

ARTICLE 7

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ARTICLE 7

TEXT OF ARTICLE 7

1. There are established as the 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

A. Principal organs

1. During the period under review, no question arose bearing on Article 7 (1).

B. Subsidiary organs

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 this *Supplement* under Articles 22, 29, 68 and 90 respectively.
3. As regards the Secretariat, the Secretary-General continued to establish various bodies found to be necessary to assist him in the performance of his functions under the Charter, or in accordance with the decisions of other United Nations organs taken in conformity with the Charter. For example, at the twenty-second session of the General Assembly, the Secretary-General, by a note,¹ informed the Fifth Committee of the General Assembly of his intention to reorganize the top echelon in the United Nations Secretariat and to appoint a small team of experts to consider the problem of the reorganization of the Secretariat at other levels and make appropriate recommenda-

¹ G A (XXII), Annexes, a.i. 74, A/C.5/1128.

tions thereon to him. In April 1968, the Secretary-General appointed the Committee of Experts on the Reorganization of the Secretariat, which was composed of seven experts.²

4. By resolution 2297 (XXII) of 12 December 1967, the General Assembly, "having considered paragraphs 205 to 211 of the report of the Trade and Development Board of the United Nations Conference on Trade and Development,³ and the report of the Secretary-General on a proposed UNCTAD/GATT International Trade Centre,⁴ as well as the views expressed in the Administrative Committee on Co-ordination and in the Economic and Social Council" approved the accord reached between UNCTAD and the General Agreement on Tariffs and Trade (GATT) with regard to the establishment of the International Trade Centre, effective from 1 January 1968, to be operated jointly by UNCTAD and GATT on a continuing basis and in equal partnership, and authorised the Secretary-General of UNCTAD to come to an agreement with the Director-General of GATT on the detailed administrative arrangements for 1968.⁵

² G A (XXIII), Suppl. 1, p. 224.

³ G A (XXII), Suppl. No. 14.

⁴ *Ibid.*, Annexes, a.i. 38, A/6879.

⁵ In a note (A/C.5/1604—mimeographed) submitted by the Secretary-General to the Fifth Committee at the General Assembly's twenty-ninth session, the Centre was referred to as "a joint subsidiary organ of GATT and the United Nations, the latter acting through UNCTAD".

ANALYTICAL SUMMARY OF PRACTICE

A. Nature of subsidiary organs

5. The characteristics and common features of the subsidiary organs of the United Nations were described in the *Repertory*.⁶
6. During the period under review, principal organs of the United Nations continued to lay down certain principles or conditions applicable to membership of subsidiary organs. For example, the General Assembly, in its resolution 2205 (XXI), by which it established the United Na-

⁶ See *Repertory*, vol. I, under Article 7, paras. 9-21.

tions Commission on International Trade Law, provided that, in the election of members of the Commission, the geographical distribution of seats set forth in the resolution should be observed and that due regard should be given to the adequate representation of the principal economic and legal systems of the world. The principles of equitable geographical representation and representation of principal legal systems were likewise laid down in connexion with the election of members of the Special Committee on the Question of Defining Aggression established by the General Assembly in its resolution 2330 (XXII).

B. Organs established by treaty

7. By resolution 2200 (XXI) of 16 December 1966, the General Assembly adopted the International Covenant on Civil and Political Rights. The Covenant provided, *inter alia*, for the establishment of a Human Rights Committee consisting of 18 individuals, nationals of States parties to the Covenant, who were to be persons of high moral character and recognized competence in the field of human rights. The Secretary-General of the United Nations was to address written invitations to States parties to the Covenant to submit their nominations for membership (Article 30). Elections of the members of the Committee, which might not include more than one national of the same State, were to be held at meetings of the States parties to the Covenant convened by the Secretary-General at the Headquarters of the United Nations (Article 30). In the election of the members of the Committee, consideration was to be given

to equitable geographical distribution of membership and to the representation of different forms of civilization and of the principal legal systems (Article 31). The members of the Committee were to receive emoluments from the United Nations regular budget on such terms and conditions as the General Assembly might decide, having regard to the importance of the Committee's responsibilities (Article 35). Staff and facilities were to be provided by the Secretary-General (Article 36). The Committee was to meet normally at the Headquarters of the United Nations or at the United Nations Office at Geneva (Article 37). The Committee was to submit to the General Assembly, through the Economic and Social Council, an annual report on its activities (Article 45).

8. The Human Rights Committee, though established by treaty, may be said to possess certain characteristics similar to those of a subsidiary organ of the United Nations.

ARTICLE 8

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