# Article 7

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Article 7

Text of Article 7

1. There are established as principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Introductory note

1. In contrast to the studies in previous Supplements, the study on Article 7 in this Supplement will contain a general survey and an analytical summary, in order to reflect major relevant developments under this Article accurately. The general survey provides an overview of practice under each paragraph of Article 7. The analytical summary will cover constitutional discussions on major developments pertaining to the Article.

2. The practice regarding the establishment of subsidiary organs by the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council is examined in the present Supplement under Articles 22, 29, 68 and 90, respectively.

I. General survey

A. Principal organs

3. On 16 September 2005, the General Assembly resolved that it “should” delete Chapter XIII of the Charter, concerning the Trusteeship Council and references to the Council in Chapter XII. However, no such deletions were made during the period under review.

B. Subsidiary organs

4. During the period under review, the Secretary-General continued the practice of establishing such bodies found to be necessary to assist him in the performance of his functions under the Charter.

5. During the period covered, the Secretary-General established a panel of experts led by the former Minister for Foreign Affairs of Algeria, Lakhdar Brahimi, to determine how peace operations can be strengthened for the future. The panel issued its report on 21 August 2000, containing various recommendations. Several recommendations of the panel were implemented during the period under review, including improving rapid deployment capacities, training, and integrated planning of peace operations.

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572 2005 World Summit Outcome, GA resolution 60/1, para. 176.
574 See, for instance, Repertory, Supplement No. 9, vol. I, under Article 7, para. 3.
575 In cases where the Secretary-General set up such bodies, no implication was intended as to whether these bodies did or did not fall under Article 7 (2) of the Charter.
576 See A/55/1, para. 38.
577 For the full report, see A/55/305-S/2000/809.
578 See A/57/1, para. 49; and 58/1, para. 53.
579 See A/57/1, para. 49.
580 Ibid.
581 For more on the implementation of this report, see A/55/502 and A/56/732.
6. The Secretary-General also appointed a high-level Independent Inquiry Committee to investigate alleged improprieties with regard to the oil-for-food programme in Iraq.582 The recommendations of the Committee included improving the performance of senior management, enhancing oversight and accountability, ensuring ethical conduct and increasing transparency. The recommendations were incorporated into the broader discussion of ways to strengthen the United Nations Organization generally.583 The findings of the Committee also led the Secretary-General to establish an Ethics Office.584

7. In addition, the Secretary-General established the Millennium Development Goals Africa Steering Group.585 The Steering Group worked with leaders from various international organizations to launch a comprehensive set of recommendations that the international community could implement to support Africa in its pursuit of the Millennium Development Goals. The Secretary-General noted that this approach yielded progress in Cape Verde, Mozambique, Rwanda, and the United Republic of Tanzania, the four countries where the pilot programme was implemented.586

8. Recognizing that combating terrorism has been a priority issue since 2001, the Secretary-General established a task force to coordinate the implementation of a United Nations-wide comprehensive anti-terrorism strategy.587 He later moved to institutionalize this as the Counter-Terrorism Implementation Task Force and created an additional “focal point” at the Secretariat to coordinate a civil society campaign against terrorism.588 Institutionalization of the Task Force was achieved in 2008, when it was relocated to the Department of Political Affairs and a full-time Chair was appointed to lead it.589 The Task Force brings together 24 entities of the United Nations system and addresses areas where coordination across the United Nations is valuable, such as the link between conflict prevention/resolution and terrorism, radicalization and extremism that can lead to terrorism, and the financing of terrorism.590

II. Analytical summary of practice

A. Principal organs

9. During the period covered, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization continued to discuss the question of the future role of the Trusteeship Council. As noted in Supplement No. 9, there were divergent positions of States concerning the future role of the Trusteeship Council. There were three main proposals before the Special Committee: that the Council should be reconstituted as a trustee and guardian of the global commons and common concerns, as proposed by the sponsor delegation (Malta); that the status quo should be maintained, since the Council’s historic mission had not yet been fulfilled; or that the Council should be abolished since its mandate had indeed been fulfilled.591 It was also suggested that the views of States whose territories or neighbouring territories were under trusteeship in the past should be “an important element” in determining the course of action.592

10. During the period under review, Malta repeated its proposal to give the Trusteeship Council a new role,593 referring to its endorsement by the Secretary-General in his note on a new concept of trusteeship.594 Malta, however, observed that discussion of details regarding its proposal would be premature in the absence of an agreement on the broader concept.595 Other delegations expressed the view that changes in

582 See A/59/1, para. 254.
583 See A/60/1, para. 243.
584 See A/61/1, para. 173.
585 See A/62/1, para. 31.
586 See A/64/1, para. 36.
587 See A/60/1, para. 68.
588 See A/61/1, para. 91.
589 See A/64/1, para. 109.
590 See A/63/1, para. 101.
591 A/55/33, para. 157.
592 A/59/33, para. 100.
593 A/55/33, para. 158; A/56/33, para. 254; and A/57/33, para. 164.
594 A/55/33, para. 158; A/56/33, para. 255; and A/57/33, para. 164.
595 A/55/33, para. 158.
the role of the Trusteeship Council should be considered in the context of the overall reform of the United Nations.\textsuperscript{596} Along these lines, some delegations stressed that there was no urgent need to begin in-depth consideration of Malta’s proposal, as there was no consensus on the broader reform of the United Nations.\textsuperscript{597}

11. Other delegations supported Malta’s proposal,\textsuperscript{598} with some expressing the view that if a new role were to be assigned to the Trusteeship Council, duplication of work with other bodies both internal and external to the United Nations should be avoided. They emphasized that, instead, the new role should complement the work already being carried out by such bodies.\textsuperscript{599} It was also noted that changing the mandate of the Trusteeship Council as Malta proposed would require amending the Charter.\textsuperscript{600} Malta was thus requested to provide delegations with the amendments to the Charter that would be entailed.\textsuperscript{601}

12. Some delegations supported the idea of maintaining the current role of the Trusteeship Council. It was noted that the Council as currently mandated might be needed in the future, for example if the United Nations took on an administrative role in certain territories,\textsuperscript{602} and that paragraph 1 (c) of Article 77 of the Charter could still be applied.\textsuperscript{603} Several delegations thus also considered abolition to be premature.\textsuperscript{604} In further support of preserving the Trusteeship Council, delegations often noted that its continued existence entails no financial implications for the United Nations.\textsuperscript{605}

13. Other delegations expressed the view that the Trusteeship Council should be abolished\textsuperscript{606} and it was suggested that a proposal to that effect be addressed to the General Assembly. Delegations supporting abolition were of the view that the mandate of the Council had been fulfilled.\textsuperscript{607}

14. At the 2005 World Summit, the General Assembly determined that the Trusteeship Council had no remaining functions and recognized that it would no longer meet.\textsuperscript{608} Accordingly, it resolved that it “should” delete Chapter XIII of the Charter concerning the Trusteeship Council as well as references to the Trusteeship Council in Chapter XII.\textsuperscript{609} Paragraph 176 of the 2005 World Summit Outcome read as follows:

“176. Considering that the Trusteeship Council no longer meets and has no remaining functions, we should delete Chapter XIII of the Charter and references to the Council in Chapter XII.”

**B. Subsidiary organs**

\textsuperscript{596} A/55/33, para. 159; A/56/33, paras. 252 and 257; A/57/33, para. 163; A/58/33, para. 170; A/59/33, para. 99; A/60/33, para. 61; and A/61/33, para. 53.
\textsuperscript{597} A/57/33, para. 166.
\textsuperscript{598} A/60/33, para. 61.
\textsuperscript{599} A/56/33, para. 258; and A/57/33, para. 165.
\textsuperscript{600} A/55/33, para. 158; A/56/33, paras. 252 and 257; A/57/33, para. 163; A/58/33, para. 170; A/59/33, paras. 99-100; and A/60/33, para. 61.
\textsuperscript{601} A/55/33, para. 159.
\textsuperscript{602} A/56/33, paras. 256-257.
\textsuperscript{603} A/59/33, para. 99.
\textsuperscript{604} A/60/33, para. 61.
\textsuperscript{605} A/55/33, para. 158; A/56/33, paras. 252 and 257; A/57/33, para. 163; A/58/33, para. 170; and A/59/33, paras. 99-100.
\textsuperscript{606} A/55/33, para. 156; A/60/33, para. 61; and A/61/33, para. 53.
\textsuperscript{607} A/60/33, para. 61.
\textsuperscript{608} GA resolution 60/1, para. 176.
\textsuperscript{609} Ibid.