

ARTICLE 71

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ARTICLE 71

TEXT OF ARTICLE 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

INTRODUCTORY NOTE

1. The arrangements for consultation by the Economic and Social Council with non-governmental organizations in accordance with Article 71 of the Charter and Council resolution 288 B (X) continued in effect up to 23 May 1968. On that date, the Council adopted unanimously resolution 1296(XLIV) which superseded resolution 288 B (X). Resolution 1296(XLIV) redefined the requirements for the admission of non-governmental organizations to each category and included the formulation of criteria for the suspension or withdrawal of status. That period also included a review of organizations in consultative status (see section II A below).

I. GENERAL SURVEY

A. The Council Committee on Non-Governmental Organizations

2. At its 1520th plenary meeting, on 23 May 1968, the Council adopted resolution 1296(XLIV) by which the functions of the Council Committee on Non-Governmental Organizations were expanded to include a review of the activities of the non-governmental organizations in categories I and II every four years. This resolution also authorized the Committee to recommend suspension or withdrawal of status¹ and defined criteria for taking such action.²

**B. The purpose of consultation

C. Establishment of consultative relationships

3. Pursuant to the provisions of Council resolution 1296(XLIV), the three categories of consultative arrangements which had been originally established under Council resolution 288 B (X) as A, B and the Register were renamed to read I, II and the Roster. As of 1 December 1969, there were 16 non-governmental organizations in category I, 116 in category II. In addition, 33 organizations were placed on the Roster by action of the Council, 8 organizations were placed on the Roster temporarily upon the recommendation of the Secretary-General pending the concurrence of the Council, and 204 organizations were placed on the Roster by virtue of their status with a specialized agency.

**D. Consultation with the Council, its commissions and *ad hoc* bodies

**E. Consultations with the Secretariat

¹See E S C resolution 1296(XLIV), para. 35.

²*Ibid.*, para. 36.

II. ANALYTICAL SUMMARY OF PRACTICE

A. Admission to, and review of, consultative status

4. A review of non-governmental organizations in categories A and B and on the Register was conducted in 1968 in response to Council resolution 1225(XLII). The Council endorsed the recommendation that all non-governmental organizations in consultative status in category B or on the Register which had not responded to the review questionnaire should cease to have consultative status.

5. By resolution 1296(XLIV) the Council called for a report from non-governmental organizations in categories I and II every four years for the purpose of reviewing the support they had given to the work of the United Nations.

6. The Council, in adopting resolution 1296(XLIV), also provided criteria for the suspension and withdrawal

of consultative status. These included (a) evidence of secret governmental financial influence to induce a non-governmental organization to undertake acts contrary to the purposes and principles of the United Nations; (b) systematic engagement in unsubstantiated or politically motivated acts against Member States of the United Nations; and (c) failure, within the preceding three years, to make a positive or effective contribution to the work of the Council or its commissions or subsidiary bodies.

B. Criteria of eligibility

7. On 6 June 1967, the Council adopted resolution 1225(XLII) which called for a revision of the criteria set forth in Council resolution 288 B (X) for admitting non-governmental organizations to consulta-

tive status, and to redefine, as appropriate, the requirements for each category. The new criteria were defined in Council resolution 1296(XLIV). Organizations applying for status should reflect, where possible, the viewpoints of a substantial number of countries in different regions of the world. Organizations were asked to indicate their sources of financing, which should be derived mainly from contributions of affiliates and members. Contributions from Governments, and the use to which such funds or support was put, must be fully reported.

8. Resolution 1296(XLIV) also called for special consideration to be given to the applications of organizations in the field of human rights for inclusion in category II.

C. International organizations within the meaning of Article 71

9. At its forty-sixth session the Council, faced with the question as to whether the International Criminal Police Organization (INTERPOL) was a non-governmental or intergovernmental organization, requested the Committee on Non-Governmental Organizations to study a special arrangement to be arrived at between the Council and INTERPOL.

D. National organizations within the meaning of Article 71

10. The Council, in adopting resolution 1296(XLIV), paragraph 9, endorsed representation of national organizations to reflect major interests of *all regions and areas of the world*, adding this to the special experience requirement.

**E. Non-governmental organizations within the meaning of Article 71

F. Questions concerning consultation with the Council

1. THE NATURE OF CONSULTATION

11. On several occasions the initiative for consultation came from the General Assembly which appealed to non-governmental organizations in consultative status by either inviting or requesting their co-operation in regard to such subjects as the Declaration on the Elimination of Discrimination against Women, the International Year for Human Rights, the United Nations Conference on the Human Environment, the International Year for Action to Combat Racism and Racial Discrimination, and the mobilization of public opinion in support of the Second United Nations Development Decade.³ In two instances, the General Assembly requested the Secretary-General to consult and co-operate closely with two named non-governmental organizations in category B consultative status in regard to studies being undertaken by them concerning assistance in cases of natural disaster and respect for human rights in armed conflicts.⁴

12. During its forty-seventh and resumed forty-seventh sessions, the Council discussed the proposed transformation of the International Union of Official Travel Organizations (IUOTO) into an intergovern-

mental organization. The implications of this proposal, as set forth in General Assembly resolution 2529 (XXIV), and the form of agreement between the United Nations and IUOTO, once the latter's status had been changed, were reviewed in order to establish the modalities for co-operation.

13. The General Assembly, by its resolution 2529 (XXIV) of 5 December 1969, decided that, once the statutes of IUOTO had been changed to convert it into an intergovernmental tourism organization, the Union should function as an executing agency of the United Nations Development Programme (UNDP). The Secretary-General, in co-operation with the Administrator of UNDP and the Secretary-General of IUOTO, was asked to prepare a report containing concrete proposals on measures to be taken for the implementation of the above process for submission to the Council at its forty-ninth session.

**2. THE SCOPE OF CONSULTATION

**3. STATEMENTS CONTAINING COMPLAINTS AGAINST GOVERNMENTS

**4. THE HANDLING OF WRITTEN STATEMENTS FROM ORGANIZATIONS

**5. REPORTS OF THE COUNCIL COMMITTEE ON NON-GOVERNMENTAL ORGANIZATIONS TO THE COUNCIL

**6. THE POWER OF THE COUNCIL COMMITTEE ON NON-GOVERNMENTAL ORGANIZATIONS WITH RESPECT TO ITEMS PROPOSED FOR INCLUSION IN THE PROVISIONAL AGENDA OF THE COUNCIL

**7. COUNCIL ACTION FOLLOWING THE HEARING OF AN ORGANIZATION IN CATEGORY II (FORMERLY B) BY THE COMMITTEE

**G. Attendance at public meetings of the General Assembly

H. Consultation with subsidiary organs of the General Assembly

**1. CONSULTATION WITH THE HIGH COMMISSIONER'S ADVISORY COMMITTEE ON REFUGEES

**2. CONSULTATION WITH THE EXECUTIVE BOARD OF THE UNITED NATIONS CHILDREN'S FUND⁵

**3. CONSULTATION WITH THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

4. CONSULTATION WITH THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

14. By its resolution 2152(XXI) of 17 November 1966, the General Assembly established the United Nations Industrial Development Organization and, *inter alia*, authorized its Industrial Development Board to establish a working relationship with international non-governmental organizations concerned with the promotion of industrial development.

³See G A resolutions 2263(XXII), 2339(XXII), 2441(XXIII), 2398 (XXIII), 2581(XXIV), 2544(XXIV) and 2567(XXIV).

⁴G A resolutions 2435(XXIII) and 2597(XXIV).

⁵As of 31 December 1969, there were 77 non-governmental organizations in status with UNICEF.

15. On the basis of this authorization, provision⁶ was made in rule 76 of the rules of procedure of the Industrial Development Board for non-governmental organizations concerned with the problems of industrial development to designate representatives to sit as observers at public meetings of the Board, its committees and subsidiary organs. Provision was also made for the Board to adopt and revise, when necessary, a list of such organizations. Further provision was made for international non-governmental organizations to make oral statements on matters within the scope of the Industrial Development Board's activities upon the invitation of the president or chairman, and subject to the approval of the Board or the subsidiary organ concerned. Written statements by non-governmental organizations on items on the agenda of the Board or its subsidiary organs would be circulated by the Secretariat to members of the Board and subsidiary organs concerned.

⁶Rules of Procedure of the United Nations Industrial Development Organization. ID/B/16, part XIII, paras. 1 and 2, and ID/B/18/Rev. I, part XIII, paras. 1 and 2. The same provisions are included in document ID/B/31, annex II, adopted by the Board on 29 April 1968.

****I. Calling of conferences of non-governmental organizations**

J. Relations with non-governmental organizations not in consultative status

16. During the period under review, the General Assembly continued to appeal to non-governmental organizations to co-operate in the implementation of its resolutions without reference to whether they had consultative status or not.⁷

17. By resolution 1297(XLIV), the Council urged the Office of Public Information to increase the number of non-governmental organizations associated with it. It also encouraged that Office to accord immediate and sympathetic consideration upon application by organizations from inadequately represented regions of the world. By resolution 1297(XLIV), the Council also requested the Office of Public Information to exclude all organizations whose aims or practices contributed to the propagation of nazi ideology and to racial or religious discrimination.

⁷See, for example, G A resolutions 2155(XXI), 2158(XXI), 2192(XXI), 2263(XXII), 2388(XXII), 2441(XXIII), 2544(XXIV), 2567(XXIV) and 2581(XXIV).