

**Repertory of Practice of United Nations Organs
Supplement No. 8**

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Repertory of Practice of United Nations Organs)

VOLUME I

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.

NOTE

A. Principal organs

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

B. Subsidiary organs

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

3. In the previous *Supplement* a reference was made to the establishment by the International Court of Justice of a Chamber for the purpose of dealing with a particular case, as provided for in Article 26, paragraph 2 of the Statute of the Court.³ During the period under review (in July 1993), the Court deemed it appropriate to form a specialized seven-member Chamber for Environmental Matters, pursuant to Article 26, paragraph 1 of the Statute of the Court.⁴ The Court set up the above Chamber in view of the developments in the field of environmental law and protection which have taken place in the preceding few years, and considering that it should be in a position to deal as efficiently as possible with any environmental matter within its jurisdiction.⁵

4. In the study of Article 7 of the Charter in the previous *Supplement* a reference was made to the establishment by the Secretary-General of various bodies.⁶ 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

¹ For the recommendation of the Secretary-General to eliminate the Trusteeship Council see *Repertory, Supplement No.8*, vol.VI, under Articles 108 and 109, para. 16.

² For the additional information regarding the practice of the establishment of subsidiary organs by the Security Council see also *Repertoire of the Practice of the Security Council, Supplements 1989-1992 and 1993- 1995*, under Article 29 of the Charter.

³ See *Repertory, Supplement No.7*, vol. I, under Article 7, para. 3.

⁴ See *I.C.J. Yearbook 2000 – 2001*, Chapter I, Section III (2), p. 21.

⁵ *Ibid.*

⁶ See, for instance, *Repertory, Supplement No.7*, vol. I, under Article 7, para. 4.

Charter⁷. In particular, in his annual report on the work of the Organization prepared for the forty-eighth session of the General Assembly, the Secretary-General pointed out that he appointed the High-level Advisory Board on Sustainable Development to provide advice to him and, through him to the Commission on Sustainable Development and other relevant United Nations bodies.⁸ Prior to the establishment of the Board, the General Assembly, in its resolution 47/191, inter alia, endorsed the views of the Secretary-General⁹ that the High-level Advisory Board should consist of eminent persons broadly representative of all regions of the world, with recognized expertise on the broad spectrum of issues to be dealt with by the Commission and decided that the main task of the Board is to give broad consideration to issues related to implementation of Agenda 21 adopted by the United Nations Conference on Environment and Development, and to provide expert advice in that regard to the Secretary-General, and, through him, to the Commission, the Economic and Social Council and the Assembly.¹⁰ In the above-mentioned report the Secretary-General also indicated that he had appointed a panel of high-level personalities to advise and assist him in the implementation of the United Nations New Agenda for the Development of Africa in the 1990s.¹¹

⁷ 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. See also *Ibid.*

⁸ Report of the Secretary-General on the work of the Organization (A/48/1), Part II A (3), para. 52. During the period under review, in 1994, the High-level Advisory Board held its first (13 and 14 September 1993), second (17- 22 March 1994) and third (17-21 October 1994) sessions - see E/CN.17/1994/13 and E/CN.17/1995/25.

⁹The views of the Secretary-General regarding the High-level Advisory Board on Sustainable Development were presented by him to the forty-seventh session of the General Assembly at the request of the United Nations Conference on Environment and Development, see: A/47/598, Parts I and IV, paras. 6 and 59.

¹⁰ G A resolution 47/191, paras. 29 and 30. See also A/47/598, Part I, para.59. In this connection, see also A/47/598, Parts I and IV, paras. 1, 4, 6, 57-60, and Add.1, para.2, as well as A/CONF.151/26, vols. I to V.

¹¹ Report of the Secretary-General on the work of the Organization (A/48/1), Part III B (1), para. 164.