Council revised the procedure by which the regional commissions reported on their activities. In adopting its basic programme of work for 1979 and 1980, the Council: decided to discontinue the submission to it of the reports of the regional commissions. The reports would be transmitted directly to all Member States and the Secretary-General would revise commissions and standing committees of the Council should normally have a duration of not more than eight working days. Three bodies, the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities, and the Committee for Programme and Coordination, were scheduled to hold sessions longer than eight working days. The Council also decided that once the calendar of meetings had been adopted no additional meetings involving departures from the biennial cycle of meetings would be authorized during the biennium.

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41. On various occasions after the adoption of decision 1979/81, the Council authorized particular bodies to hold special sessions or to extend a session. The Commission on Narcotic Drugs was authorized to hold three special sessions; the Committee on Non-Governmental Organizations to hold "on an exceptional basis" a special session of five days' duration in 1984; and the Committee for Programme and Coordination "on an exceptional basis" to hold a resumed session in 1983. In its decision 1983/184, authorizing the convening of the eighth special session of the Commission on Narcotic Drugs and the resumed session of the Committee for Programme and Coordination, the Council in each case also recommended to the body concerned that in the future it adhere to the biennial cycle of meetings set out in resolution 1768 (LIV).

42. In another instance, the Commission on Transnational Corporations was authorized under Economic and Social Council decision 1982/68 to hold a special session of up to four weeks' duration for the purpose of continuing and completing work on a code of conduct for transnational corporations. By its decision 1984/109, the Council decided to reconvene the special session with a view to completing the work on the formulation of a draft code.

43. The Council took other decisions, authorizing additional meetings for particular bodies. In its decision 1984/116, for example, the Council approved the holding of a special meeting of the Committee of the Whole of the Economic Commission for Latin America. In its decision 1984/140, it authorized additional hours of meeting services for the Commission on Human Rights to allow for working group meetings.

44. At its organizational session for 1979, the Council revised the procedure by which the regional commissions reported on their activities. In adopting its basic programme of work for 1979 and 1980, the Council: decided to discontinue the submission to it of the reports of the regional commissions. The reports would be transmitted directly to all Member States and the Secretary-General would revise commissions and standing committees of the Council should normally have a duration of not more than eight working days. Three bodies, the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities, and the Committee for Programme and Coordination, were scheduled to hold sessions longer than eight working days. The Council also decided that once the calendar of meetings had been adopted no additional meetings involving departures from the biennial cycle of meetings would be authorized during the biennium.
the format and content of his annual report on the meetings of the executive secretaries in order that it should highlight developments within each region and draw the attention of the Council to specific issues requiring its consideration. The report would also bring to the Council’s attention any decisions or recommendations of the commissions that statutorily required approval by the Council.54

45. At its first regular session of 1979, the Council adopted resolution 1979/41 on control and limitation of documentation, by which, inter alia, it decided that, in future, the provisional agenda for its subsidiary bodies, together with the list of requested documentation, should be submitted to the Council for its review in order, inter alia, to establish greater consistency between the documentation of those bodies and the overall documentation requested by the Council and other subsidiary bodies and greater consistency between the requests for documentation and the medium-term plan and the programme budget. At its second regular session of 1979, by its resolution 1979/69 on the same subject, the Council approved revised guidelines for the format and contents of the reports of its functional commissions and standing committees.

46. Also in connection with controlling documentation, the Council acted to discontinue on an experimental basis the provision of summary records to a number of its subsidiary bodies. By its resolution 1979/69, the Council discontinued for a period of two years summary records for most of its commissions and standing committees. Subsequently, by its decision 1980/133, the Council decided to reinstate summary records for two bodies: the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities. In its resolution 1981/83, the Council reaffirmed the discontinuance of summary records for the other bodies for another two years and also decided to consider discontinuing summary records for its three sessional committees. At its organizational session for 1982, by its decision 1982/105, the Council decided to discontinue summary records for the sessional committees for two years.55

54 E S C decision 1979/1, para. 2.

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

47. During the period under review, the Council, when establishing new bodies, normally followed its past practice of indicating in the preambular part of the resolution creating a particular body the reasons for its establishment. In cases where the body was established on the recommendation of a subsidiary body, the Council would make reference to that recommendation.

48. During the period, the question of the need for commissions and committees to assist the Council arose in the context of not only whether new bodies were needed, but also whether existing bodies should be maintained. In several instances, the Assembly took action to establish under its authority committees to consider issues previously dealt with by subsidiary bodies of the Council.

49. In the same vein, it will be recalled that at its thirtysixth session, the General Assembly had endorsed a series of conclusions and recommendations arrived at by its Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations system.56 The Council’s actions regarding its new as well as its established subsidiary bodies took place in the light of the General Assembly’s endorsement of a number of conclusions and recommendations aimed at restructuring the Council’s relationship with its subsidiary bodies, including their possible discontinuance.57 Among the proposals in section II of the annex to General Assembly resolution 32/197 on the role of the Council were the following:

"10. [The Council] should assume to the maximum extent possible direct responsibility for performing the functions of its subsidiary bodies; these bodies would accordingly be discontinued or their terms of reference redefined and/or regrouped … [T]he regional commissions should continue in being."

"12. [The Council] should to the maximum extent possible refrain from establishing new subsidiary bodies; it should make every effort to meet the need for any new bodies by holding subject-oriented sessions … For their part, subsidiary bodies of the Council should refrain from creating new subordinate sessional or intersessional groups without the prior concurrence of the Council."59

50. At the beginning of the period under review, the Council informed the General Assembly that it had been unable to reach agreement on the implementation of section II of the restructuring recommendations and conclusions of the annex to resolution 32/197 which related to the role and functioning of the Council.60 In the course of the six-year

56 G A resolution 32/197. See Supplement No. 5, under Article 68, para. 7.

57 Ibid., annex, para. 6.

58 Ibid., annex, para. 6.

59 Ibid., annex, para. 6.

60 E S C decision 1979/57.
period, in many respects, the Council did not act on those proposals: it did not assume direct responsibility for the functions of its subsidiary bodies, nor did it redefine and regroup their terms of reference or discontinue the majority of them. The Council discontinued three standing committees, but this occurred in the context of the Assembly establishing under its own authority bodies to deal with the particular substantive area.

51. The question of the need for commissions and committees to assist the Council also arose in the context of a draft resolution introduced in the General Assembly by two delegations, containing a proposal to amend Article 61 of the Charter to make the Council a body of universal membership.61 Pursuant to the draft resolution, the Council would open its sessional committees to all States as full members and would, pending the entry into force of the Charter amendment, entrust all substantive questions to the sessional committees. The Council’s three functional commissions dealing, respectively, with population, social development and the status of women would be discontinued, as well as four of its intergovernmental standing committees: Committee on Natural Resources, Commission on Transnational Corporations, Committee on Review and Appraisal, and Committee on Science and Technology for Development. In addition to requesting the Council to discontinue the other bodies previously identified, under the revised draft resolution the Assembly would have discontinued its two bodies and decided “not to establish, in future, subsidiary bodies for the purpose of undertaking functions of a permanent or ongoing nature, but to assign such functions to the Economic and Social Council, as provided for in Article 66, paragraph 3, of the Charter.”

52. With regard to assuming direct responsibility for the preparations for international conferences, the Council did in one instance serve as the preparatory body for a conference called by the Assembly on the recommendation of the Council, albeit with the assistance of an ad hoc body created to serve as the preparatory subcommittee.62 In two other instances, it made use of existing bodies to carry out the preparatory function, rather than creating new ad hoc committees.

53. As discussed in the general survey, no new standing intergovernmental committees or bodies of non-governmental experts were set up during this period. While two new standing bodies of governmental experts were set up, each was created to continue the work of a previous subsidiary body.63 The Council continued to set up ad hoc groups of experts to assist it, or one of its subsidiary bodies, in dealing with a particular subject, when it deemed such a group necessary.

54. The General Assembly requested the Council to abolish its standing committee concerned with science and technology after the General Assembly by its resolution 34/218 had created the Intergovernmental Committee on Science and Technology for Development. The Council did so.

**C. Character of membership of the functional commissions and subcommissions**

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

55. As in the past, the Council, in creating and enlarging various bodies, paid attention to the question of geographical distribution of membership. In most instances of new bodies created during the period, the Council specified how the membership should be distributed among the five regional groups of States.64 Similarly, in most instances in which the Council acted to enlarge the membership of a body, it set forth the geographical distribution to be followed.

56. In certain instances, the Council provided for equal representation among the five regional groups of States. Thus, in establishing the five-member Ad Hoc Committee on the Preparations for the Public Hearings on the Activities of Transnational Corporations in South Africa and Namibia, the Council specified that one member should come from each region.65 In the case of the 10-member Ad Hoc Working Group on the Social Aspects of the Development Activities of the United Nations, the Council requested that two experts

61See G A decision 34/453, annex.
62The Assembly declared further consideration of this proposal to its thirty-fifth session. See G A decision 34/453. At the thirty-fifth session, the same two delegations introduced a revised draft resolution containing similar provisions. See G A decision 35/439. No action was taken by the Assembly to adopt this proposal and the Assembly deferred its further consideration to its thirty-sixth, thirty-seventh, thirty-ninth and fortieth sessions. See G A decisions 35/439, 36/445, 37/442, and 39/436.
63See para. 6 above.
64See para. 19, above.
65See paras. 8 and 9 above.
be selected from each region. In the case of its 15-member Sessional Working Group on Implementation of the International Covenant on Economic, Social and Cultural Rights (and the subsequent 15-member Working Group of Governmental Experts), the Council provided that three members should come from each region.

57. In creating the 34-member Ad Hoc Working Group of Experts on International Standards of Accounting and Reporting, the Council specified that the membership should be distributed as follows: nine members from African States; seven from Asian States; six from Latin American States; nine from Western European and other States; and three from Eastern European States. The Council maintained this same distribution when it subsequently created the 34-member Standing Group of Experts in this field, the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting.

58. In enlarging the membership of the Commission on Human Rights from 32 to 43, the Council specified that the 11 additional seats should be distributed as follows: African States, three; Asian States, three; Latin American States, two; Eastern European States, one; and Western European and other States, two. This resulted in the following distribution of seats among the Commission members: African States, eleven; Asian States, nine; Latin American States, eight; Eastern European States, five; and Western European and other States, ten.

59. In enlarging the membership of its Committee on Non-Governmental Organizations from 13 to 19, the Council amended rule 80 of its rules of procedure so that the Committee would be composed of: five members from Africa, four from Asia, four from Latin America, two from Eastern Europe and four from Western Europe and other States. This increase meant that Africa and Asia, which previously had shared five seats between the two regional groups, jointly gained four seats, while Latin America gained two. The Eastern European group and the group of Western Europe and other States maintained their previous number of seats.

60. In enlarging its expert body, the Committee on Crime Prevention and Control, from 15 to 27 members, the Council specified that seats for the experts serving on the Committee should be distributed in accordance with the following geographical pattern: seven seats to African States, six to Asian, five to Latin American, three to Eastern European, and six to Western European and other States.

E. Question of membership in the regional commissions

1. ECONOMIC COMMISSION FOR EUROPE
2. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST
3. ECONOMIC COMMISSION FOR LATIN AMERICA
4. ECONOMIC COMMISSION FOR AFRICA
5. ECONOMIC COMMISSION FOR WESTERN ASIA

(a) States members

61. At the sixth session of the Economic Commission for Western Asia, the Commission adopted its resolution 68 (VI), the operative part of which read as follows:

"Decides to reconsider its resolution 37 (IV) adopted on 28 April 1977 and recommends that the Economic and Social Council suspend the membership of the Arab Republic of Egypt in the Commission."

In considering the reports of the Commission, at its second regular session of 1979, the Council decided by consensus:

"To postpone consideration of the recommendation contained in resolution 68 (VI) of the Commission; thereby, the membership of Egypt in the Economic Commission for Western Asia remains unaffected."

At the seventh session of the Commission, certain delegations expressed reservations concerning Egypt's participation in the session. The delegation of that country protested against those reservations, referring to the Council's decision in this matter. Statements by the Egyptian delegation and one other member of the Commission were circulated as official documents of the session.

(b) States participating in a consultative capacity

62. Also at the sixth session of the Commission, the delegation of the Palestine Liberation Organization expressed its reservation with regard to the invitation extended to the United States of America to attend the session in a consultative capacity in accordance with article 4 of the Commission's terms of reference, referring to States which, in the view of the Commission, had a special interest in the topics under consideration. In that delegation's view, the definition did not apply to the United States, which, moreover, did not recognize the existence and rights of one of the members of the Commission. Two other delegations expressed the same reservation. At the seventh and eighth sessions of the Commission, the delegation of the Palestine Liberation Organization expressed a similar
reservation with regard to the participation of that Member State.\footnote{See E S C (1980), Suppl. No. 9, para. 13; see also E S C (1981), Suppl. No. 15, para. 26.}

**F. Question of the representation of a Member State in the organs established by the Council**

**G. Power of subsidiary organs of the Council to adopt rules of procedure**

**H. 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**

63. During the period under review, the Council did not take any actions significantly altering its past practice with regard to participation in the work of its subsidiary bodies by Member States, other organs of the United Nations, specialized agencies, intergovernmental organizations and non-governmental organizations. Specific decisions taken by the Council regarding participation are discussed below.

1. **MEMBERS OF THE UNITED NATIONS**

64. As noted above,\footnote{See para. 19 above.} in designating the Population Commission and the Commission on the Status of Women as the preparatory committees for international conferences being held in their respective areas of competence, the Council invited the participation of other Member States in the work of the two commissions as preparatory bodies.

2. **MEMBERS OF OTHER SUBSIDIARY BODIES**

65. By its decision 1981/203, the Council invited the Committee on the Elimination of Racial Discrimination to designate one of its members to participate, as an observer, in the work of the Preparatory Subcommittee for the Second World Conference to Combat Racism and Racial Discrimination.

66. By its decision 1984/146, the Council endorsed the invitation extended by the Commission on Human Rights to the Subcommission on Prevention of Discrimination and Protection of Minorities to be present, through its chairman or another member so designated, at the consideration of the report of the Commission at the forty-first session of the Commission.

3. **SPECIALIZED AGENCIES**

67. As part of the methods of work for its Sessional Working Group (of governmental experts) on the Implementation of the International Covenant on Economic, Social and Cultural Rights, the Council decided that the representatives of the specialized agencies concerned could make general statements on matters relating to their field of competence at the end of the discussion in the Working Group of the report of each State party to the Covenant, and that States parties presenting reports should be free to respond to, or take into account, the general comments made by the specialized agencies.\footnote{See para. 19 above.} When the Council, in its resolution 1982/33, altered the composition of the Working Group, it extended the provision to the reconstituted body.

4. **INTERGOVERNMENTAL ORGANIZATIONS**

68. The Council, by its decision 1980/117, requested the Secretariat to take the necessary measures to ensure that the Permanent Secretariat of the Conference of the South American Agreement on Narcotic Drugs and Psychotropic Substances would be granted observer status at future sessions of the Commission on Narcotic Drugs.

5. **NON-GOVERNMENTAL ORGANIZATIONS**

69. By its resolution 1983/28, the Council requested the Secretary-General to invite the interested non-governmental organizations in consultative status with the Council to participate actively in the preparations for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held in 1985, and to participate in the Conference itself. It further requested the Secretary-General to invite those organizations to submit their views on matters concerned with the Decade to the Commission on the Status of Women acting as the preparatory body for the World Conference, and also requested the regional commissions to ensure that the non-governmental organizations participated in their respective regions in the preparations for the Conference and in intergovernmental preparatory regional meetings.

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

**J. Binding quality of the decisions of organs established by the Council**

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

\footnote{E S C decision 1981/158, para. 9.}
ANNEX I
Commissions

A. Function commissions

Statistical Commission ........................................ 24 members
Population Commission ......................................... 27 members
Commission for Social Development .......................... 32 members
Commission on Human Rights ................................. 43 members\textsuperscript{a}
Commission on the Status of Women ......................... 32 members
Commission on Narcotic Drugs ............................... 40 members\textsuperscript{b}

B. Subcommissions

Subcommission on Prevention of Discrimination and Protection of
Minorities (Commission on Human Rights) .................... 26 members

Subcommission on Illicit Drug Traffic and Related Matters in the Near
and Middle East (Commission on Narcotic Drugs) ............ 5 members

C. Regional commissions

Economic Commission for Africa
Economic and Social Commission for Asia and the Pacific
Economic Commission for Europe
Economic Commission for Latin America and the Caribbean\textsuperscript{c}
Economic Commission for Western Asia

\textsuperscript{a}Membership increased to 43 by E S C resolution 1979/36.
\textsuperscript{b}Membership increased to 40 by E S C resolution 1983/5.
\textsuperscript{c}Name changed from Economic Commission for Latin America by E S C resolution 1984/67.
ANNEX II

Standing committees and bodies

A. Intergovernmental committees

Committee for Programme and Coordination ................................. 21 members
Committee on Natural Resources .............................................. 54 members
Committee on Transnational Corporations ................................. 48 members
Commission on Human Settlements ........................................... 58 members
Committee on Non-Governmental Organizations ......................... 19 members\(^a\)
Committee on Negotiations with Intergovernmental Agencies ........ 29 members\(^b\)

B. Committees of governmental experts appointed
or elected by the Council

Intergovernmental Working Group of Experts on International Standards
of Accounting and Reporting .................................................. 34 members
Sessional Working Group of Governmental Experts on Implementation of
the International Covenant on Economic, Social and Cultural Rights .... 15 members

C. Committees of experts or members serving in their individual
capacity appointed or elected by the Council

Committee for Development Planning ........................................ 24 members
Committee on Crime Prevention and Control .............................. 27 members\(^c\)

\(^a\)Membership increased to 19 pursuant to E S C resolution 1981/50.
\(^b\)Composition and membership determined when committee is activated.
\(^c\)Membership increased by 27 pursuant to E S C resolution 1979/30.
ANNEX III

Groups of experts appointed or convened by the Secretary-General and ad hoc committees and bodies

A. Groups of experts appointed by the Secretary-General

1. Groups of governmental experts

- Committee of Experts on the Transport of Dangerous Goods 15 members
- United Nations Group of Experts on Geographical Names 40 members

2. Groups of expert members serving in their personal capacity

- Ad hoc Group of Experts on International Cooperation in Tax Matters 27 members
- Meeting of Experts on the United Nations Programme in Public Administration

B. Ad hoc committees and bodies

Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices All interested States

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\(^{a}\)Membership not fixed.

\(^{b}\)Membership increased to 25 and name changed from Group of Experts on Tax Treaties between Developed and Developing Countries by ESC resolution 1980/13.

\(^{c}\)Membership not fixed.
ANNEX IV

Termination of subsidiary bodies

A. Standing bodies

1. Standing committees
   Committee on Science and Technology for Development... Established by E S C resolution 1621 B (LI)
   Abolished by E S C decision 1980/101
   Committee on Review and Appraisal... Established by E S C resolution 1621 C (LI)
   Ceased to exist with end of Second United Nations Development Decade

2. Expert committees
   Advisory Committee on the Application of Science and Technology for Development... Established by E S C resolution 980 A (XXXVI)
   Abolished by E S C resolution 1980/48

B. Ad hoc bodies

1. Ad hoc committees
   Preparatory Committee for the World Conference of the United Nations Decade for Women... Established by E S C decision 2062 (LXII)
   Preparatory Subcommittee for the Second World Conference to Combat Racism and Racial Discrimination... Established by E S C decision 1981/130
   Committee on an International Agreement on Illicit Payments... Established by E S C resolution 1978/71

2. Working groups of governmental experts
   Ad Hoc Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting... Established by E S C resolution 1979/44
   Working Group of Governmental Experts on the Revolving Fund... Established by E S C resolution 1979/65

3. Experts or members appointed in their individual capacity
   Ad Hoc Working Group on the Social Aspects of the Development Activities of the United Nations... Established by E S C resolution 1979/45
   Group of Experts on Standardization of Definitions and Terms for Mineral Resources... Established by E S C resolution 1979/72

*Completed functions as ad hoc bodies.
*Further meetings not scheduled.
### ANNEX V

Geographical distribution of membership in functional commissions and standing bodies

#### A. Functional commissions

<table>
<thead>
<tr>
<th>Membership/Region</th>
<th>Statistical</th>
<th>Population</th>
<th>Social Development</th>
<th>Status of Women</th>
<th>Human Rights</th>
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<tr>
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<td>4</td>
<td>4</td>
<td>5</td>
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<tr>
<td>Western Europe and other States</td>
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#### B. Standing committees

1. INTERGOVERNMENTAL COMMITTEES

<table>
<thead>
<tr>
<th>Membership/Region</th>
<th>Non-Governmental Organisations</th>
<th>Programme and Coordination</th>
<th>Transnational Corporations</th>
<th>Natural resources</th>
<th>Human Settlements</th>
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<tr>
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<tr>
<td>Western Europe and other States</td>
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2. EXPERT BODIES

<table>
<thead>
<tr>
<th>Membership/Region</th>
<th>Sexational Working Group on Covenant</th>
<th>Intergovernmental Working Group on International Standards of Accounting and Reporting</th>
<th>Crime Prevention and Control</th>
</tr>
</thead>
<tbody>
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<tr>
<td>Western Europe and other States</td>
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<td>6</td>
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</tbody>
</table>

* Bodies in which geographical distribution is not specified are excluded.
* Commission on Narcotic Drugs excluded.
* Committee on Negotiations with Intergovernmental Agencies excluded.
* Identical in size and distribution to the Council.
* Committee on Development Planning excluded.
* Working Group of governmental experts. Established during the period.
* Committee of members serving in personal capacity; membership increased to 27 from 15 by ESC resolution 1979/30.