Chapter V SUBSIDIARY ORGANS ESTABLISHED BY OR IN PURSUANCE OF SECURITY COUNCIL RESOLUTIONS

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INTRODUCTORY NOTE

to the maintenance of international peace and security.

Part J. "Occasions on which subsidiary organs of the Security Council have been established or pro-

to set up a subsidiary organ; it also includes five instances (Cases 1, 2, 3, 7 and 9) in which the Council itself decided that a subsidiary organ be established.

THE COMMONION OF A CHOCKBERY OFFICE AFFICACE SCHOOL

has been one instance (Case 6) in which a subsidiary organ was proposed but not established.

With regard to the case in which a subsidiary organ

Part II of this chapter contains no entries, as there were no instances, during the period under review consideration by the Council of procedures to be

ARTICLE 29 OF THE CHARTER

"The Security Council may establish such sub-

"The Security Council may appoint a commission or committee or a rapporteur for a specified question."

Part I

NOTE

During the period under review, the Security Council: (i) established, in accordance with rule 28 of its provisional rules or procedure, an ad hoc sub-com-

the Council concerning Namibia could be effectively implemented; (ii) decided to send a special mission to the Republic of Guinea to report on the situation created by armed attacks alleged to have been com-There is a second of the secon

the implementation of resolution 298 (1971) concerning the measures and actions by Israel designed to change the status of Jerusalem; (vi) authorized the Secretary-General to appoint, if necessary, a special

Of the subsidiary organs established in connexion with the Security Council's discharge of its responsibilities for the maintenance of international peace and rity the United Nations Military Ob

out an inquiry and to examine the situation along the border between Guinea-Bissau and Senegal;3 (iv) decided, in connexion with a complaint by Guinea that Portugal was preparing military aggression against it, to send a special mission to Guinea to consult with the Guinean authorities and to report on the situation:

With regard to the mediation functions in Cyprus as provided for in paragraph 7 of Security Council resolution 186 (1964) of 4 March 1964, the Secretary-General had reported⁸ to the Council that his efforts

tality as ne might choose, including a representative or a mission, to report to the Council, as appropriate on

- ¹ Case 7, resolution 276 (1970).
- ² Case 1, resolution 289 (1970). ⁸ Case 2, resolution 294 (1971).
- 4 Case 3, resolution 295 (1971).

- ⁵ Case 4, resolution 298 (1971). ⁶ Case 5, resolution 307 (1971).

resolutions of the Security Council: resolution 266 (1969); resolution 274 (1969); resolution 281 (1970); resolution 291 (1970); resolution 293 (1971); resolution 305 (1971).

8 S/7191, OR, 21st yr., Suppl. for Jan.-March 1966, p. 229.

differing and firmly held views on the matter by the three Governments most directly concerned.9 In subsequent reports within the period considered, the Secretary-General informed the Council that the situation regarding a resumption of the mediation functions remained unchanged.10

With regard to the Special Representative in the

report¹¹ dated 30 November 19/1, gave a comprehensive account of the activities of the Special Representative. The Secretary-General indicated that the talks under the ausnices of the Special Representative

tound no possibility for actively resuming his mission.

With regard to subsidiary organs of the Security Council already established, the Council modified the composition of the Committee established in pursuance

fined its terms of reference.12 The Council also reactivated the Committee on Admission of New MemA. INVOLVING, TO FACILITATE THEIR WORK, MEET-INGS AT PLACES AWAY FROM THE SEAT OF THE ORGANIZATION

1. Subsidiary organs established

Case 1

Special Mission to the Republic of Guinea

At the 1558th meeting on 22 November 1970, the Security Council, in connexion with the complaint by Guinea of the same date20 that the territory of Guinea

capital, unanimously adopted a resolution²¹ originally sponsored by Burundi, Nepal, Sierra Leone, Syria and Zambia by which it decided:

to send a special mission to the Danublic

or currento report on the attuation infinediately,

"4.... that the special mission be formed after

States for the "creation of a category of associate membership".18

It should be noted that during the period under review the representatives of the four permanent members of the Council—France, the USSR, the United

of representatives of Governments, his delegation would accept that procedure, although it initially wanted to suggest that the Council ask the Secretary-General to send a representative to that area. His delegation held. however, that the composition of the proposed mission

"[The Security Council] Decides that this special

The representative or Burundi said that his delega-

tion, as a sponsor of the draft resolution, held that the

consultations between the President of the Council

who were reluctant to support paragraph 4 would

realize that this provision did not exclude consultations

with the Council members, and would therefore sup-

mission be formed after consultation.'

lution 242 of 22 November 1907 in an its parts other members of the Council were regularly informed about these consultations by the presiding member of these consultative meetings. Throughout this period the members of the Council on numerous occasions declared their support for these consultations, emphasized

and frequently asked that the Council conduct its own meetings in a manner supportive of the efforts of the four permanent members.19

10 See reports of the Secretary-General mentioned in footnote 7.

11 S/10403, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 54.

12 See Case 8.
13 1565th and 1566th meetings.

proposal of the five African-Asian delegations was fully

meeting: Lebanon, para. 36; 1511th meeting: Tunisia, paras. 46-47; United States, para. 74; 1540th meeting: Zambia, paras. 5-6; Nepal, paras. 55-56; USSR, paras. 106, 108, 111, 120;

U/22221 Detter Or Departor to the Alesiacity of the

Colombia, para. 82; Hungary (President), para. 135; 1470th meeting: Jordan, paras. 27-29; Paraguay, paras. 42-44; Saudi Arabia. paras. 98-103; 1472nd meeting: Pakistan, paras. 11, 19; Jordan, paras. 62-64; 1473rd meeting: France, para. 17; 1484th meeting: Morocco, paras. 48-49; Finland, para. 100; Lebanon, para. 137; Paraguay, para. 198; 1485th meeting: Pakistan, paras. 175, 184; 1500th meeting: United States, para. 6; 1501st

OR, 24th yr., Suppl. for Oct.-Dec. 1969, p. 95; S/10070, Report of the Secretary-General on the activities of the Special Representative to the Middle East, OR, 26th yr., Suppl. for Jan.-March 1971, pp. 18-23, para. 32.

²⁰ S/9987, OR, 25th yr., Suppl. for Oct.-Dec. 1970, p. 51. See also chapter VIII, part II, p. 146 and chapter X, Case 1.

²¹ Resolution 289 (1970).

port it.

President of the Council and the Secretary-General and enable them to discharge their responsibilities without delay.

out an inquiry into the facts of which the Council has been informed, to examine the situation along the border between Guinea (Bissau) and Senegal

tant and he therefore submitted his proposal as an amandment to paragraph The amendment received 3 votes in rayour, none against, with 12 abstentions and was not adopted.

in this region."

Tollowing the unanimous adoption of Apale convers see all

at the request of the representative of the United States, was adopted unanimously. The draft resolution as a abstentions as resolution 294 (1971) 27

tive of Burundi concerning the implementation of

Composition

Special Mission of the Security Council would be composed of representatives of Nicaragua (Chairman), Belgium Burundi Janan Poland and the Syrian Ara

In a senset23 exhautted jointly to the

Security Council resolution 289 (1970), and following In response to a request by the Chairman of the consultations between themselves and between the President and the members of the Council, it had been decided that the Special Mission to the Republic of Colombia, Finland, Poland and Zambia. The report

Special Mission to the Governments of Portugal and Senegal to extend to the Mission all needed facilities, the Government of Portugal, in a letter dated 24 justifiably condemmed by the Security Council without any evidence having been advanced in support of Senegal's charges, it could not collaborate with the

further stated that the Mission would be accompanied by a staff member from the Secretariat and that it would leave for Guinea that same night.

Ciner moreld by composed of Mana

Mission, as to do so would presuppose an acceptance of a condemnation that it had repudiated

Termination

On 16 September, the Special Mission submitted its

The renest of the Special Migrignes cubmitted on 3 December 1970 was menucu in the agenua of the Security Council and was considered together with the complaint by Guinea at five further meetings (1559th to 1563rd, 4-8 December 1970). At its 1563rd meeting on 8 December, the Security Council adopted by 11 votes to none with 4 abstentions resolution 290 (1970)

1599th to 1601st meetings held between 29 September and 24 November, the Council considered the report of the Special Mission.

CASE 2

At the 1586th meeting on 29 September, the representative of Nicaragua, as Chairman of the Special

Special Mission of the Security Council established in accordance with resolution 294 (1971) of 15 July 1971

or mose appointed by the Council, because it was the first to which the Council had given authority to make Torramandations nagarante security in the region. He thanked the Senegalese authorities for their co-operation and expressed regret that the Mission had not been invited by the Govern-

ment of Portugal to visit Guinea (Bissau).

Establishment and terms of reference

tion that the Council had reinstated the practice of sending highly authoritative missions composed members of the Council to carry out investigations on the spot and that this marked a return to the working methods envisaged for the Council in the Charter and in the Council's rules of procedure. He hoped that the Council would continue the practice, as it would expand the role of the Council in strengthening international security and help to solve problems of peace-keeping.

1572nd meeting on 15 July 1071 nexion with the complaint by Senegal of 6 July 1970²⁶ concerning alleged violations of Senegal's territorial integrity by Fortuguese regular armed forces Guinea-Bissau, the representatives of Burundi, Japan, Sierra Leone, Somalia and Syria submitted a draft resolution (S/10266) under which the Security Council would, inter alia,

was an extremely useful one that could benefit the

"4. Request the President of the Security Council

²² For the votes on the amendment and on the draft resolution, see: 1558th meeting, paras. 100-101. For relevant statements, see: ibid., United States, paras. 84-86, 91-92, 102;

Timana, para. 110. 23 S/9999, OR, 25th yr., Suppl. for Oct.- Dec. 1970, p. 53.

²⁴ S/10009, OR, 25th yr., Suppl. for Oct.-Dec. 1970, p. 73.
25 1563rd meeting, para. 155.
26 S/10251, OR. 26th yr., Suppl. for July-Sept. 1971, p. 28.

^{27 1572}nd meeting, paras. 84-85. S/10266 adopted as resolution 294 (1971).
28 S (10274, OR. 26th yr., Suppl. for July-Sept. 1971, p. 40.

²⁹ S/10284, Ibid., p. 42

rity Council, though the membership and balance of individual missions might have to differ, according to circumstances, as each case was unique. 11

Termination

At its 1601st meeting on 24 November, the Council adopted by 14 votes to none with one abstention, an amended text originally sponsored by Burundi, Sierra Leone and Somalia³² with the inclusion of an additional paragraph proposed by Argentina, as resolution 302 (1971). In this resolution the Security Council, inter alia, took note with satisfaction of the recommendation of the Special Mission and requested the President of the Security Council and the Secretary-General to keep the question under review and report on the implementation of the present resolution of the Security Council appropriate period of time and the late

In a note submitted on 26 August, the President of the Security Council and the Secretary-General stated that in accordance with Security Council resolution 295 (1971), and in pursuance of the consensus adopted by the Security Council at its 1576th meeting, the Special Mission would be composed of Argentina and the Syrian Arab Republic.³⁷

Termination

On 14 September the Special Mission, established under resolution 295 (1971) submitted its report³⁸ to the Security Council, which considered it at the 1586th and 1603rd meetings held on 29 September and 30 November 1971.

The representative of Somalia noted that the report of the Special Mission was a factual one containing

recommendations and leaving it to the members of the

The representative of Nicaragua said that his delega-

Special Mission to the Republic of Guinea

preparations by Portugal for imminent military aggres-

the Council would decide to cond a

report on the situation infinediately, rollowing a priet

agreed upon during consultations.34 The modified paragraphs 2 and 3 read as follows:

2. Decides to send a special mission of three members of the Security Council to Guinea to con-

immediately;

At the same meeting, the draft resolution was adopted unanimously as resolution 295 (1971).35

Composition

At the 1576th monting on 26

was approved without objection:

"It is the consensus of the Security Council that the Special Mission called for in resolution 295 (1971) should be composed of two members of the notched to the Republic of Guines

n considered it necessary in order to sateguard peace

the representative of the Syrian Arab Republic

of the Special Mission had decided that their role was

from the Government of Guinea.41

mation placed before the Security Council by the Council's Special Mission and noted with satisfaction the resumption of the practice of establishing security Council missions to perform direct and immediate tasks neace which were entrusted to the Security Council

ident of the Security Council, on behalf of the Council and with the authorization of its members, read out the conseques seached on the besie of the

eration of the report of the Special Mission.43

Case 4

Establishment and terms of reference

At the 1582nd meeting on 25 September 1971, in connexion with the situation created by alleged illegal

31 For texts of relevant statements, see: 1586th meeting, paras. 8, 78-87.

82 S/10395, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 40.
The amendments were read out on behalf of the sponsors at the 1601st meeting. See 1601st meeting, paras. 6-7. See para.

11 for Argentina addition.

33 S/10280, OR. 26th yr., Suppl. for July-Sept. 1971, p. 41.

See also chapter X, Case 3, and chapter VIII, part II, p. 149.

84 1573rd meeting, paras 65-71.
85 Ibid., para. 80. S/10281 adopted as amended.
86 1576th meeting, paras. 4-5.

"5. Request the Secretary-General, in consultation with the President of the Security Council and

³⁷ S/10299, OR, 26th yr., Suppl. for July-Sept. 1971, p. 56.

³⁸ S/10309/Rev.1; OR, 26th yr., Special Suppl. No. 4.

^{39 1586}th meeting, para. 119.

⁴⁰ Ibid., paras. 126-127.

⁴¹ *Ibid.*, para. 147. 42 *Ibid.*, para. 155.

^{43 1603}rd meeting, para, 5. 44 S. 10337, OR, 26th yr. Suppl. for July-Sept. 1971, p. 67.

within 60 days on the implementation of this reso-

The representative of Syria proposed the replacement in paragraph 5 of the words "as he may choose" by may choose" With ragged

At the same meeting, paragraph 5 of the draft of Somalia was adopted by 12 votes to none with 3 abstentions (Poland, Syria and USSR); the draft resolution as a whole was adopted by 14 votes to none with one abstention as resolution 298 (1971).45

Composition

of that resolution, he had held consultations with the and subsequently had informed israel of his intention te nominate a mission consisting of three

the Council as requested. On 1 October, he had indi-

mind to nominate the representatives of Argentina,

tri raminded loved that wader the terms of the

General reported to the Council that in the light of Israel's failure to abide by the decision of the Security Council, he had been unable to fulfil his mandate under resolution 298 (1971).

CASE 5

Special Representative of the Secretary-General in the India/Pakistan subcontinent

Establishment and terms of reference

At the 1621st meeting on 21 December 1971, in connexion with the situation in the India/Pakistan subcontinent, the President of the Security Council introduced and put to the vote a draft resolution⁴⁷ sponsored uy Argeninia, Durunui, Japan, Mearagua, Sierra Leone and Somalia that had been agreed upon after intensive consultations with the parties concerned and represented a compromise of the numerous draft resolutions that had been presented to the Council.48 Paragraphs 5 and 6 read as follows:

offices for the solution of humanitarian problems;

Requests the Secretary-General to keep the Council informed without delay on developments relating to the implementation of the present resolution."

At the same meeting, the Security Council adopted the six-power draft resolution by a vote of 13 in favour

45 1582nd meeting, para, 338,

48 See Case 6 below.

Composition

On 25 December 1971, the Secretary-General reported50 that, in accordance with paragraph 5 of Security Council resolution 307 (1971), he had ap-

Subsidiary organs proposed but not established

CASE 6

At the 1606th meeting on 4 December 1971, in monion with the situation in the India/Pakisting s

inter alia,

quest of the Governments of India and Fakistan, to observers along the India / Delictor

troop withdrawals, drawing as necessary on the

The draft was put to the vote at the same meeting.

At the 1613th meeting on 13 December, the representative of Italy introduced a draft resolution⁵³ sponsored also by Japan, paragraph 7 of which read as follows:

Desidente appoint with the secret of Y-di and Pakistan, a Committee composed of three members of the Security Council to assist them in their efforts to bring about normalcy in the area of conflict, as well as to achieve reconciliation, in accordance with the principles of the Charter and in keeping with the aforesaid resolutions, and to report to the Council;"....

The representative of Italy drew attention to the fact that, although the sponsors had introduced the words

text, and that they intended to insert the names of the members of the Security Council, or whatever other formulation the Council might decide upon in order to establish the committee. The immediate formulation was just a reminder of what the sponsors had in mind.⁵⁴

drait resolution, " paragraph 3 of which read as follows:

- Requests the Secretary-General to appoint a special representative with a view to
- "(a) Supervising the orderly process of the abovementioned operations;

49 1621st meeting, para. 14.
50 S/10473, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 123.
51 S/10416, Ibid., p. 90.

52 1606th meeting para

1 1613th meeting, para. 305.

55 1615th meeting, para. 111. S/10456, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 111.

⁴⁷ S/10465, adopted without change as resolution 307 (1971) of the Council.

comprehensive settlement, compation principles of the Charter;

"(c) Establishing the propitious conditions for the

It was understood after consultations among members of the Council⁶² that the ad hoc sub-committee to be established by the Security Council would consist

Pakistan."

At the same meeting the representatives of the United Kingdom and France introduced a draft resolution,56 paragraph 6 of which read:

"6. Invites the Secretary-General to appoint a special representative to lend his good offices, in par-

At the 1617th meeting on 16 December, the representative of the United States introduced a new draft resolution subsequently amended,57 on behalf of Japan and the United States, paragraph 5 of which read:

"5. Invites the Secretary-General to appoint a special representative to lend his good offices, in par-

in pursuance of resolution 276 (1970) submitted to the Security Council an interim report⁶³ on its work. The report indicated that the Ad Hoc Sub-Committee had given preliminary consideration to various questions consecuting the implementation of the relevant resolutions of the Security Council concerning Namibia but was not yet in a position to formulate specific recom-

by 30 April, as provided for in resolution 276 (1970). The Ad Hoc Sub-Committee intended to continue its work in accordance with its terms of reference and hoped to submit its report by the end of June 1970.

Termination

In a note84 dated 15 May the President rity Council stated that, after consultations with all members of the Security Council, the Council had

Committee and agreed that the Ad Hoc Sub-Committee should continue its work in accordance with its terms of reference in order to be in a position to formulate

MEETINGS AT PLACES AWAY FROM THE SEAT OF THE ORGANIZATION

At the 1529th meeting on 30 January 1970, in connexion with the situation in Namibia, Finland, Burundi, Nepal, Sierra Leone and Zambia sponsored a revised

Deciaes to establish, in accordance with run 28 of the provisional rules of procedure, an ad hoc abe, Carrail

At its 1550th meeting on 29 July 1970, the Council considered the report of the Ad Hoc Sub-Committee. A draft resolution66 was submitted by Burundi, Finland,

Decides to re-establish, in accordance with

mented in accordance with the appropriate provisions of the Charter, in the light of the flagrant refusal of South Africa to withdraw from Namibia, and to submit its recommendations by 30 April 1970."

In introducing the draft resolution, the representative

lug ideal for any effective that he taken

of Namibia. However, he added, the ad hoc subcommittee was not intended to become another United relevant resolutions of the Council can be effectively implemented in accordance with the appropriate provisions of the Charter of the United Nations, in the light of the flagrant refusal of South Africa to withdraw from Namibia:

Gararal in nurryance of anasotive passages 12 of

At the 1550th meeting on 29 July 1970, the fivepower draft resolution was adopted by 13 votes to none,

57 1617th meeting, para. 14. S/10459 amended as S/10459/

Rev.1, OR, 26th yr., Suppl. for Oct.-Dec. 1971, p. 112.

58 See case 5 supra for subsequent decisions by the Security Council in connexion with the situation in the India/Pakistan subcontinent.

59 S/9620/Rev.1, 5-power draft, adopted as resolution 276

60 1527th meeting, paras. 41, 44. S/9620, OR, 25th yr., Suppl. for Jan.-March 1970, p. 114.

Nepal, 1528th meeting, para, 133 and Poland, 1529th meeting,

para. 26.
62 1529th meeting, paras. 197-201.
63 S/9771, OR, 25th yr., Suppl. for Apr.-June 1970, p. 165.
64 S/9803, Ibid., p. 184.
65 S/9863 and Add.1/Rev.1. Ibid., Suppl. for July-Sept.

1970, p. 81.

66 S/9891, adopted without change as resolution 283 (1970). 67 1550th meeting, para. 155.

Composition

On 18 August the President of the Security Council issued a note⁶⁸ stating that, after consultations among members of the Council, it had been agreed that the Ad Hoc Sub-Committee on Namibia established under Security Council resolution 283 (1970) should be composed of all members of the Security Council and that its rules of procedure and its officers should be the same as those of the former Ad Hoc Sub-Committee established in pursuance of Security Council resolution 276 (1970).

On 23 September 1971, the Ad Hoc Sub-Committee submitted a report⁶⁰ describing its activities at 17 meetings held between 21 August 1970 and 23 September 1971.

Terms of reference

At the 1595th meeting on 15 October 1971, in connexion with the situation in Namibia, the representative

among others, contained the following provisions: (1) the Security Council

"Requests the Ad Hoc Sub-Committee on Namibia

Nicaragua, Sierra Leone, USSR, United Kingdom and United States.78

On 30 September 1970, the President issued a note⁷⁴ stating that, after consultations, it had been agreed that as of 1 October 1970 the Committee established in pursuance of Security Council resolution 253 (1968) would be composed of all the members of the Council, and that the Chairmanship of the Committee would rotate every month in the English alphabetical order according to the Presidency of the Council.

Terms of reference as defined in resolution 277 (1970) of 18 May 1970

At the 1535th meeting on 18 May 1970, the Security Council, in connexion with the situation in Southern Rhodesia, adopted by 14 votes to none with one abstention resolution 277 (1970)75 which included the following provisions:

"21. Decides that the Committee of the Security Council established in pursuance of resolution 253

entrusted with the responsibility of:

"(a) Examining such reports on the implementation of the present resolution as will be submitted

resolution 283 (1970) and, in pairthodiar, classical involution ID 3"(169). -O. Seeking of the high States such further

to study appropriate measures for the fulfillment of the responsibility of the United Nations towards Namibia:

"Pacuate the 1d Hac Sub Committee on Namihi TO FEVER ALL DEADES AND ASTROMETICS WHICH ALC CON-

agreements which recognize South Africa's authority over Namibia, and to report periodically thereon.

masting on 20 October 1071

United Kingdom) as resolution 301 (1971).71

as it may consider necessary for the proper discharge of its duty to report to the Security Council;

'(c) Studying ways and means by which Mem-

Case 9

Committee of Experts established by the Security

Establishment and terms of reference

At the 1505th meeting on 27 August 1969, in con-

Council resolution 253 (1908)

Changes in composition

In connexion with the implementation of resolution

Security Council announced, in notes circulated as Security Council documents, the pmeasures which had been approved by the Council. On 10 April 1970, the

Security Council should establish a Committee of Experts to examine it and report the results of its study and its recommendations to the Council within two recommendations to the twenty-fourth session of the

General Assembly's consideration of this question, the

General Assembly.

At the 1505th and 1506th meetings, a number of

that until a further decision was reached the Committee established in pursuance of Security Council resolution

carrying out a careful and thorough study of all aspects

Suppl. No. 5.

70 S/10372, OR, 26th yr., Suppl. for Oct.-Dec. 1971, pp.

25-26.
71 1598th meeting, para. 31. S/10372/Rev.1 adopted as resolution 301 (1971).

72 S/9748, OR, 25th vr., Suppl. for Apr.-June 1970, p. 148.

for July-Sept. 1968. pp. 71-72 and ibid., 24th yr. Suppl. for Jan.-March 1969, p. 32.
718 9951, OR, 25th yr., Suppl. for July-Sept. 1970, p. 147.

75 1535th meeting, para. 85.

76 1505th meeting, paras. 26, 27, 33, 54, 65, 68, 70; 1506th eeting, paras. 1, 2, 6, 11, 26, 31, 37, 44, 50, 59.

Charter V Subsidiery organs	established by or in pursuance of Saggrity Council resolutions
At the conclusion of the 1506th meeting on 29	**2. Subsidiary organs proposed but not established
the 1505th and 1506th meetings 77	Council The report concluded by stating that the Committee
on 15 June 1970, the Committee of Experts gave an account	25th yr., Suppl. for April-June 1970, pp. 210-211.

Part II

**CONSIDERATION OF PROCEDURES RELATIVE TO SUBSIDIARY ORGANS