

**A STUDY OF THE ECONOMIC AND SOCIAL  
COUNCIL IN THE UNITED NATIONS  
DEVELOPMENT SYSTEM**

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CERTIFICATE

Certified that the dissertation entitled "**A STUDY OF THE ECONOMIC AND SOCIAL COUNCIL IN THE UNITED NATIONS DEVELOPMENT SYSTEM**", submitted by **Mr. Ashish Vachhani** in partial fulfilment of the requirements for the award of the degree of **Master of Philosophy** of this University, is his original work. This dissertation has not been submitted for any other degree of this or any other University.

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## INTRODUCTORY NOTES

From the very beginning, the framers of the Charter of the United Nations had recognised the imperatives of building strong economic and social foundations to world peace and security. Those who had lived through the years preceding the Second World War, stood witness to the political consequences of the global economic collapse - namely, the rise of extreme nationalism in Germany and Japan, impotence of the western democracies and consequently, a world in flames. Thus, in the post Second World War era, the Economic and Social Council (ECOSOC) was conceived to be the primary body for democratic global macro-economic and social governance within the United Nations system.

The idea of setting up of this special representative body in the new world organisation, could be traced to the recommendations of the Bruce Committee, presented to the League of Nations on the eve of the Second World War. This period also witnessed extensive debates and studies on how such a body or Council could be established and what its relationship should be with the existing and projected functional agencies. The end result was a unique new form

of "functional federalism"<sup>1</sup> which subsequently manifested itself in the form of the Economic and Social Council in the United Nations Development System.

All political institutions progress towards maturity, through the process of trial and error. Perfect maturity is a mirage and is probably never achieved. Success, therefore, consists in striving. Even though the basic concern of the ECOSOC has primarily been global socio-economic issues, nevertheless, it is a political institution in its composition and the decision-making process. Retrospectively speaking, the ECOSOC has suffered vicissitudes during the course of its evolution, and even today, continues to remain in a state of flux. The changes in the global environment in which it operates have induced changes in the Council itself. This supports the need to continuously reappraise the work of the council - its Charter mandate vis-a-vis its actual functioning, in particular.

Among other pressing factors, which warrant such an examination include:

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1. In the words of C.W. Jenks, 1124th meeting of ECOSOC, 18 July 1960.

- : the end of the Cold War and its implications on the functioning of the United Nations.
- : the admission of large number of new states to the United Nations following the collapse of the Soviet Union.
- : increasing complexities in the nature of the United Nations work in socio-economic fields, such as human rights, environment, population control, disaster relief, refugees etc.
- : increase in the intergovernmental machinery in the United Nations family as well as outside it.
- : proliferation of organs within the United Nations Development System for reviewing global cooperation in areas such as international trade, environment, industrial development, etc.
- : And, the tendency of the General Assembly to participate more actively in policy making in the field of international economic and social cooperation.

It might be pertinent to mention that my interest in "The Study of the Economic and Social Council in the United

Nations Development System" is linked to the numerous problems (operational, environmental and organisational) faced by it during the course of its evolution and to what Martin Hill calls as the "singular lack of attention paid to these problems by the scholars."<sup>2</sup>

Before we move on to assess the role, functions and the problem areas of the ECOSOC, it is worthwhile to elucidate the theoretical paradigm governing global cooperation, as it has evolved through the United Nations System.

### Theorising International Cooperation

At the time when the United Nations was being established, it was held by the exponents of the "functional theory",<sup>3</sup> such as David Mitrany, that the main hope of the development of international organisations was not in the political field, where the disagreements amongst member countries were most acute and resistance to international

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2. M. Hill, The United Nations System: Coordinating its Economic and Social Works (London, 1978), p.64.

3. E. Luard, "Functionalism Revisited: The UN Family in 1980s", International Affairs 59(4) (Autumn 1983), p.680.



authority the greatest but in various functional areas, where international cooperation then, was just beginning to develop and where political antagonisms were the least. If the nations could acquire the habit of cooperating for commonly accepted purposes, this habit could spill over into the political arena. This kind of cooperation would gradually extend into different areas and fields, just like a stone which when dropped into a pond creates extending concentric circles, as seen in the ripples. The final objective was to create a "working peace system" so that a more harmonious international order could be established.

However, a number of inconvenient questions pertaining to the functionalist theory were also asked:<sup>4</sup>

- : What is the guarantee that the functional agencies performing practical tasks, would be free from political tensions and conflicts?
- : Even if cooperation in the functional areas was established, what are the possibilities of the spill over of this positive cooperation in the political

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4. Ibid., p.211.

field?

: Ideological and political disagreements first expressed in the political bodies could, as well, spill over into the functional agencies, thereby damaging the prospects of establishing an international cooperative arrangement, and reducing the global efforts into a farce.

In spite of these doubts, "functionalism" indeed, was a strong influence playing upon the minds of the Charter framers, both, in the Dumbarton Oaks and the San Francisco.<sup>5</sup> Structurally, this has manifested itself in the form of the ECOSOC and administratively, it could be seen, in the coordinating role accorded to it, in relation to other international organisations and functional agencies.

Just as the modern nation-state today has carried its provisions of domestic services far beyond the bare essentials such as the maintenance of law and order, collection of revenues, building of roads etc., to areas such as health, social welfare, education, employment etc.

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5. R.B. Russel, A History of United Nations Charter (Washington, 1958), p.23.

to such an extent that we speak of the "welfare state"; similarly, at the international level by 1945, the expectations of what a world organisation should do or could do, passed far beyond the limited achievements of the "world services" side of the League. In fact, the "world services" concept seems to be more pronounced in the United Nations Charter, than it was in the League Covenants.

In the post Second World War era, there was a demand for some sort of a "Welfare Internationalism"<sup>6</sup> which could do much more than just regulate i.e. promote and share experiences in health, education, employment, productivity and other related areas. The United Nations Charter is replete with pledges on these fronts.

The Preamble to the Charter talks about the determination "to promote economic and social progress and better standards of life"; the purposes of the United Nations, as defined in Art.1 includes "cooperation in solving international problems of social, economic, humanitarian and other related areas"; the obligations of the United Nations

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6. Luard, n.3, p.682.

as set out in Art.55 include 'promotion of higher standards of living, full employment and conditions for economic and social progress and development'.<sup>7</sup>

When all this is compared to the precision of the Charter provisions in the political field, what strikes one's attention is the relative vagueness of the Charter provisions with respect to "Welfare Internationalism" both structurally and procedurally, as is seen in the lack of clear indication as to the processes by which the world body is to realize its objectives in different fields. Some of the vagueness, of course, is due to the success of practical functionalists in setting up independent international agencies outside the United Nations proper, but most of it could be attributed to comparative novelty of the whole concept and disposition -- the successful functioning of which could require flexibility of approach.

We do, however, need to take note of certain points for a more comprehensive understanding of the "functionalist approach" to international cooperation under the aegis of

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7. Luard, n.3, p.683.

the United Nations

: The fact that there have been a wide range of activities serves no guarantee that these have always been effective - that is, "functional". There is a view that many of these agencies are over-manned, bureaucratic and ineffective because they function in an uncoordinated manner.

: The idea that organisations with limited functional objectives would be free from political conflicts, quickly proved to be unfounded.<sup>8</sup> During the first two decades of their existence, the Cold War perceptibly affected their functioning. In early 1950s, the former Soviet Union left most of these agencies altogether for two or three years. Very often delegates from individual member states raised extraneous political issues, barely related to the main purpose of the agency.

: Even more often, conflicts of North-South Character have also figured in these functional bodies. The

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8. S.S. Dell, "Bertrand Critique of the Role of United Nations in Economic and Social Fields", World Development 19(6) (June 1991), p.437.

most widespread and fundamental of the disputes has been with regard of the levels of expenditure to be undertaken by each of these agencies.

: Sometimes even bilateral contentious issues have been injected into the proceedings of these functional agencies. The most persistent and acute has been the Arab-Israeli conflict which has expressed itself in one form or the other, in almost all the agencies and causing crisis in even organisation like the UNESCO.

: Another problem affecting the functional operations of the United Nations family of organisations has been the lack of effective coordination, which we intend to delve in greater detail, in the subsequent chapters.

In theory, all the field agencies belong to a common family that is the United Nations, within which they enjoy a considerable degree of autonomy. But in practice, this autonomy has been more evident than the family relationships. Many specialized agencies have even resented their being placed under the theoretical coordination of the United Nations. However, to tackle the problems of coordination, a vast array of mechanisms for coordinating their

roles have been created - consisting of the ECOSOC, the Committee of Programme and Coordination (CPC) established by the ECOSOC and Administrative Committee on Coordination (ACC) to reduce duplication.

Whether the large scale international cooperation, as we see today has helped in creating a harmonious international political climate through the "spill over effect" is anybody's guess. Nonetheless, the "functionalist approach has remained the guiding paradigm for the United Nations' role in fostering global socio-economic cooperation. And even today, it is widely believed that the United Nations should continuously respond to the new problems arising in the international environment, particularly in the functional areas.

## CHAPTER I

### THE ECOSOC: ITS ORIGIN, MANDATE AND ORGANISATION

The Charter of the United Nations establishes an Economic and Social Council as a principal organ which under the overall authority of the General Assembly is to devote itself in promoting international economic and social cooperation. The ideas embodied in the Chapters IX and X of the Charter in this regard draw heavily from the League's experiences in fostering global economic and social cooperation and its reforms, particularly, the Bruce Committee reforms. Hence, it is imperative to examine, briefly, the League experience, to trace the origins of the ECOSOC in the United Nations System.

### THE LEAGUE EXPERIENCE

The organisational structure of the League of Nations' non-political work in economic and financial matters, communication and transit, narcotic drugs control and certain other social issues was essentially a centralized one, although each technical organisation enjoyed a considerable degree of independence. The expert committees in each



organisation reported to the League of Nations' Council and were serviced by the members of the League secretariat. Their activities were also financed from the League budget including the activities of the International Labour Organisation (ILO), which was established according to the provisions of Chapter XIII of the Treaty of Versailles.<sup>1</sup>

Towards the end of the decade of 1930s, there was a general dismay over the failure of the League to assert itself on international political issues, with a view to check the aberrant behaviour of member states. It was also felt that to prevent the spill-over of the League's failures from the political arena, into the areas of functional cooperation (in which it was doing well), it could be worthwhile considering the delinking of the League role in political affairs from its role in economic and social spheres. Consequently, the Bruce Committee was set up to recommend on the possibilities of such an action. Another important consideration in the minds of the proponents of this proposal was to include the United States which though was not a

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1. The League of Nations in Retrospect, Proceedings of a Symposium by the UN Library and Graduate Institute of International Studies (Geneva, 1983), p.84.

member of the League of Nations' but was substantially involved in its non-political works.

The Bruce Committee, instead of recommending moves towards separation of the political role of the League from the non-political works, advised for the creation of a Central Committee which was to exercise, as the League Council had done, the "direction and control" over League's economic and social activities. Thus, the proposals made in August 1939 by the Special Committee on the Development of International Cooperation in Economic and Social Affairs<sup>2</sup> (also referred to as the Bruce Committee) sought to replace the role of the League Council (which consisted largely of foreign ministers and others, concerned primarily with political issues) in economic and social fields, by a Central Committee for Economic and Social Questions (composed of ministers and other officials, concerned directly with such issues) and in which non-members of the League could participate on equal footing with the members.

The Bruce proposals which did not affect any changes in

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2. R.B. Russel, A History of the United Nations Charter (Washington, 1958), p.23.

the International Labour Organisation was endorsed by the League's General Assembly in December 1939;<sup>3</sup> but because of the Second World War it could not be carried into effect.

Thus, the new constitutional arrangements, as envisaged in the Charter of the United Nations, drew heavily from the recommendations of the Bruce Committee. However, they were highly decentralised on a functional basis i.e. autonomous international organisations being entrusted, under somewhat vague coordinating authority of the United Nations, with their functions corresponding roughly with the traditional national government departments, like, finance, labour agriculture, health etc.

Not many voices were heard in favour of centralization. The reasons for this shift - from the hitherto centralized structure of economic and social cooperation in the League to a new form of "functional federalism" in the United Nations Development System were:<sup>4</sup>

: By the time the San Francisco Conference met, several

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3. Ibid., p.28.

4. The term "Functional Federalism" was used by C.W. Jenks in 1124th meeting of the ECOSOC, on 18th July 1960.

essential parts of the new post-war international organisation were already in existence or were in the process of being established as autonomous international entities.

For example, the ILO which throughout the inter-war years had chafed under its, at least nominal subordination to the League of Nations', emerged from the Second World War strengthened by the Philadelphia Declaration (1944) and also supported by the organised labour and management throughout the world. One could, thus, scarcely imagine it being absorbed by the full fledging United Nations, even if the member-states considered it desirable on general grounds. To avoid a possible compromise on their hitherto enjoyed autonomy, it was suggested that international organisations of the inter-war period and other functional agencies be brought under a loose relationship with the United Nations in a decentralised form.

: The "functionalist" paradigm played in the minds of scholars and politicians alike, who were convinced that it would be safer to establish, in each func-

tional areas, international organisation which could stand on its feet and survive, even if the United Nations did not come into existence or were to be shortlived due to insurmountable political differences and conflicts - just like the League.

: The proponents of "decentralized federalism" also opined that,

(i) this was the only way by which the United Nations could cope up with the enormous scope and magnitude of Chapter IX of the Charter,

(ii) and that successful international action in various fields of economic and social policy depended upon active participation and complimentary action by national governments, in each field, in close association with their international counterparts.

Thus, such considerations could only be satisfied under varying degree and forms of decentralization. It is important to make a note of the fact that it was this decentralization which has created the problem of coordination in the overall United Nations Development System.

## THE SAN FRANCISCO CONFERENCE

As we have seen, the League of Nations' work in the economic and social spheres had so greatly expanded, so as to lead to a proposal of a new League organ - the Central Committee for Economic and Social Questions, which was to supervise what the League was doing in economic and social fields. This proposal was the seed, which in the United Nations Charter flowered into the Economic and Social Council - a principal organ of the world body which apart from acting as a focal point in fostering international cooperation in economic and social fields, was also mandated to overseeing the UN role and coordinating the activities of various functional agencies in these areas.

During the Inter-War period, the State Department of the United States had conducted studies on how such a Council could be constituted and what its relationship be with the various functional agencies, that were then, a part of somewhat vaguely envisaged pattern of international cooperation, which was to take a concrete shape in the post war era.

At the Dumbarton Oaks, the American proposal contained an outline plan for a small coordinating body for economic, social and related activities which would presumably be subordinated to the General Assembly. However, neither the British nor the Soviet Union, initially looked at this plan with much favour. This was so because while the British recognised the importance of these issues, they, however, suggested that the Security Council be entrusted with a general responsibility on these matters. The Soviets, on the other hand, had to be convinced that the mandate of the new world organisation should embrace economic and social questions in any form.<sup>5</sup>

The American proposal was tentatively accepted by the three great powers (and subsequently by China). An ECOSOC without a principal organ status was envisaged. But at San Francisco Conference, it were the smaller states which vigorously pursued the case for upgrading the status of the proposed Council, to a principal organ of the world body. By unanimous and apparently enthusiastic agreement, the Committee II/3 of the Conference decided to include it in

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5. Russel, n.2, p.427.

the list of principal organs of the United Nations system.<sup>6</sup>

#### **THE CHARTER MANDATE OF THE ECONOMIC AND SOCIAL COUNCIL**

With a few minor changes, the Dumbarton Oaks proposals concerning the substantive functions of the ECOSOC were accepted at the San Francisco Conference. These functions are specifically enumerated in Chapter X of the UN Charter.

The Charter, in Article 55, provides that the United Nations shall assist in creating "conditions of stability and well-being which are necessary for peaceful and friendly relations amongst the nations by promoting:<sup>7</sup>

- a) higher standards of living full employment and conditions for economic and social progress and development;
- b) solutions to international economic, social, health and related problems; and international cultural and educational cooperation; and
- c) universal respect for and observance of human

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6. Ibid., p.430.

7. Yearbook of the United Nations (1946), UN Publication, p.485.



rights and fundamental freedoms for all without distinction as to race, language, sex or religion.

Thus, the United Nations has been conceived to be a nodal centre for harmonizing actions of nations in the attainment of the above mentioned goals. The Charter assigns the Economic and Social Council, under the authority of the General Assembly, a central promotional and coordinational role in respect of the whole United Nations Development System (Article 60 and Chapter X).

The terms of reference of the Economic and Social Council were destined to be very wide, in fact they included practically every thing in the field of economic and social welfare. An overview of the Chapter X of the UN Charter brings out following roles and functions for the ECOSOC:

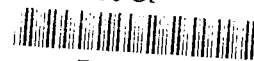
**A) World Policy Forum:** According to a general view, the ECOSOC is to serve as a general forum for discussions on global economic and social issues. The Charter states that:<sup>8</sup>

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8. Yearbook of the United Nations, n.8, p.748.

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1. "The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, health, educational and related matters and may make recommendations with respect to any such matter to the General Assembly, to the members of the United Nations, and to the specialised agencies concerned."
2. "It may make recommendations for the purpose of promoting respect for and observance of human rights and fundamental freedoms for all."
3. "It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence and jurisdiction."
4. "It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence."

The Economic and Social Council has sought to acquire the stature of a world policy forum by requiring specialized agencies to submit regular reports for deliberations (Article 64) and most importantly, allowing member-states to

participate in the deliberations of Council (without vote) when an issue of special concern to a particular member-state is on the agenda of the Council; Article 63 and 70 also empower the Council's representatives to participate in the meetings of various functional agencies (Article 69).

No one can come to grips with the issues in the realm of international economic and social cooperation without basic facts. Given the wide range of reference and deliberative functions of the ECOSOC, the subjects soliciting its attention have been diverse - namely, statistics, population, fiscal administration, employment, economic development, communication, land reforms, commodity stabilization, human rights, refugees etc. An analysis of the Council's role as a world policy forum reveals, that this function is exercised through intellectual persuasion. Thus, in order to promote the basic social and economic objectives of the United Nations, the ECOSOC is expected to serve as an arena where open debates on state of the world economy and society could take place.

**B) As innovator and/or controller of various kinds of programmes set up under the aegis of the United Nations:**

Along with the General Assembly, the Council is mandated to provide the basis for a quasi-legislature role. According to Article 60, the responsibility of discharge of such a role rests with the General Assembly, and under latter's authority, in the Council, as well.

Thus, the functions of discussion and recommendations (Article 62) of the ECOSOC accord it a quasi-legislative role.<sup>9</sup> But it needs to be remembered that this organ of the United Nations has no authority to take binding decisions on other organs or member-states of the world body. Its influence is hence measured by the extent to which its recommendations are accepted.

Inherent in this quasi-legislative role are two more functions which are more explicitly spelt out in the United Nations Charter:

One of this is the right to initiate negotiations for the establishment of new specialized agencies with responsibilities in economic and social fields (Article 63). In practice, this means that the ECOSOC has

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9. H.G. Nicholas, The United Nations as a Political Institution (London, 1979), p.263.

sponsored preliminary intergovernmental negotiations, while the Assembly has given its formal approval to the arrangements.

The Council may in addition, convene international conferences to deal any matter within its substantive competence (Article 62).<sup>10</sup> Here the only limitations are;

(i) Assembly's right to prescribe rules for the convening of such a conference.<sup>11</sup>

(ii) And, its willingness to finance the costs by appropriating necessary funds.

Under this general rubric, the Council may "draft conventions, for submission to General Assembly, on matters within its competence."<sup>12</sup>

Similarly, Article 66(2) confers upon the Council a general grant of authority, provided the General Assembly

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10. For example, Conference on Freedom of Information (Geneva), 1948, etc.

11. The General Assembly in its first session had adopted the rule: "Pending the adoption of, under para 4 of Article 62 of the Charter of definitive rules for calling international conferences in conformity with the spirit of Article 62, on any matter within the competence of the Council including the following: international trade and employment; equitable adjustment of prices in international market; and health.

12. Yearbook of the United Nations, n.8, p.486.

approves "to perform services at the request of the members of the United Nations and at the request of the specialized agencies". This provision often served as a constitutional basis for many technical assistance programmes which have accounted for largest area of the ECOSOC action in terms of personnel and funds.<sup>13</sup>

C) Inter-Agency and Inter-Unit Coordination: Coordination in a decentralised system, such as the United Nations, cannot be imposed. It does not mean giving directives or orders. It means seeking consensus through international action. It means providing a global perspective and encouraging interagency cooperation within that perspective. It means some kind of a commitment on the part of major organisations not just to offer nominal cooperation in the programmes that have been jointly considered but to also adjust their own programmes and priorities in light of these considerations.

The ECOSOC and the General Assembly can provide policy coordination to the whole United Nations System - a

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13. W.R. Sharp, The United Nations Economic and Social Council (New York, 1969), p.7.

framework within which each part of the system can play a dual role; and secondly, the Council is in the best position to assist the General Assembly in developing political will and taking political decisions necessary to launch and maintain broad international actions.

It is necessary to take a brief overview of the infrastructure available to the ECOSOC, in particular and the UN System, in general, to facilitate effective coordination.

a) Administrative and Budgetary Coordination: For the discharge of this duty under Article 17(3), the General Assembly has always relied first and foremost on its Advisory Committee on Administrative and Budgetary Questions (ACABQ) for examining the budgets of various specialised agencies, with a view to making recommendations to the agencies concerned.

However, after 1965, there has been a tendency of setting up of Ad-hoc Committee of Experts for examining finances of the United Nations and its specialized agencies

(Committee of 14).<sup>14</sup> On the recommendations of the Ad-hoc Committee, the General Assembly vide Resolution No.2150(XXI) established the Joint Inspection Unit (JIU) and simultaneously enlarged the terms of reference of the Joint panel of Auditors to include consideration of methods of administration and management.<sup>15</sup>

ECOSOC with its Committee for Programme and Coordination (CPC) has assisted the General Assembly in regard to administrative and budgetary coordination.

b) Programme Coordination: From the earliest days stress has been laid on consultations, as essential ingredients for programme coordination. The aims were to avoid duplication and overlap of work between various specialised agencies. The obligation to consult was, at the urging of the Administrative Committee on Coordination (ACC), accepted by the Council and incorporated in the rules of procedure.

The second aspect of coordination related to the draft work programmes drawn up by the secretariats. The

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14. M. Hill, The United Nations System: Coordinating its Economic and Social Works (UNITAR, 1978), p.72.

15. Ibid., p.73.



secretariats of the United Nations and its specialised agencies have devoted a good deal of effort on concerted planning and modalities of programme cooperation. The success of such positive coordination depends upon:

(a) degree to which each programme is planned in consultation with other organisations, both in their financial as well as substantive terms;

(b) secondly, adoption by each organisation of work programmes and long-term plans on reasonably comparable basis.

c) Regional coordination: To deal with matters which can at best be dealt at the regional level, the ECOSOC has created regional commissions like the Economic Commission for Europe (ECE). Economic Commission for Latin America (ECLA) and the Economic and Social Commission for Asia and Pacific (ESCAP) etc.

Often problems of coordination arise between the regional commissions and regional arms of the agencies in the development system. For example, the United Nations Development Programme (UNDP) dealt directly with its resi-

dent representatives in the individual countries and until recently, there has scarcely been any contact between it and the regional commissions except in so far as regional projects were concerned.<sup>16</sup>

Though it has been widely felt that there is an urgent need for best utilisation of regional organs in the development process through greater interaction between the regional commissions and specialized agencies effective workable arrangement haven't yet been comprehensively worked out.

D) **Implied Residual Functions**: In addition to those functions of a coordinative and promotional character stipulated in the Charter, the ECOSOC has engaged in a variety of activities in subject matter areas covered inadequately or not at all by the specialized agencies.

Despite the creation of a large number of functional agencies since 1945, there have remained a cluster of problems beyond the province of any of the existing agencies. The United Nations itself, in light of the broad sweep of its mandate, has attempted to deal with this residue of

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16. Ibid., p.143.

problem areas by a variety of expedients, arrangements and programmes under the instrumentality of the ECOSOC. Among the residual problem areas have been international trade (at least until the establishment of the United Nations Conference on Trade and Development), transport, natural resources, social welfare, population, food supply, urbanisation, housing, oceanography etc. Some of these areas fall in part with the terms of reference of one or more functional agencies. Consequently, the ECOSOC has tended to serve as the "mid-wife" at birth and later as a policy control body, for a growing number of programmes, especially of broad character involving a number of agencies. Participation in this process is typically shared by the General Assembly.

In large measures, such broad programmes have been financed from extra-budgetary sources, such as voluntary contributions, and their central concern has been economic and social development with extensive field operations. These have demonstrated how complex new tasks are undertaken within the flexible framework of the Charter with the cooperation of autonomous functional agencies. However, on the

other hand, they have also tended to complicate the task of the ECOSOC as the coordinative "hub" of the UN system, so far as economic and social policy and activities are concerned.

#### **THE ORGANISATIONAL ASPECTS OF THE ECOSOC**

Having examined the Charter mandate of the Economic and Social Council in fostering international economic and social cooperation, we now turn to take a brief overview of the instrumentalities evolved by the Council, to achieve the Charter mandate. It might be pertinent to note that the organisational structure of the ECOSOC has undergone changes over the years in a bid to adapt itself to various exigencies. The attempt in this section of the research is to draw out the basic picture of the organisational structure that has, however, remained with the Council since its inception.

A) **Membership**: The San Francisco Conference witnessed extensive debates over the issue of membership to the Economic and Social Council. Certain countries like, Canada, France etc. argued for a fixed number of members to be

chosen from the "economically important states",<sup>17</sup> while others argued that the members to the Council be elected on a regional basis. In the end, it was decided that the General Assembly should be free to elect members as it saw fit - on the implicit assumption that the industrially advanced states would be included in any case.

Article 61 of the Charter, consequently, set the composition of the Council, as follows:<sup>18</sup>

1. "The ECOSOC shall consist of eighteen members of the United Nations elected by the General Assembly."<sup>19</sup>
2. Subject to provisions of para 3, six members of the ECOSOC shall be elected each year for a term of three years. A retiring member shall be eligible for re-election.

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17. Russel, n.2, p.217.

18. Yearbook of the United Nations, n.8, p.487.

19. The Charter of the United Nations was signed on 26 June 1945 in San Francisco and came into force on 24 October 1945. Amendments to Article 61 was adopted by the General Assembly on 17 December 1963 and came into force on 31 August 1964. A further amendment to Article 61 was adopted by the General Assembly on 20 Dec. 1971 and came into force on 24 September 1973. The first amendment enlarged the membership of the ECOSOC from eighteen to twenty-seven. The next amendment to Article 61, further, increased the membership of the Council from twenty-seven to fifty-four.

3. At first, eighteen members of the ECOSOC will be chosen. The term of the six members so chosen will expire at the end of the first years and of the six other members at the end of the second year.
4. Each of the members of the ECOSOC shall have one representative."

It was also decided that there were to be fixed and pre-determined two sessions of the Council. The first is held in New York from May to June and the second in Geneva in October or November.<sup>20</sup>

Article 67 of the Charter sets out the voting arrangement in the ECOSOC:

1. Each member of the ECOSOC to have one vote,
2. Decisions of the ECOSOC to be taken by majority of members present and voting.

One index of the high expectations about the role of the ECOSOC, held by the smaller states, was their insistence in San Francisco Conference that they be allowed to partici-

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20. Russel, n.2, p.216.

pate in its meetings (without vote) whenever an item of special concern to any state was on the agenda - a provision that was eventually incorporated in Article 67 of the Charter.

#### **B) Organisation of the ECOSOC**

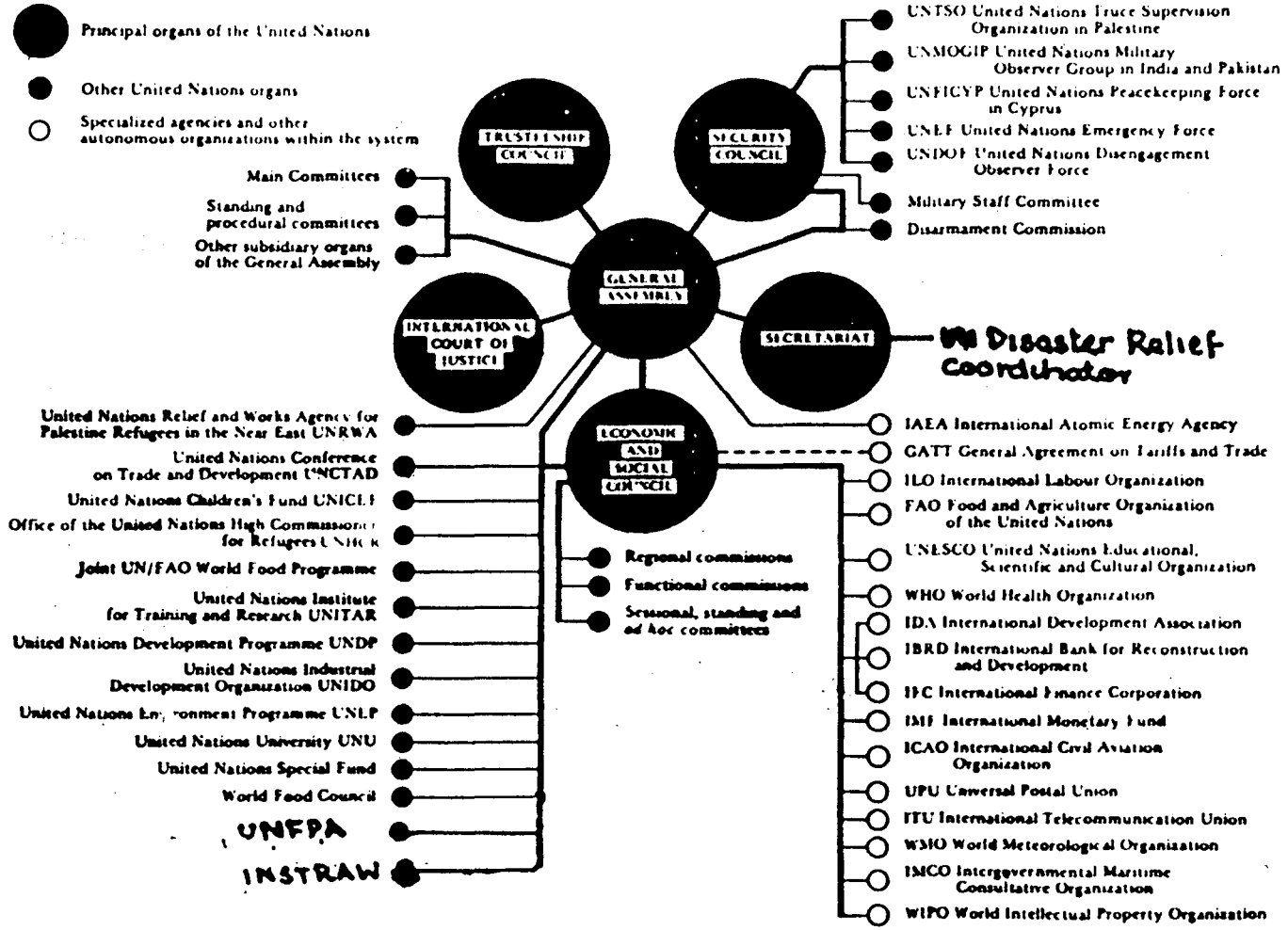
Over the years in the Council, there has emerged a labyrinth of subsidiary and other bodies, committees and programmes. In varying degrees, they are subject to the ECOSOC coordinative, supervisory and evaluative role. Expertise and technical advice are made available to the Council, chiefly from two sources:<sup>21</sup>

- (i) The basic source is the secretariats of the United Nations and the specialized agencies, plus the reports of the ad hoc panel of experts.
- (ii) The other includes the cluster of commissions and committees, set up at the Councils' own initiative.  
(Chart I and II).

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21. Sharp, n.15, p.11.

Chart of the United Nations System

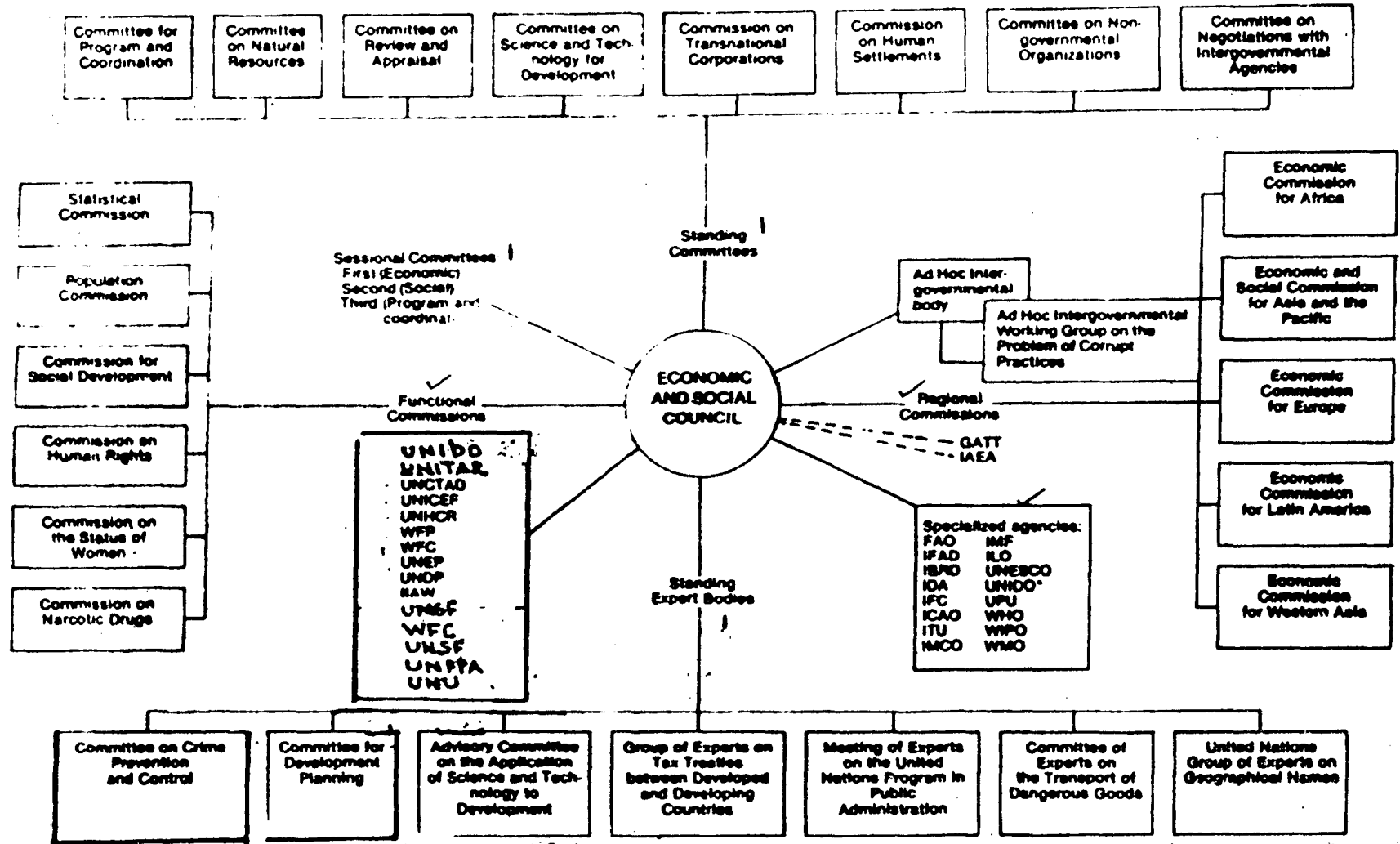


• Taken from United Nations publication - Sales No. E.75.1.13.

: Source of additions; UNIC - Delhi.



Chart 3. The structure of ECOSOC



Source: UN publication, Sales no: E.75.1.18; Source of additions - UNIC, Detroit.

Organisationally, the ECOSOC's auxillary machinery consists of the following:

A) The Functional Commissions and other Standing Committees: The functional commissions have their origin in the Charter (Article 68) which provides that the Council would set up commissions in the economic and social fields and for the promotion of the human rights, and such other commissions as may be required for the performance of its functions.

The Dumbarton Oaks proposals had stipulated that such commission be formed of experts but at the San Francisco Conference this arrangement was discarded and the nature of the commission membership was left to the determination by the Council itself. It is important to note the Soviet position in this context, which said that there is no such thing as 'independent expert' - a position which they maintained consistently over the years.<sup>22</sup>

Though the Preparatory Commission of the United Nations

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22. Ibid., p.11.

recommended that "most commissions should contain a majority of responsible, highly qualified government representatives..., non-governmental members of the Commission, with appropriate qualifications might be chosen by the Council from amongst the members of the United Nations",<sup>23</sup> The ECOSOC, however, decided that the commission be composed of government representatives with the understanding that "a designated government may select an expert, in his individual capacity and who would not be bound by instructions and whose position might not be that of the government."<sup>24</sup> In practice, all the functional commissions actually established have been of the government instructed and appointed type. There was also a problem of overlap of the commission with the Council itself, leading to duplication of discussions and also resorting to policy recommendations rather than tendering expert advice.

Consequently, there was a shift in the approach where it was felt that it might be preferred to appoint an ad hoc group of experts

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23. Ibid., p.210.

24. Ibid., p.213.

The list of functional commissions include<sup>25</sup>  
- Statistical, Population, Commission for Social Development, Status of Women, and Narcotic Drugs. This reduction in the number of functional commission could be viewed as simplifying the Council's subsidiary machinery and in 1966, it was decided that:

- (i) the range of membership of the principal commissions be increased from 27 to 32,
- (ii) and membership be distributed geographically.

As the work of the Council widened and deepened over the years, its subsidiary machinery in the form of special types of standing committees also expanded. These special standing committees have focussed on:

- (i) specific subject areas for more intensive study,
- (ii) most of them usually tended to have expert membership.

However, now that the United Nations is facing financial bankruptcy, since the decade of 80s there have been attempts to streamline these standing committees.

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25. Ibid., p.214.

B) Regional Economic Commissions: An aspect of the UN system structure that received little attention in the San Francisco Conference was the question of regional machinery. There is no reference in Chapter X to the establishment of regional commissions by the Economic and Social Council. However by virtue of the mandate given to it under Article 68, the ECOSOC in 1947 created Economic Commission for Europe (ECE), an Economic and Social Commission for Asia and Pacific (ESCAP). In 1947, Economic Commission for Latin America came into being and ten years later the forth, Economic Commission for Africa was added.<sup>26</sup>

The regional commissions derive their membership from the governments located in the regions concerned and as defined by the Council. However, in three cases i.e. ECE, ECLA and ECAFE, the United States was granted membership despite not being geographically located in these regions. The Soviet Union, perhaps being more Asian rather than European in orientation, was made the member of ~~ESCAP~~ also presumably to balance the presence of the United States.

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26. Ibid., p.13.

It is noteworthy that though these regional commissions ~~are~~ subordinate to the ECOSOC, they enjoy a significant degree of de facto freedom. Over the years these commissions have also evolved into regional parliamentary vehicles for expression and promotion of economic and social goals constituting the region. These commissions, in addition, have tried to render assistance to individual governments in connection with their developmental problems and have also helped them to formulate proposals for regional cooperation.

An important development in this area has been a continued campaign by the developing countries to decentralise these regional commissions with a view to allowing them a greater share in the determination of technical assistance programmes and regional projects, in spite of the opposition of the developed countries. And as a result and as a part of the successful campaign for decentralisation, a number of regional advisors were attached to these commissions to give short term advice to governments or development problems.

At times, the ECOSOC has also set up (sometimes ad hoc and at other times more or less permanent) committees in aid of carrying out the tasks of coordination. Since 1961,

there have been three such committees leading to the existing Committee for Programme Coordination (CPC).

C) ACC and its Sub-Committees: Within the complex of instrumentalities assisting and reporting to the Council, there has also emerged at the staff level a set of committees designed specifically to deal with problems of inter-agency coordination. These include the Administrative Committee on Coordination (ACC) and its imposing cluster of sub-committees and ad hoc groups which have evolved into some kind of administrative "quasi-cabinet" consisting of the executive heads of the United Nations and its specialized agencies with the Secretary General as its Chairman. Its tasks include ensuring the fullest implementation of agreements entered into by the United Nations with different specialized agencies. It is important to note that:

(i) the ACC is not an executive body but an informal body that meets in private.

(ii) It can recommend interagency action but cannot dictate to sovereign inter-governmental policy organs of either the UN or the specialized agencies.

(iii) Operates not by voting but consensus.

(iv) And its source of authority lies in personal authority of each of its members.

As Martin Hill puts it, the ACC has served as "the framework and symbol of interagency cooperation." In proportion with the growing volume of non-political work of the UN system, the ACC has tended to delegate to various lower level staff groups, the task of deciding upon the modalities of interagency cooperation and at times adjusting jurisdictional disputes in specific subject matter areas.

Thus, the overall workload of the ECOSOC has steadily increased since its establishment in 1946. In quantitative terms also, the number of units periodically reporting to the ECOSOC has also shown a quantum leap. In their totality the reports of such units have led to the;

- (i) overcrowding of agenda of the ECOSOC,
- (ii) problems of documentation which have imposed serious strains on the available conference personnel and have also encroached substantially on the financial outlays.
- (iii) There has also been a problem for the ECOSOC in ensuring coordination both inter-agency and inter-unit in the specialized agencies within the UN family.



## CHAPTER II

### THE ECONOMIC AND SOCIAL COUNCIL IN OVERALL UNITED NATIONS DEVELOPMENT SYSTEM

In the preceding chapter, we have tried to examine the origin, Charter mandate and the organisational structure of the ECOSOC. From this, we discern that:

- the ideas embodied in the Chapters IX and X of the Charter, with regard to international organisation in the economic and social fields, and, in particular, the ECOSOC, suggest that this constitutional arrangement, when compared to the League of Nations' was highly decentralized on a functional basis.

This means that different autonomous international organisations, have been entrusted under somewhat vague coordinating authority of the United Nations.

- Secondly, the ECOSOC has been accorded a stature of a principal organ in the United Nations System, which under the authority of the General Assembly is to devote itself in promoting international socio-economic cooperation. Thus, the ECOSOC whose functions and powers have been set out in Chapter X of the Charter acts as:

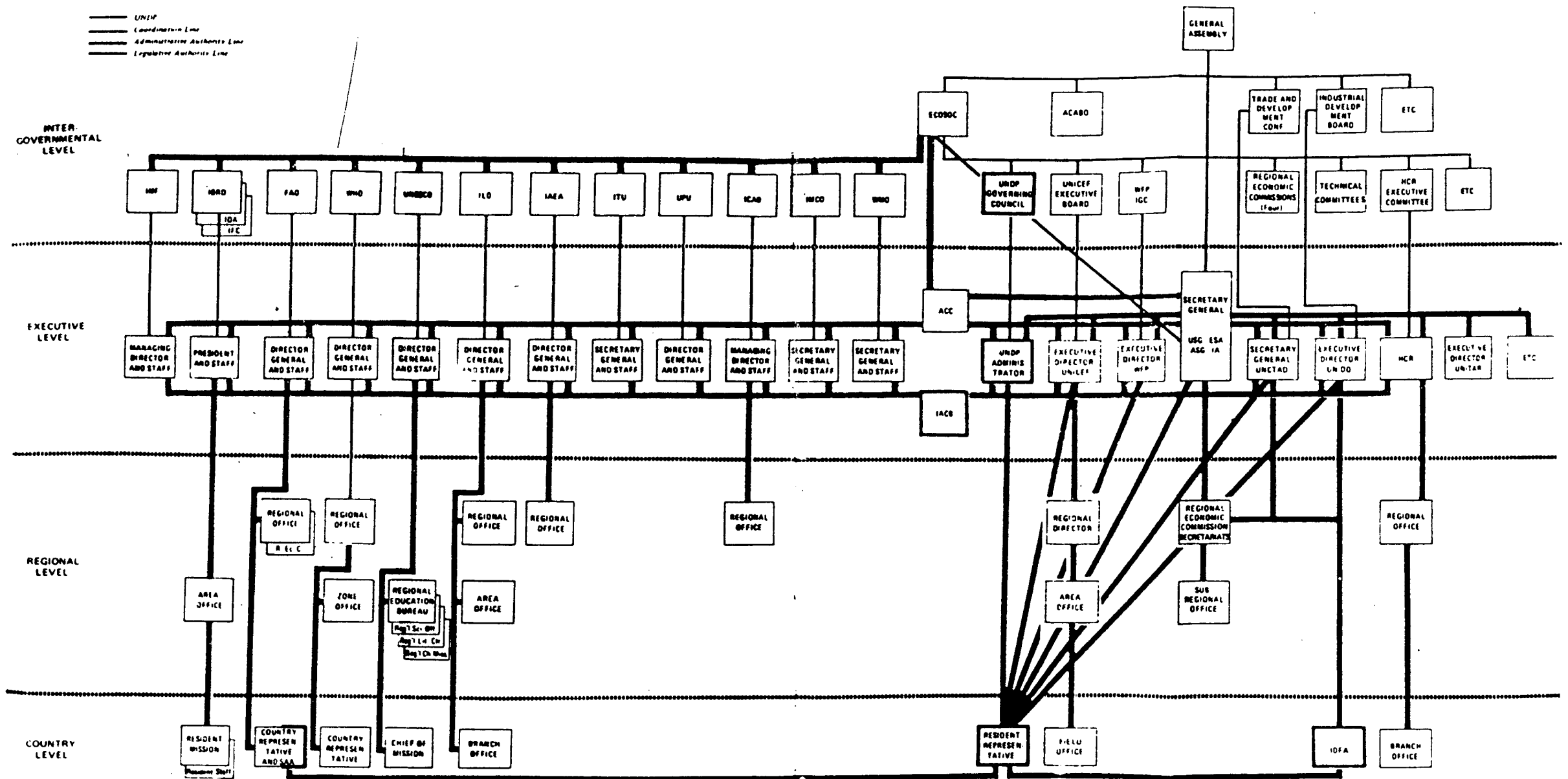
- a) The governing body for the United Nations work programme in economic, social and others related fields;
- b) The coordinator of activities of the United Nations system of organisations in these fields;
- c) And, a forum for discussion on issues of international economic and social policy, and for formulating recommendations for the United Nations family of organisations.

This implicitly recognises that global socio-economic cooperation have a significant bearing on the maintenance of international peace and security.

Given the wide nature of the scope and the Charter mandate of the ECOSOC, it is imperative to now examine the relationship of the Council with the General Assembly (under the authority of which it acts) and the specialized agencies (the activities of which <sup>it</sup> is supposed to coordinate).

### Chart III

MAJOR ELEMENTS IN PRESENT STRUCTURE FOR UN DEVELOPMENT COOPERATION



\* B. This chart has been prepared for illustrative purposes only. It is not comprehensive and does not show, for instance, all connections between agencies and UNDP Resident Representatives.

Source: "A Study of the Capacity of the United Nations Development System", Vol. 1, UNITAR, 1969.

## THE ECOSOC AND THE GENERALY ASSEMBLY

The United Nations Charter does not spell out the relationship of the Council and the General Assembly in clear and precise terms.

Art.13 of the Charter, empowers the General Assembly to "initiate studies and make recommendations for the purpose" of... promoting international cooperation in economic, social, cultural, educational and health fields and assisting in the realization of human rights and fundamental freedoms for all...; "under Art.17(e) the General Assembly" is to consider and approve the financial and budgetary arrangements with the specialized agencies and "examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned"; under Art.22, it may establish subsidiary organs as it may deem necessary. Art.58 provides that the Organisation shall coordinate the activities of the specialized agencies; and Art.60 vests in the General Assembly and under its authority in the ECOSOC "responsibilities for the discharge of the functions of the Organisation in regard to economic and

social cooperation as a whole.<sup>1</sup>

Thus, the plethora of provisions in the Charter, as mentioned above suggest:

- a) That as a supreme political organ of the United Nations System and as the organ that takes most of the big initiatives that are elaborated and followed up by the system's component parts, the General Assembly has always played a big role in leading and, in a broad sense, coordinating the policies and activities of the system.
  
- b) And secondly, given the restricted membership, and expert nature, the ECOSOC was subordinated to the authority of General Assembly since it was in the best position to assist the latter in developing political will and taking political decisions to launch and maintain initiatives in the realm of global socio-economic cooperation.

Art.58, in the Chapter IX on "International Economic and Social Cooperation" provides that the "Organisation"

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1. Martin Hill, Towards Greater Order, Coherence, and Coordination in the United Nations System (UNITAR, Report No.20, 1975), p.21.

shall make recommendations for the coordination of "policies" as well as the "activities" of the specialised agencies. The term "organisation", presumably was meant to include, institutionally, both the General Assembly and the ECOSOC. This overlapping of function has contained the seeds of confusion and duplication of functions between the two bodies. Adding to this ambiguity is a provision, in Art.17, giving the General Assembly the mandate "to examine the administrative budgets of the specialised agencies and to make recommendations thereon to them." Logically, since the General Assembly alone has the authority to appropriate funds, this arrangement seems justified but it has disregarded the importance of budgetary review as a means of programme coordination.

It is noteworthy, that the Charter does not clarify the reason why the Organisation was given the responsibility of coordinating both, agency policies and activities, whereas the Council's functions were textually restricted to activities. As we shall see while analysing the role of the ECOSOC in the international context, both the organs have dealt with both policies and activities often in repetitive

manner and occasionally with appreciable differences of treatment.

The Charter references to the economic and social functions of the organisation are ominously verbose, repetitive and diffuse; largely because many countries in 1945 refused to take these aspects of UN functions seriously.<sup>2</sup> As is evident, not much attention was focussed to these clauses as against those which dealt purely with the political side the organisation. Thus from the very beginning the Economic and Social Council was blurred in its conception. Because of a historical accident, there were already a number of specialized agencies, already operational by the time the ECOSOC came into being. The ECOSOC was consequently given the mandate of coordinating or acting as a link between them and because some of these agencies fell short in covering all topics meriting the UN treatment, the ECOSOC was made into a kind of a hold all for specialist activities in the economic and social fields - as well as of some subjects which could well be regarded as political such as

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2. Walter Kotschnig, "The United Nations as an Instrument of Economic and Social Development", International Organisation, Vol.XXII, No.1, (Winter 1968), p.24.

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human rights.

Thus it suffered from having to be both coordinator and a part of the coordinated. This dual nature of the ECOSOC, partly, as a specialist agency and partly as a super agency made it more difficult to establish a satisfactory relationship with the General Assembly. However, Martin Hill observes that "Unlike General Assembly, "coordination" has, from the outset been central preoccupation of the ECOSOC.<sup>3</sup>

It is also significant to take note of the fact that, encouraged by the loose language of the Charter, the infant ECOSOC in 1946, began pursuing every economic and social objective in sight with extravagant faith in virtue of words and resolutions and in the value of proliferating commissions and committees. Consequently, the auxiliary machinery of the ECOSOC expanded so much that apart from creating problems of overcrowding of agenda and documentation, there came about a major problem of coordination. Since then some of the categories of its auxiliary mechanisms have been trimmed but others have expanded so greatly that the cumula-

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3. Hill, n.1, p.48.



tive structure of the organisational aspects of the Council is no less complex than before.

On the functioning of so diverse range of bodies and of the discharge of such a multiplicity of functions, no generalisations can possibly be accurate. Nevertheless, a few broad trends can be observed and few broad judgements can be made;

a) No doubt that the Charter relationship between the two principal organs of the United Nations - the General Assembly and the Economic and Social Council is ambiguous, this situation, on one hand, has provided flexibility, improvised practices and new operational precedents. While on the other hand, it has led to confusion which have been wasteful of time and money coupled with considerable overlap of documentation. This two way flow of decisions between the General Assembly and the Council has left the latter, at times, with an uncertain status.

b) Nonetheless, the silence of the Covenants of the League of Nations affecting some very basic aspects of human life, and their subsequent incorporation in the United Nations Charter with respect to the organisation's functions

in the economic, social and other related fields, is the most eloquent testimony to the global recognition of a multi-role world organisation that was to take shape after the second World War. And if there remains ambiguity in the Charter provisions, about the role of the world organisation in these fields, it is because such ambiguities are often imposed upon it by a variety and contrariety of fears, interests and aspirations to which it gives expression. However, whether this ambiguity has imparted flexibility to its working is something that is subject to debate.

#### **THE ECOSOC AND THE SPECIALIZED AGENCIES**

The ECOSOC's most important function of coordination relates to the "specialized agencies of the United Nations". Art.57(1) provides that "various specialised agencies established by intergovernmental agreements and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational and health and other related fields, shall be brought into a relationship with the United Nations...."<sup>4</sup>

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4. Yearbook of the United Nations (1946), UN Publication, p.485.

Thus, the term "specialised agency has a particular meaning in the United Nations System. It includes, international organisations created by intergovernmental agreements having "wide international responsibilities." The latter term, in practice, has been given both geographic and functional connotations. No strictly regional agency has been included in this category. The technical or service organisations have been designated as "specialized agencies" only if they perform functions of major importance.<sup>5</sup>

As regards to the specialized agencies, the ECOSOC may:<sup>6</sup>

- a) "enter into agreements with any of the specialized agencies defining the terms on which the agency shall be brought in relationship to the United Nations, such agreements being subject to prior approval by the General Assembly;

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5. Martin Hill, The United Nations System: Coordinating the Economic and Social Works (UNITAR, Cambridge University Press, 1978), p.11.

6. Year Book of the United Nations, n.4, p.486.

- b) Coordinate the activities of the specialized agencies through consultations and recommendations to such agencies, to the General Assembly and to the members of the United Nations;
- c) Take appropriate steps to obtain regular reports from the specialized agencies and make arrangements with the members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to the recommendations falling within its competence made by the General Assembly."

The ideas embodied in Chapter IX and X of the Charter suggest that some kind of a 'functional federalism' was envisaged in bringing together the specialized agencies and the United Nations, when the latter was being established in 1945. This could be attributed to:

- the independent existence of several parts of the new international economic and social organisations even before the San Francisco Conference met.

- the emphasis in 1940s, that it was safe to establish international organisations in each functional areas, which could survive, if the United Nations were to be shortlived, like the League of Nations.
- Only a loose relationship could be envisaged with the International financial institutions, which had weighted voting.
- And finally, to infuse flexibility of approach to cope with the enormous magnitude of tasks envisaged in the Charter.

Consequently, relationship agreements were negotiated by the ECOSOC between 1946 and 1951 with the major existing intergovernmental organisations (ILO, FAO, UNESCO, IBRD, IMF, ICAO), certain smaller agencies (like the UPU, ITU, WMO) and three organisations which were created by the instrumentality of the United Nations itself (World Health Organisation, International Relief Organisation, Intergovernmental Maritime Consultative Organisation). The Charter of the forth agency, the International Trade Organisation (ITO) drawn up at the Havana Conference 1947-48 called by the United Nations, never came into force because of non-

ratification by the United States.

Apart from the extension of the United Nations - IBRD agreement in 1957 to include IFC and the IDA, another attempt was made by the council in 1973 to draw WIPO into a relationship with the United Nations. In the intervening years between 1951-1973, several new and important institutions such as the UNDP, UNCTAD, UNIDO, UNEP were created as subsidiary organs of the General Assembly; different degrees of forms and relationships, including reciprocal representation at meetings, were established with the non-United Nations regional and other organisations. While working agreements provided for cooperation and coordination but conferring specialized agency status was concluded with a number of organisations such as the International Union on Official Travel Organizations (IUOTO - in anticipation of it being transformed into World Tourism Organisation) and the International Criminal and Police Organisation (INTERPOL).<sup>7</sup>

To return to the United Nations agreements with the specialised agencies, the system of weighted voting adopted

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7. Hill M.; The UN System; Coordinating its Economic and Social Works, UNITAR, 1978, p.15.

by the Brettonwoods institutions distinguished them sharply from others. And the relationship which the United Nations established with them was very loose and hedged so as to prevent possible interference by the UN that they might find embarrassing or prejudicial.<sup>8</sup>

About the content of the other United Nations - specialized agency agreements, it needs to be noted that, they generally begin with the United Nations recognition of the authority of the agency in its field and proceed to provide reciprocal representation at the meetings, reciprocal right to propose the items for the agenda of the main organs, the treatment given by the agencies to the formal recommendations of the United Nations, exchange of information and documents, assistance to the United Nations organs, and cooperation in regard to personnel arrangements, statistical services, administrative and technical services and budgetary and financial arrangements.

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8. "The first article of agreement of each of these organisation contains the statement" by reason of the nature of its international responsibilities and the terms of its Articles of agreement, the Bank (Fund) is, and is required to function as independent organisation.

However, following important points need to be borne in mind while understanding the United Nations - specialised agency relationships.

1) In the agreements with all specialised agencies except the Bank group (IBRD, IFC & IDA) and the IMF, the United Nations representatives were "invited to attend" all agency meetings and participate in them without vote; agency representatives were invited to attend Council meetings and its commissions and committees, as well as the main committees of the General Assembly and to participate "without vote" in respect to matters of interest to them.

2) The agreements with all agencies, except the IMF and the Bank group (which have, however, provided for such cooperation in practice) contain a clause,<sup>9</sup> which authorizes agency participation in the ACC as well as other bodies such as the committee on programme appraisals and the committee for programme and coordination.

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9. The clause states that, "the (Specialized agency) affirms its intention of cooperating in whatever further measures may be necessary to make the coordinating of the activities of the specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in and to cooperate with any body or bodies which the council may establish for the purpose of facilitating such a coordination.



3) The Article on budgetary and financial arrangements in the United Nations agreement with the ILO, FAO, UNESCO, AICAD, WMO recognises the desirability of close budgetary and financial relationship with the United Nations so as to carry out the administrative operations of the UN and the specialized agencies in the most efficient and economical manner with maximum measure of coordination and uniformity.

4) The agreements between the United Nations and the major "programme" agencies also recognise that the eventual development of a single international unified civil service is desirable. Hence, there have been emphasis to develop common personnel standards methods and arrangements and, inter alia, to consult concerning the establishment of an International Civil Service Commission.

The ECOSOC has approached the problems of coordinating UN and agency substantive activities in a variety of ways. Its attempts have been to secure a more positive influence on agency programmes by increasing emphasis on adoption of priorities in programme-planning. Originally, the main emphasis was how to eliminate overlapping and duplication of activities of closely related agencies. But gradually, the

Council has tried to lay down guidelines for more cooperative actions across agency boundary lines.

The tasks of coordination have, over the years taken three dimensions:

- a) laterally, between the agency headquarters;
- b) vertically, from headquarters to regional and country level operations; and
- c) laterally, again, between field projects of the related agencies.

Thus, not only the United Nations, with its decentralization of programme functions to the regional economic commissions, but also the major specialized agencies, with their extensive field machinery have participated in this centrifugal trend,<sup>10</sup> which has further complicated inter-agency relations. The core problem has been how to utilize the limited resources at the disposal of the UN family of agencies with maximum impact on progress towards the broad goals enunciated in the charter.

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10. Kotschnig, n.2, p.27.

Among the instrumentalities employed by the council to further substantive coordination, include:

a) Scrutiny of agency reports; This procedure has been continuously used by the Council for examining year by year, the reports submitted by various agencies on their activities.

Though in the early days, the handling of these reports by the Council followed no consistent or rational pattern but since 1950s, certain improvements have been effected. First, there has been some effort to lay down guidelines to the agencies with respect to the form and content of their annual reports. And secondly, the Council requested "analytical summaries following a uniform pattern to be drawn up by the ACC; inclusion of appropriate information on the cost of major programmes and projects; preparation by the Secretary General, with the ACC, of a short survey of major points in the annual reports and analytical summaries of the specialized agencies; and particular attention in future years to the examination of specific fields of activity

common to specialized agencies".<sup>11</sup>

Despite the improved setting for discussions on the agency reports. One of the major problems has been with regard to their technical nature which have sometimes been beyond the competence of the participants.

b) Search for Programme priorities: Indirectly growing out of the examination of the agency reports has been the Council's attempt to discover activity overlaps, on one hand and to propose across-the-board priorities in programme formulation, on the other. The main objective was to prevent the major specialized agencies (such as the ILO, UNESCO, FAO) with broad and unprecisely defined constitutional mandate from tending to spread themselves in too many directions and thereby encroach upon the domains of "sister agencies".

Consequently, the Council and even the General Assembly, has continued to discuss the elusive question of what criteria would be most appropriate for determining such priorities.

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11. Walter R. Sharp; The United Nations Economic and Social Council, (London, 1969), p.117.

c) "Concerted Action" as a Coordinative Device: "Concerted Action",<sup>12</sup> a term originating with the Social Commission of the Council may be defined as to "referring to programmes which for their realization require joint efforts of several agencies both, in their planning and execution towards achieving clearly defined objectives."

Differing from efforts to eliminate overlaps, this approach has a positive character, while in relation to search for priorities, it might be said to operate in greater depth i.e. to encompass the entire programme process. Moreover, this is an approach suitable for subject matter areas for which no single agency has clear-cut primary responsibility or areas not covered by any specialized agency, thus leaving the UN with a kind of residual and discretionary responsibility. It is in this context, it is pertinent to mention that in 1953, the Council laid down the broad lines of an International Programme of Concerted Practical Action in Social field.<sup>13</sup>

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12. A Study of the Capacity of the United Nations Development System, UNITAR, Vol.1, 1969, p.43.

13. Ibid., p.44.

## PROBLEMS TOWARDS EFFECTIVE COORDINATION

The 'functional federalism' which is the feature of the United Nations Development System allows the existence of autonomous international organization, under somewhat vaguely defined coordinating authority of the United Nations. Coordination is further affected by the presence of plethora of international organisations with multiple areas of activities, which have grown many-fold ever since the United Nations came into being in 1945. The feudalistic pattern of relations among the organisational units of the UN Development System, where the "monarch" is relatively weak and "feudal lords" are relatively independent, has inevitably given rise to overlapping of activities.<sup>14</sup>

For example, the most difficult set of relationships has concerned the FAO, UNESCO, and ILO in respect to agricultural education. In this domain UNESCO has viewed agricultural education as a part of the total educational system, whereas for FAO and ILO, it is a specialized sector

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14. Hill, n.1, p.98.

linked to countries development programme including issues of rights of agricultural labour.

Thus evolving effective modalities of interagency cooperation has always been difficult because according to Dag Hammarskjold, "it is a cooperative process which cannot be hurried, for it involves growth of a permanent and inner unity."<sup>15</sup>

Another important impediment in the role of the ECOSOC as an effective coordinator has been the failure of national governments to coordinate their own policy positions as regards to the activities of the UN family of organisations in economic and social domain. The problem is further compounded by the fact that neither the ECOSOC nor the specialized agencies can compel member governments to modify their own administration in the direction of across-the-broad policy consistency.

Thus, the story of how this problem is to be tackled is many-sided one. From one point of view, it seems to be clear that specialized agencies have not been inclined to

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15. Ibid., p.101.

give heed to general exhortations from the ECOSOC. In the same vein, one might also tend to conclude that the ECOSOC's role has been overplayed with minimum positive results. However, cumulatively, it is the effective utilization of funds and target realisation by the specialized agencies, which suffer in the long run.



## CHAPTER III

### THE ECOSOC IN TRANSITION

The ECOSOC, clearly, cannot be assessed meaningfully in an organisational vacuum. In the preceding chapters, apart from tracing the Charter mandate of this organ we have examined its constitutional position (in both organisational and operational contexts) in the overall United Nations Development System.

In this chapter, we intend to delve into the role actually played by the Council, in view of the sweeping changes that have marked the evolution of the UN family of organisations since 1946 till the end of the Cold War (mid-1980s).

In his study, "The General Assembly of the United Nations", Sydney Bailey rightly observes, "political institutions progress towards maturity through the process of trial and error, but perfect maturity is a mirage that is never achieved. Success, therefore, consists of striving."<sup>1</sup>

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1. Sydney Bailey, The General Assembly of the United Nations (New York; 1964), p.253.

Even though the ECOSOC's concerns have been economic and social subjects, it is nonetheless, a political institution, in terms of its composition and decision making. It is also influenced by the dynamics of contemporary international relations, global power structure and world political situations which either aid or stymie its ability to carry out its charter mandate.

As such, the ECOSOC has suffered vicissitudes during its evolution towards maturity which can be defined only in relative terms. The nature of the role the Council now plays and its own status within the overall United Nations System have altered markedly over the years. Leading scholars have voiced their concerns regarding an alleged marginalisation of the ECOSOC within the UN framework. We intend to examine the veracity of this statement under the following framework:

- : Examine the role of the ECOSOC as "the World Policy Forum".
- : Trace the factors behind change in the status and the role of the ECOSOC.
- : Institutional fragmentation as seen in the creation of UNCTAD, UNIDO by the General Assembly and their

impact on the ECOSOC.

#### **THE ECOSOC AS THE WORLD POLICY FORUM**

One of the original anticipations of the framers of the UN Charter, regarding the role of the ECOSOC was that it would serve as a deliberative body for general consideration of global economic and social policies. Although the Charter, as eventually adopted did not explicitly spell out the "world policy forum" function of the ECOSOC, this was clearly implied from the context. In order to promote the basic economic and social objectives of the United Nations, there would have to be some arena where open debate on related issues could take place periodically. Since the ECOSOC, under the overall authority of the General Assembly, was to be responsible for the discharge of functions related to international economic and social cooperation (Article 60), it followed that it should work out necessary arrangements for broad discussions on these subjects.

Strangely enough, during the early years of the Council's evolution, scant attention was given to how this

general debate is to be conducted.<sup>2</sup> In fact there was not for some time any special recognition of it as an item on the Council's agenda.

Moreover, even before the UN could establish itself as a full fledged operating international organisation, the Cold War became a startling reality in the international political scenario. The infant United Nations which had tremendous responsibilities in the maintenance of international peace and security and also fostering international economic and social cooperation found itself in the midst of ideological power-bloc rivalry. The Cold War atmosphere, even penetrated the Council's debate which were increasingly marked by charges and counter-charges, mutual recriminations and vituperations.

For example, the discussions in the Council, till the early 60s, were largely centred around two topics:

- a). economic restructuring (following the second World War),
- b). full employment.

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2. Walter R. Sharp, The United Nations Economic and Social Council (New York, 1969), p.7.

Considerations on the first of the above topics lead to the establishment of Regional Commissions of Europe, Asia and the Far East, and the Latin America. There were also recurrent discussions on international relief needs following the termination of the United Nations Relief and Rehabilitation Administration (UNRRA).<sup>3</sup> However, owing to financial constraints, the United Nations was unable to extend direct financial assistance to the needy countries.<sup>4</sup> All the more in that, the United States, then the only source of reconstruction finance, chose to channel its aid outside the UN framework, with the objective of increasing its helm of influence and also at the same time, containing the communist threat. Thus, the Marshall Plan, often seen as one of the most far-reaching and dramatic form of the United States extra-UN action, set the stage for a major confrontation of the Soviet bloc with the West in the ECOSOC. (At the same time, it needs to be mentioned that the newly-emerging developing Afro-Asian nations sought to bring

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3. Ralph Townley, "The Economic Organs of the United Nations" in E. Luard, ed., The Evolution of International Organisations (New York, 1966), p.260.

4. The United Nations was, however, instrumental in setting up International Refugee Organisation in 1948.

the UN at the centre, for meeting their development needs by trying to activate the ECOSOC.)

To a considerable extent, the capitalist-communist dichotomy also influenced the debates on full employment, the second most vital international economic issue of that time. It is pertinent to mention, however, that owing to such discussions, extensive studies were carried out on the state of world economy, under the aegis of the ECOSOC, which perhaps promoted a greater understanding of the dynamics of international economic system.

A glimpse of the proceedings of the Council, in this period would also indicate that far from being a sustained dialogue, it usually consisted of heated exchanges, with each side insisting that the global problems could be solved by using their respective economic doctrines.

Towards the late 1950s, there were signs of reduced intensity of the Cold War and references of "peaceful co-existence" began to be heard in the debates.<sup>5</sup> Owing to the

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5. Walter Kotschnig, "The United Nations as an Instrument of Economic and Social Development", International Organisation, Vol.XXII, No.1 (Winter 1968), p.18.

non-ratification of the Havana Charter by the US and the collapse of the projected International Trade Organisation, the Soviet bloc and the newly emerging non-aligned Afro-Asian states used the Council in trying to establish "International Organisation for Trade Cooperation",<sup>6</sup> which finally culminated in the establishment of the UNCTAD in 1964. At this juncture, the focus of the Council's debate began to shift from the relationship problems of the industrially advanced world to the development needs of the developing countries.

The Ministerial Session Experiment: Though there were little but perceptible improvement in the setting of the general debate, as has been seen above, Dag Hammarskjold proposed to the Council that it meet in "ministerial session" in the summer of 1960. This attempt sought not only to vitalize the discussions of the Council but also provide a favourable milieu for private intergovernmental negotiations on important international economic and social problems.

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6. Ibid., p.21.

By a formal resolution of the Council (28th session), the Secretary General's proposal was adopted for the 30th session.<sup>7</sup>

The response of the member-governments were, however, mixed;

i. 11 out of 18 states sent delegates at the ministerial or deputy ministerial level to the session;

ii. the other 7 appointed their permanent representatives at the UN at New York or Geneva as their Chief delegates;<sup>8</sup>

iii. The higher level group consisted of two foreign ministers, two finance ministers, one minister of foreign trade, one deputy Chairman of State Planning Commission (former Soviet Union), the Vice-President of Brazil (who never arrived) and four deputy ministers or their equivalent.

iv. No attempt was made to organise the debates in advance and selection of topics by delegates was according to their personal wish.

Although the 1960 "Ministerial Session Experiment"

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7. Resolution 745 (XXVIII).

8. The Seven countries included Afghanistan, Chile, Costa Rica, Japan, New Zealand, Spain and Sudan.



proved abortive, it did lead to other efforts to provide a more orderly setting (procedural) to the general debates which included limiting the debates to previously selected two or three topics. The results of this procedural innovation on the whole, was disappointing and the experience suggested the difficulty of controlling, through procedural arrangements, the sovereign right of the representatives of sovereign states to speak on any subject of their choice.

Secondly, one reason why there has been little give and take in the debates is that the order of speakers is largely determined by chance, without significant reference to categories of member-states. According to the secretariat observations, the representatives of the LDCs preferred to wait until those of the developed nations had spoken while the latter preferred the reverse order. Consequently, the two categories of delegates often spoke in a mixed up fashion depending upon the position of their names in the President's list of speakers. Often heads of specialized agencies were called in to speak in the debates. And as has been seen, given the very technical nature of their speech, which obviously was of little interest to the delegates,

there was a considerable exodus of persons from the debates.<sup>9</sup>

Extraneous Political Issues: Given the wide-open context in which the Council operates, it is of little surprise that extraneous political issues punctuated its debates during the cold war era. The pattern for such kind of propagandist debate was set during the Cold war which manifested itself in the form of Soviet-Western ideological confrontation in the Council.

As the international system moved from one crisis to another - Korea, Congo, Middle East, Vietnam, etc., the ECOSOC was resorted to as another international forum, where protagonists of current political issues, could obtain additional publicity for their views. In one sense, the utilisation of the ECOSOC platform for political purposes has been a part of a discernible trend towards politicization of the functional structure of the United Nations, particularly, the ILO, the UNESCO etc. during the Cold war era.

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9. Sharp, n.2, p.37.

For example, during the 9th session (1949), the proposal for the establishment of "Expanded Programme of Technical Assistance: (EPTA) was denounced by the Soviet bloc as "neo-colonialism" - a means for providing outlet to the surplus US capital. The next year when the Korean Crisis came to a head, the Soviet, Czech and the Polish delegates walked out of the 10th and 11th sessions of the Council, thus duplicating what had happened in the Security Council.<sup>10</sup> Thus, there are innumerable instances to substantiate that the ideological clashes on political issues between the two power-blocs affected the Council's functioning during the Cold War.

Assessment: We have just examined the role actually played by the Council as a "world policy forum" during the Cold War years, with a view to understand its capacity and success in generating high level constructive policies on various economic and social issues. We conclude that the ability of the Council to act effectively and produce significant results was restricted because of various reasons;

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10. Norman J. Padelford, "Politics and the Future of the ECOSOC", International Organisation, Oct. 1961, p.261.

- i. To some degree this may be due to its failure to organise general debates in a more effective manner.
- ii. It may also be due to the failure of the delegates to commit their governments to definite lines of policy.
- iii. And finally, harmonization of international economic and social issues outside ECOSOC itself, like the GATT in the field of international trade, the IMF in case of international monetary reforms.<sup>11</sup> (Since the membership of GATT during the 1960s and 70s consisted largely of western industrialized nations, there was an attempt by the developing countries to agitate for their cause through the UNCTAD).

Given this context, it was, however, easier for the Council to promote technical programmes under the UN system sponsorship rather than common economic or social policies. To illustrate, the general debate during the 1960s in the Council revealed that the general development aid, on balance, was stagnating and the Council had little success in inducing major donor countries to increase the volume of such aid to 1% of the GNP.<sup>12</sup>

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11. Sharp, n.2, p.90.

12. Ibid., p.91.

Notwithstanding these limitations, the ECOSOC's role as a general discussion forum has, indeed, a distinctive educational value. As has been seen, repeated considerations of a particular issue sometimes induced significant attitudinal changes amongst member-states regarding problems in question. For example, cumulative effect of years of discussion on "human rights" made the subject very respectable.

The time consumed, and occasions wasted by the tortuous course of debates in the ECOSOC would not be a serious matter were it not for the fact that a rival and a duplicating role has also been played by the 2nd (Economic) and 3rd (Social) Committees of the General Assembly. Greater attention, hence, began to be paid on issues of functional overlap and problems of coordination in the UN system from the decade of 70s. This we intend to discuss, subsequently in this chapter.

Before we look into the specific facets of the changing situations in the context of the ECOSOC namely,

a. the changing patterns of General - Assembly - ECOSOC relations.

b. organizational and operational significance of UNCTAD, UNIDO - creations of General Assembly;

We intend to delve into the factors that have accentuated the change in the status and the role of the ECOSOC since 1960s.

(A) One of the most important factors have been the assumption of a complex character by the programme coordination and planning process. Development, while still not fully understood in the Council circles, is now seen to involve not only financial and technical aid but also "dynamic, pervasive, never ending" process, including the "inculcation of new attitudes and ideas, of state of mind eager for progress, and capable of applying scientific approaches to an ever wider range of problem".<sup>13</sup>

Thus, development is no longer viewed just in purely economic or social terms but is seen to embrace the entire gamut of economic, fiscal, demographic, political and cultural phenomenon. Accordingly, both planning and operation-

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13. Robert E. Asher, "International Agencies and Economic Development", International Organisation, Vol. XXII, no.1 (Winter 1968), p.446.

al activities need to take the form of interdisciplinary efforts, being guided by the best expertise available.

Among the best examples<sup>14</sup> of the trend towards the involvement of technical and scientific expertise affecting ECOSOC'S capabilities may be cited, the establishment of the Advisory Committee on the Application of Science and Technology to Development (1964) and Committee on Development Planning (1969), etc.

In addition, at the staff level, there have been established a number of secretariat research units related to development problems both centrally (at New York) and regionally (in affiliation with the regional commissions).

There are also special research institutes like the 1) International Institute of Labour Studies, Geneva 2) The United Nations Research Institute for Social Development, Geneva, with semi autonomous status.

B) The second set of factors has been the proliferation of intergovernmental machinery, both inside and outside the UN

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14. Ibid., p.448.

system. A striking increase in the number of intra-UN bodies has enhanced the workload of the Council in terms of number of bodies reporting to it, thereby, loading it with bewildering variety of items of business, problems of coordination etc.

Problems of coordination and the ECOSOC: We have noted in the preceding chapters that so far as the economic, social and humanitarian actions are concerned, the United Nations System consists of loosely related cluster of constitutionally autonomous units. This brings to the fore, the need for devising coordinating arrangements between the UN proper and the specialised agencies, brought into relationship with it, as well as amongst such agencies themselves.

The bringing into relationship with the United Nations of "various specialised agencies, established by intergovernmental agreement and having wide international responsibilities.... "in economic, social cultural, educational and related fields" is provided for, in Article 58 of the Charter; Coordination is directly provided for, in Article 58 &



63<sup>15</sup> and is implicit in the broad mandate for promotion of the economic and the social objectives of the United Nations, given to the Council under the authority of the General Assembly, in Article 60; it is implicit, furthermore, in the specific authorization given to the Council by Articles 62 and 68, to initiate studies and reports, make recommendations, call international conferences and set up commissions on matters of its competence.<sup>16</sup>

In the last chapter, we have already noted the nature of relationship agreements concluded between the Council and various specialised agencies. At this juncture, it is pertinent to put forth some of the relationship problems already apparent at the time, these agreements were being concluded. This includes;

a) how to reconcile the respect for autonomy and technical competence of the agencies with more general responsibili-

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15. While Article 63 authorizes the Council to coordinate the activities of the specialized agencies, Article 58 states that "the organisation" shall make recommendations for the coordination of their "policies and activities". This has been generally taken to mean that coordination of policies involves the General Assembly and not just the Council.

16. In addition to the above articles, the main provisions of the Charter, bearing directly on coordination and relations between the UN and Specialized agencies include Articles 17(3), 59, 64, 66 and 70.

ties of the United Nations.

Though this problem has been responsible for coordinating difficulties during the early years of the United Nations, it has lately lost importance owing to the recognition that only the UN itself and most notably the Council, can;<sup>17</sup>

i. provide policy coordination within the entire system  
ii. mobilize political will and take political decisions necessary to enable the agencies contribute more effectively. For such reasons, it has become customary for governments to launch major programmes, call international conferences, through the United Nations rather than the technically concerned specialized agencies and expect the UN to retain some degree of supervision and responsibility.

b) how to reconcile the ECOSOC's dual role as a coordinator and a governing organ for the broad sector of activities that need to be coordinated with those of other organisations?

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17. Martin Hill, "Towards Greater Order, Coherence and coordination in the United Nations System", UNITAR Report No.20, 1973, p.14.

c) Another "built in" problem that has been gradually realized over the years, was how to bring about coherence and cooperation<sup>in</sup> international programmes from a variety of independently conceived programmes, each with its own objectives and administration.

Closely related to this is the overlap in the range of activities of different organisations sanctioned by their respective constitutions and devised by their respective members. For example, in case of the ILO the main fields of activity are the employment promotion, vocational guidance, social security, labour laws and labour relations etc. Each of these fields contain "grey areas" where other agencies are also much concerned.<sup>18</sup>

This problem is further compounded by the absence of coordination at the national levels in regard to policies and programmes of the UN family of organisations. This weakness in policy coordination at the national levels have led to representatives of the same country taking divergent

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18. Ibid. p.14.

positions on similar issues in different forums such as GATT and the UNCTAD, ILO and the UNIDO.<sup>19</sup>

The problems discussed above, are still with us but profound changes, in context and dimensions of many, have occurred since 1940s. Of these changes and their effects on coordination issue, are:

- i. Increase in scope and interdependence of activities.
- ii. The second change was the advent and rapid growth of field activities especially technical assistance which have become the disbursors of considerable funds and extensive advisory services direct to member governments.

Growth of activities at the regional level has considerably affected the UN-agency relationships particularly after the establishment of the two regional commissions -- the Economic Commission for Europe and the Economic Commission for Asia and the Far East in 1947<sup>20</sup> with a broad

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19. Annual Report of the Administrative Committee on Coordination for 1972-73 (E/5289, part I), para-101.

20. A third, Economic Commission for Latin America (ECLA) and fourth, the Economic Commission for Africa (ECA), and finally, Economic Commission for West Asia were created in 1948, 1958 and 1973 respective. The Economic Commission for Asia and the Far East is now called Economic and Social Commission of Asia and Pacific.

responsibility for economic and (since 1950s) social development. (Also covering sectoral areas of the specialized agencies). There have been serious coordinative problems between them and the Department of Economic and Social Affairs at the Headquarters.

New members and new interests have had their effect on the structure, efficiency and coordination of international organisations. It has already been realized that good and effective coordination might mean better assistance and that lack of it might contribute to drying up of resources - a factor which is significant since most of the period in its history, the UN system has remained deprived of adequate funds.<sup>21</sup>

For the Council, "coordination" from the very outset been a central preoccupation, and the Council dissatisfaction with its own performance has largely been responsible for the review it has undertaken of its functioning and machinery. The reasons for the failure of the ECOSOC to evolve a sustainable coordinative machinery are:

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21. It is pertinent to mention that the Council was first enlarged from 18 to 27 members in 1963 and then to 54 members in 1973.

- i). its lack of financial powers.
- ii). history of its erosion of authority and narrowness of responsibilities.
  
- c) some scholars like Martin Hill argue that the Council's long held doctrine that it must somehow do all the coordinating job, combined with its traditionally defensive and critical attitude of the ACC has been a constant handicap, preventing it from fully mobilizing the resources of the UN system.<sup>22</sup>

Attempts have been made towards restructuring and revitalization of the Council. Many scholars regard the three-fold increase in the membership of the Council as a strength in itself. One can identify turning points in the history of Council's handling of coordination in 1957 and 1973 when, despite reservations on the part of certain specialized agencies, the Council arranged for appraisals to be made by a distinguished group of former officers, of the scope, trend and costs of programmes of the United Nations, the ILO, FAO, UNESCO, WMO, IAEA. A consolidated report

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22. Hill, no.16, p.50.

entitled Five- Year Perspective: 1960-64<sup>23</sup> was completed in 1960. Among the major efforts of the Council, worth mentioning are the historic resolution of the 54th Session on rationalization of the work of the Council with emphasis on implementation of International Development Strategy, implying a new approach to coordination.

d) The third factor which has significantly influenced the ECOSOC's position during the cold-war years was the massive influx of new members from Asia and Africa. One of the immediate target of this new group of members was the ECOSOC which they dubbed as being totally unrepresentative of the total membership of the UN. In 1964-65, the effectiveness of the Council was seriously impaired when a majority of the LDC's reinterpreted Chapter IX & X of the Charter as vesting all responsibilities for economic and social matters in the General Assembly.<sup>24</sup>

With their absolute voting majorities, the LDC's proceeded to centre their hopes for expanding the UN attention

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23. United Nations Publication Sales No.60.IV.14.

24. Kotschnig, no.5, p.18.

to their development needs in the 2nd and the 3rd committees of the Assembly. In doing so, they were, in effect, accentuating a trend towards greater Assembly role in the economic and social development affairs, at the expense of the ECOSOC. Later, under the pressure from the LDC's, the Assembly authorized new permanent institutional arrangements that clearly impinged the role of the Council. Thus, as one perceptive observer put it "the establishment by Assembly vote of the UNCTAD and UNIDO amounted to an "undeclared revision of the Charter".<sup>25</sup> The LDC's, subsequently, also spearheaded the movement towards enlargement of the membership of the Council and also urged for decentralizing certain aspects of programme formulations from Central Council to its regional commissions.

Thus, from the vantage point of the ECOSOC, such were the consequences of the membership explosion of the United Nations.

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25. Ibid., p.23.



## INSTITUTIONAL FRAGMENTATION BY THE GENERAL ASSEMBLY AND ITS IMPACT ON THE ECOSOC:

### A- THE ECOSOC AND UNCTAD

To understand the background of United Nations Conference on Trade and Development (UNCTAD) which met in 1964, it is necessary to revert to mid-1950s, when the former Soviet Union, abandoning its traditional opposition to the establishment of International Trade Organisation, surprised the ECOSOC by urging that such an action may be initiated by the Council. Highly critical of GATT to which it did not belong, the Soviets' sought to stimulate the East-West trade by whatever means available. During the next 6 years, a series of moves towards establishing a UN trade agency were launched by the Soviets' in the Council but were faced with major resistance from the industrialized West.

However, in the early 60s, the newly independent Afro-Asian states alongwith the Latin American countries managed to obtain the passage of an Assembly resolution calling upon the ECOSOC to consider the advisability of convening a UN

Trade Conference.<sup>26</sup> The United States which had hitherto blocked the introduction of the issue, gave way on the understanding that the mandate of the projected conference be limited to trade "in relation to development".<sup>27</sup>

The first UNCTAD<sup>28</sup> was the largest ever intergovernmental gathering held upto that time in which the developing countries soon coalesced into a solid caucusing and voting bloc - the Group of 77 which set out to drive through, a recommendation by the conference for the establishment of a new permanent institution which could serve their immediate development interests more effectively than the GATT and the existing new UN - Secretariate - ECOSOC - Specialized agency complex. This clearly reflected their strong disillusionment with the "slow moving" and "seemingly non-productive" UN institutional arrangement.

From the stand point of this study, perhaps the most note worthy provision in the UNCTAD's basic statute, as

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26. General Assembly Resolution, 1707 (XVI), 19th Dec. 1961.

27. ECOSOC Resolution, 917 (XXXIV); 3 Aug. 1962.

28. The General Assembly gave endorsement for calling the UNCTAD vide Resolution 1785 (XVII), Dec.8, 1962.

approved by the Assembly in 1965 was that it was to function as "an organ of the Assembly". Institutionally, it was to be sui-generis. The language of the Final Act of 1964 UNCTAD said the future Trade and Development Conferences were to review and facilitate the coordination of the other institutions within the UN system in the field of international trade and related problems of economic development and in this regard, cooperate with the General Assembly and the ECOSOC in respect to the performance of their charter responsibilities for coordination".<sup>29</sup>

What is striking about the foregoing provision is the sweeping wide scope of "coordinational mandate. It not only embraces international trade for which there was no international agency with major responsibility but also "related problems of economic development" which if interpreted liberally would include technical cooperation activities carried out by the specialized agencies, thereby leaving ECOSOC searching for work. Subsequently, measures were also undertaken to transfer agenda items from the ECOSOC forum to the UNCTAD. In the 37th Session of the Council, on the

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29. Sharp; no.2, p.218.

Soviet initiative the existing ECOSOC committee on International Commodity Trade was liquidated and its activities were shifted to UNCTAD. It is pertinent to mention that while the Soviet bloc and the non-aligned nations sought to strengthen the UNCTAD, the West had repeatedly come in the defence of ECOSOC as the central coordinating organ under the Charter.

At the working level, the UNCTAD secretariat by autumn 1967 worked out number of cooperative arrangements with cognate bodies like the FAO, ECE, GATT, IBRD, IMF, much to the detriment of the overall functioning of the ECOSOC.<sup>30</sup> These developments reduced the ECOSOC to being a mere "endorsement body" since substantive proposals were taken up by the UNCTAD while the Council had nothing new to offer.

However, the euphoria relating to the establishment of UNCTAD gradually faded out. The VIIIth UNCTAD summit in Cartagena, according to some observers put the final nail in its coffin. The recent successful conclusion of the Uruguay Round of Multilateral Trade Negotiations which would ulti-

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30. D. Cordoveiz, "The Making of the UNCTAD", Journal of World Trade Law, vol.I, no.3 (May-June 1967).

mately lead to the establishment of the World Trade Organisation would imply a total marginalisation of the UNCTAD and the ECOSOC, in the realm of international economic relations.

B- UNIDO AND THE ECOSOC

The origins of the United Nations Industrial Development Organisation may be traced to a growing feeling, both in the ECOSOC and the Assembly, that the existing UN system of activities for promotion of industrial aspects of development were too dispersed and too limited in resource to produce a major catalytic impact which the developing countries were hoping for. In the early 1960s, the Council, by a divided vote decided to set up a standing committee for Industrial Development<sup>31</sup> in response to a resolution by the Assembly asking the ECOSOC to consider such action. While there were attempts to accord the status of a Commission to this committee two additional steps designed to stimulate actions by the UN system in the industrialization process were taken up in 1961:

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31. ECOSOC Resolution 792 (XXX), 3 Aug. 1960.

: request to the Secretary-General to establish a Centre for Industrial Development within the UN Secretariat.<sup>32</sup>

: The assembly passed a resolution asking the above committee "to consider the advisability of establishing a specialized agency or an appropriate body for Industrial Development".<sup>33</sup>

The UNIDO, consequently came into existence four years later. Thus the UNIDO was to play a "central role in and be responsible for reviewing and promoting the coordination of all the activities of the United Nations system in the field of industrial development".<sup>34</sup> The UNIDO was accorded a status of "autonomous organisation of the United Nations (and not a specialized agency) which was to report to the General Assembly through the Council, which means that the Council could only comment while the action could only be taken by the General Assembly.

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32. Resolution 817 (XXXI), 28 April 1961. This was to be headed by Commissioner for Industrial Development

33. General Assembly Resolution 1712 (XVI), 19 Dec., 1961.

34. Martin Hill, "The United Nations System; Coordinating its Economic and Social Work", London, 1978, p.31.

The creation of UNIDO involved considerable functional overlap with the Department of Social Affairs, the agencies and the regional commission because a clear-cut division of responsibilities between UNIDO and some of them are still to be worked out.

The process of institutional fragmentation, continued even after the creation of UNCTAD & UNIDO. In 1965, the General Assembly created a UN Capital Development Fund, which for the want of adequate funds has, until recently, been inactive. The fund, as an organ of the Assembly, was to have an organisational framework similar to the UNIDO. However, in contrast to the UNCTAD and UNIDO, the ECOSOC played no important role in the establishment of the UNCDF. The UNCDF statute concerning coordination states in general terms that the fund "should act in conformity with the responsibilities of the ECOSOC, under the Charter of the United Nations, particularly those of coordination" while its executive board should report annually to the General Assembly... through the Council." Significantly, the statute stipulates that the "General Assembly (with no mention of ECOSOC) will review the progress and general policies of

the Capital Development Fund as a separate item on its agenda and make appropriate recommendations. These latter provisions can only be interpreted as connoting a relatively minor role of ECOSOC.<sup>35</sup>

In 1965, the General Assembly, further merged EPTA with the Special Fund to form a single United Nations Development Programme, and for many years, pressure to give UNIDO a greater administrative and financial autonomy was successfully resisted. But the general trend towards fragmentation and voluntary financing still continues. One might also mention about the UN Fund for Population Activities (1967) under the Secretary General and also the United Nations Environment Programme (1972) set up by the General Assembly, which have further fragmented major intergovernmental institutions, thereby causing extensive overlap of functions between different bodies and organs, within the UN system.<sup>36</sup>

Thus, the overall trend towards fragmentation has naturally contributed towards ever-growing-proliferation of

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35. Ibid., p.33.

36. Ibid., p.53.



sub-organs, and leading to much uncertainty and confusion over their respective functions. If this uncertainty is partly due to overlapping of competence among parent institutions, other factors have also contributed to it. These include the geographical dispersal of the decision making organs and the differing attitudes that develop at the different headquarters. Another is the fact that in the recent years, decisions as to which organ or body is to be given a particular task have been affected by political considerations.

To summarize, we have examined the role actually played by the Council, in the international political climate that was characterized by the Cold War and ideological rivalry of the two super powers. We have also traced the factors that have contributed towards the change in the status and the role of the ECOSOC since 1960s. And, have also looked into the problems of coordination within the UN system owing to both - "in-built handicaps" and fragmentation of major intergovernmental institutions. One cannot but underline the importance of these factors, which have cumulatively affected the functioning of the Council, during the course of its evolution and history.

## CHAPTER IV

### THE ECOSOC IN THE POST COLD WAR ERA

In the second half of 1994, the United Nations enters and starts celebrating its 50th year of existence. Just released from the long lasting shackles of the Cold War, it is gradually coming to take on a new life.

We have already noted in the preceding Chapter that virtually throughout its history, the United Nations has been faced with a deep gulf - a gulf between theory and practice; between the principles enshrined in the Charter and the political realities of our times. However, with the ending of the Cold War, there is a new hope and belief that the principles of consensus and the spirit of cooperation a la democracy would propel the United Nations towards constructive endeavour and morally right directions, perhaps for the first time.

Though the dominant concern of the world body today is peace-keeping, peace-making and peace-building operations, there is also a growing demand over the years to evolve a more meaningful UN role in the realm of international eco

conomic and social cooperation. This directly leads us to the issue of restructuring and revitalizing the world body as a whole, and the ECOSOC, in particular, in tune with the contemporary realities.

## **RESTRUCTURING THE UNITED NATIONS**

Restructuring the United Nations - a subject actively debated internationally for several years now, may soon become a reality. Though the precise nature of the changes in the UN system remains nebulous, the broad contours are gradually becoming evident.

Most analysts of the UN reform link it to the end of the cold war and to global efforts designed to shape an "undefined" world order. But there are also other basic and more important factors that lend immediacy and legitimacy for the root-and-branch reform of the United Nations. These include "technological, economic, social, environmental, and political factors that have created imperatives for improved global governance."<sup>1</sup>

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1. A. Agayev and A. Kozyrev, "The United Nations and Reality", International Affairs (4), April 1988, London, p.27.

There are several reasons why the UN finds itself bereft of power today - especially in the context of the economic and social mandate. Part of the crisis results from the cash strapped organisation's own weaknesses. Another significant factor is the growing clout of other institutions in the international economic system. We would examine these in detail because in the recent years, there have been increasing attempts at further marginalising the economic and social arm of the UN Development System - namely, the ECOSOC. And, also because this is where the major focus of restructuring lies.

The ECOSOC has over the years considerably increased its functional areas, but its effectiveness has always been in doubt because of the way it was conceived - a think tank without any effective functional role. The ECOSOC's ineffectiveness can be perceived more clearly when contrasted with the more dominant Security Council.

The stability acquired over the years by the UN's political arm - the Security Council is a result of both circumstance and design. The logic behind UN's formation was to prevent conflagration between nations and it is this

singular objective that has been the foundation of the Security Council. This consequently ensured that the Security Council's mandate was spelt out in clear and unambiguous terms.

In sharp contrast, the ECOSOC was characterized by divergent interests. Its mandate was too wide for any unanimity of approach even within the group of dominant countries. Consequently, the ECOSOC was not given a clear-cut unambiguous mandate to facilitate international socio-economic cooperation. The recent Nordic initiative on the reform of the UN system points out that the vagueness of ECOSOC's role "may be to some extent intentional, as the member states have widely divergent views on the UN role in these areas."<sup>2</sup>

The lack of coherence about the role and function of ECOSOC is also apparent from the structure and the effectiveness of the specialized agencies related to it. Quite apart from the weak linkages within the UN system, the

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2. K. John Oommen, "Is UN Crumbling?" Down to Earth (New Delhi: Centre for Science and Environment, Dec. 15, 1992), p.34.

ECOSOC is characterized by several internal contradictions. It has long been recognized that the ECOSOC has problems in providing effective leadership and coordination to the operational organisations under its authority. A Dutch initiative on UN restructuring has noted, "Governments and even international organisations are often inclined to set up a new institution whenever it seems that the problems cannot be solved within the existing framework. This has produced a situation in which the ECOSOC is surrounded by a variety of newer bodies undermining ECOSOC itself and turning verdicts on its deficient functioning into self-fulfilling prophecies."<sup>3</sup>

Furthermore, the weakness of the UN Development System has been compounded by the fact that the global economy is being increasingly governed by the triika - the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD) and the General Agreement on Trade and Tariff (GATT). These three institutions have evolved a parallel multilateral system and have virtually taken over as the economic counterpart of the Security

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3. Ibid., p.35.

Council in the international system replacing the ECOSOC almost entirely.<sup>4</sup>

The major source of strength for the Bretton Woods institutions has been the control of a vital component of global economy - namely, the financial flows. The GATT, on the other hand, which had emerged as an interim arrangement following the collapse of the proposal of the International Trade Organisation, is now all set (following the successful completion of the Uruguay Round of Multilateral Trade Negotiations) to pave the way for the establishment of a World Trade Organisation (WTO/OCM). Though these institutions had been placed under the overall surveillance of the ECOSOC, this surveillance was in fact theoretical in nature. Their functional autonomy remained unaffected over the years and in the coming years, it is predicted that these three institutions along with the WTO/OCM, would effectively take over the reigns of global economic management.

Apprehensive of the numerical majority of the develop-

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4. S.S. Dell, "Bestrand Critique of the Role of UN in Economic and Social Fields", World Development 19(6), June 1991, p.737.

ing countries in the United Nations, the developed world led by the United States has been sceptical of placing these institutions within the effective ambit of the United Nations Development System. (Even the earlier attempts by the developing countries to bring international trade within the purview of the UN by establishing the United Nations Conference on Trade and Development (UNCTAD) in the 1960s have not succeeded.)

So, what do these inadequacies characterizing the UN System really mean?

This effectively means that the cash-starved United Nations would have to look at the international financial institutions, for funding its programmes. For e.g. the United Nations Commission for Sustainable Development (UNCSD), which is responsible for carrying forward the decisions arrived at Rio Summit would have to look towards the international financial institutions and the developed countries to realise the stated objectives laid down under the Agenda 21.

In light of these facts, there are innumerable challenges in the way of evolving a comprehensive restructura-



tion plan that would accord a meaningful role to the ECOSOC in the realm of international economic and social cooperation. However, since the process of re-structuring is already in progress, it might be pertinent to take note of a few issues that warrant immediate attention.

## ISSUES

The following paragraphs seek to draw out the issues pertaining to restructuring and revitalization of the Economic and Social Segment of the United Nations Development System, under the following heads:

1. Continuation and Intensification of useful measures already initiated (Rationalisation of procedures of the Council):

Under this head, we need to underline the importance of the past and the current efforts to rationalise the procedures of the Council. On this subject there exist a plethora of suggestions brought forward in the past four decades. These suggest that:

: The Council needs to conserve the very limited time at its disposal by refraining from discussion and consideration of reports coming before it which are intended essen-

tially as background information, and by confining discussions to aspects relating to policy planning and coordination.

: The practice of the Council asking the Secretary-General in consultation with agency heads, to study, advise or even recast proposals which affect other parts of the United Nations System should be emphasised.

: In view of Council's enlargement of functions and responsibility, its decision to concentrate on major issues and initiatives and to devote less time on secondary issues is encouraging. It is believed that greater recourse to informal consultations could help the Council in saving its precious time for more important discussions.<sup>5</sup>

: The Council, in the interest of its own leadership, should vigorously develop active cooperation with the non-UN global organisations. And in conjunction with the regional commissions, to extend consultative relations and programme adjustments (wherever duplication exists) with regional organisations like OECD, EU, ASEAN, SAARC, OAU etc.

Needless to say, the Council's effectiveness is

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5. With reference to Council resolution no.1768 (LIV).

influenced also by the degree to which it is responsive to and has the support of the public opinion. As a matter of fact, the ECOSOC has never enjoyed much publicity and indeed is largely ignored by the news-media. Though the establishment of a Centre of Economic and Social Information, has contributed to improving the situation, further efforts need to be made to accord a greater publicity to its works.

It has been suggested that the Economic and Social Council, meet in a permanent session,<sup>6</sup> like the Security Council, that is to say, meeting frequently throughout the year subject to call at any time. However, this would largely depend upon what the Council is to do and how it organizes its subsidiary mechanism.

And finally, there is the issue of CPC or some alternate body to assist the Council in its coordinating task - an issue that is under active study by the Council in the recent years. This could help in enhancing the Council's ability to discharge its Charter mandate pertain-

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6. One of the first such suggestions came from Prof. Henri Loaugier, the first UN Assistant Secretary General for Social Affairs as early as 1951.

ing to its role as a central forum for major economic, social and other related issues, policies and coordinating function in the UN System.

## 2. Review of attitudes, practices & policies:

It is incontrovertible that no new measures or intensification of existing reform policies will be of much avail unless the member governments actively support the assumption by the Council of its Charter role in programmes and policies for the entire United Nations System. These would require<sup>7</sup>

: that the level and competence of the delegation to the Council and other arrangements for supporting them, will have to be upgraded so as to enable them discharge their responsibilities properly.

: Secondly, governments will have to reflect seriously before pressing for unnecessary creation of other organs particularly where the responsibilities of the new organs may overlap with the existing ones.

: It may be necessary for the governments and Inter-

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7. Hill Martin, The United Nations System: Coordinating its economic and social work (London, 1978), p.127.

governmental organs of the United Nations to consult the Secretary-General, and as appropriate, the ACC, on all proposals concerning institutional arrangements.

: A new effort may be necessary on the part of the member governments to assimilate the positions they take in different international bodies, at least on matters relating to programme coordination, structure and organisation.

: And finally, though creation of no additional standing machinery has been recommended, it has also been felt that the existing machinery be simplified. Furthermore, emphasis needs to be laid on consultations and opening up of direct channels of communication. The better enforcement of this discipline, which has been repeatedly commended by the Council and the Assembly, but is far from being universally observed or even encouraged in practice, deserves attention by the Secretary General, Heads of agencies and programmes as well as the ACC.

This would mean a change in the attitude of the Council itself, which in the interest of its own authority and effectiveness, could devote less time on "coordination" and instead concentrate under that heading on policy and pro-

gramme planning; especially between the UN and the concerned agencies.

### 3. Review of UN-Agency Relationships:

The implementation of the measures proposed above would undoubtedly, not require a revision of the UN-agency relationship agreements. But in fact would represent a fuller and a more active implementation of them.

However, it is widely held that the UN agencies' relationship agreements are outdated<sup>8</sup> in many respects, because so many new and additional elements have been introduced over the years at the UN's request. However, it is also accepted that the revision process is likely to be lengthy and is likely to produce maximum opposition. The recommended alternative is that the resolutions by the Council or the Assembly or both, to which the agencies could subscribe would naturally involve discussion and hence must conform to the Charter rule that coordination is to be exercised through consultation and recommendations.

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8. Martin Hill, Towards Greater Order & Coherence in the United Nations System, UNITAR Research Report no.20, 1976, p.87.

This would mean:<sup>9</sup>

: all initiatives of the Council and the Assembly and not just formal recommendations, be brought to the attention of the governing organs so that supporting actions could be considered.

: Efforts to bring to effect the provision that major agencies (apart from the IMF and the Bank group) should consult the UN in the preparation of their budgets.

Among the powers with the UN, so far little utilized are:

: Article 17(3) which states that the General Assembly shall consider and approve any financial or budgetary arrangements with specialised agencies and also examine their administrative budgets with a view to make recommendations to agencies concerned.

: facilities of reciprocal representation between the UN and the agencies.

It is at least worth considering whether or not these powers, at least to some degree be revived. One set of

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9. The study of the capacity of UN Development System, Vol.II, UNITAR (1969), p.111.

conclusions which this discussion leads to is, that there are many approaches to updating UN-agency relationships and that such approaches need not involve confrontations and could be useful to explore.

And secondly, much of this possible updating depends on decisions of the UN itself to give fuller effect to existing provisions and to play a more active role in furnishing guidance and in contributing from the centre of the system to the objectives and purposes of the agencies.

#### **AN AGENDA FOR THE POST COLD WAR ERA**

The bulk of the work of the United Nations System, measured in terms of money and personnel, is aimed at achieving the pledge made in Art.55 of the Charter "to promote higher standards of living, full employment and conditions of economic and social progress and development." The new agenda for the UN should and hopefully emphasize: peace, development and democracy.

In the post Cold War era, a rich North and impoverished South cannot co-exist peacefully. Developing countries need aid and assistance from the developed countries which should



be forthcoming voluntarily from the richer nations because it is in their long term interest to promote economic growth in the developing countries. The restructuring process that seems to be underway in the United Nations System hardly seems to emphasize this fact. A reference needs to be made on the "Agenda for Peace"<sup>10</sup> a report submitted by the Secretary General Boutros Boutros Ghali on ways and means for strengthening the role of the United Nations in preventive diplomacy peace-making and peace-keeping operations. Though this report seeks to evolve a post Cold War agenda for the world body, it makes no mention of a possible UN role in fostering global economic and social progress; which are also significant inputs in efforts towards maintaining international peace and security.

Thus the post Cold War era brings before the United Nations tremendous opportunities and challenges, at the same time. It needs to be seen, how the world body evolves itself, to cater to the global aspirations in the coming years.

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10. Boutros Boutros Ghali, An Agenda for Peace (UN Publication, 1993).

## CHAPTER V

### CONCLUSIONS

The foregoing chapters of this study have sought to draw out the role of the ECOSOC in the United Nations Development System. An attempt has been made to reappraise the role, changes in the stature of this principal organ over the years, apart from tracing its Charter mandate and relationships with other organs and bodies of the UN System. The times have changed. Since the end of the cold war, attempts are underway to restructure the world body so as to make it more responsive to the global needs.

We have seen that, over a long period in its history, the Council was not able to assert fully, its authority under the Charter. Now, in the post Cold war era, the question arises, whether it is capable of doing so, in the changed international scenario?

Presuming that it cannot, could be a defeatist attitude, an attitude which could be disastrous. It would be disastrous because the Council, as a principal organ of the United Nations provides the constitutional basis on which an

efficient, effective, orderly and coherent relationship between bodies and organs could be built within the United Nations System. Such a presumption is unjustified because, in my opinion, there are still many possibilities of improvement, which still have not been explored.

Thus the answer to the above question must therefore be affirmative, subject, however, to a number of important conditions being fulfilled.

The support of the General Assembly itself, is going to be crucial. This is the first condition, the second being that a strong and a balanced group of governments should want the Council to assert its leadership against the inertia and the vested interest in the status quo; something which they are likely to encounter from some countries, organs and specialized agencies within the United Nations.

Another condition is that the Council's leadership, to be real and effective must be exercised flexibly and through intellectual persuasion. Coordination likewise cannot be imposed, which does not mean giving orders or general directives but means seeking consensus on how to tackle economic and social problems through concerted international action;

it also means providing global perspectives and interagency cooperation within that perspective.

Thus leadership and coordination are interlinked. Both are inoperative without acceptance; and together they imply special concern on the part of the Council for planning, programming and evaluating the work of the system as a whole.

As far as the Council's role and leadership within the UN System is concerned, its role should not be considered competitive with the governing councils of the UNDP, UNEP, the Trade and Development Board and the Industrial Development Board, but as special and distinct. The Council has specific Charter duties vis-a-vis these and it should address itself forcefully and exclusively to issues that affect the broad thrust of work of the United Nations System or the relationships among various programmes or organs of the UN or relationships with the non-UN organisations.

It would have to be recognised that persuasion requires a lot of consultations, especially with the secretariats. And certainly, an indispensable instrument for affecting

fruitful consultation in the UN System is the ACC.

Another condition again is that the objective of order and coherence is pursued and leadership exercised in a way as to be acceptable to all groups of Member States and in particular, without impeding the realization of the political, social and economic aims of the developing countries.

We have already emphasized the importance of General Assembly's support. The Council may act suo-moto if generally assured of such a support or it may even assist and advise the General Assembly in taking action, whichever is most appropriate. The old problem of the Council's relations with the General Assembly, which has often proved frustrating and embarrassing in the past needs attention.

None of the above conditions, will be easy to fulfil but none should also pose insurmountable difficulties; and if they can be fulfilled at least in part, considerable progress will have been made.

#### **THE FUTURE**

Today, the ECOSOC is in a state of flux. Looking ahead, there would appear to be three possible paths along

which its destiny may lie.

One path that might, in time, reduce the Council to a minor, inconsequential organ within the UN Development System -- a kind of a fifth wheel in the entire complex. This possibility rests on the assumption that the forces outside the Council (e.g. actions by the member governments) may impinge upon its constitutional role and eventually convert it into a talk shop. Added to this is the current tendency of developed nations to ignore the UN System in favour of arrangements outside, as is evident from the recent signing of the Final Act of the Uruguay Round of Multilateral Trade Negotiation on 15th April 1994 which would lead to the establishment of the World Trade Organisation (WTO/OCM) which will collaborate with the other international financial institutions like the IMF and the IBRD to give direction to the global economic system. Moreover, there is also a complication in the size of the Council, which is far from reflecting the economic and social realities of the world community.

The trends in contemporary international political and economic relations is indicative of such an eventuality.

Formation of trade blocs seem to be the order of the day and there is a growing marginalisation of the UN Development System, especially with respect to fundamental economic and social issues of the world.

At the other end of the spectrum lies the radical possibility of the constitutional reform of the UN system i.e. a possible Charter reversion by which the ECOSOC may be eliminated as no longer having any *raison d'etre*; the UN confederative structure thus being transformed into a functionally centralized model where all the specialized agencies and other functional organs would become administrative entities subordinate to and controlled by the General Assembly, as an overall legislative and budgetary authority. In such a case, there might still be a need of a relatively small and fairly specialist body to assist the Assembly in sorting out policies in the evergrowing problems in economic and social domains. But this would be distinctly different type of an institution from the ECOSOC of today.

However, no useful purpose is likely to be served by speculating on this issue further because such a kind of a constitutional surgery lies outside the range of political

feasibility in the immediate future.

The third path assumes that there is still a possibility of salvaging the ECOSOC from complete futility, even somewhat to strengthen it. We have already taken into account the possibilities, which if taken note of in the ongoing reform processes could help in revitalising the Council. In short, the ECOSOC is the creation of its masters, the governments and its survival will depend upon what they do or do not do relative to its functions, working methods procedures and support.

The fate of the ECOSOC in the final analysis is tied to the fate of the global international system for which it has played, over the years, a useful, changing, and at times creative, but uneven role, and to which it can still contribute significantly, if permitted to do so. Its future now depends upon the constructive participation and initiatives of the developing and developed nations, alike, acting in partnership - not in competition.

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## APPENDIX

Given below are the relevant Articles from the United Nations Charter which bring out its role in the realm of international socio-economic co-operation:

### CHAPTER I

#### PURPOSES AND PRINCIPLES

##### Article 1

2. To develop friendly relations amongst nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be the centre for harmonizing the actions of nations in the attainment of these common ends.

### CHAPTER IV

#### THE GENERAL ASSEMBLY

##### Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:
  - a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

#### Article 15

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

#### Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

### CHAPTER IX

#### INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

#### Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development;

b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

#### Article 56

All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

#### Article 57

1. The various specialized agencies, established by inter-governmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

#### Article 58

The Organization shall make recommendations for the co-ordination of the policies and activities of the specialized agencies.

#### Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

#### Article 60

Responsibility for the discharge of the functions of

the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

## **CHAPTER X**

### **THE ECONOMIC AND SOCIAL COUNCIL**

#### **Composition**

##### **Article 61**

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

#### **Functions and Powers**

##### **Article 62**

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic,

social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

#### Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

#### Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

## Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

## Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.
2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.
3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

### **Voting**

## Article 67

1. Each member of the Economic and Social Council shall have one vote.
2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

### **Procedure**

## 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.

## Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its

deliberations on any matter of particular concern to that Member.

#### Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

#### 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.

#### Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

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