

Dual Distribution

TRANSFER TO THE UNITED NATIONS OF FUNCTIONS AND POWERS EXERCISED  
BY THE LEAGUE OF NATIONS UNDER THE INTERNATIONAL CONVENTION  
RELATING TO ECONOMIC STATISTICS, SIGNED AT GENEVA  
ON 14 DECEMBER 1928

Report of the Sixth Committee

Rapporteur: Mr. J. SPIROPOULOS (Greece)

1. By resolution 24 (I), adopted on 12 February 1946, the General Assembly decided that the necessary steps should be taken to ensure the uninterrupted exercise of the functions and powers of a technical and non-political nature vested in the League of Nations by virtue of international conventions.
2. The Economic and Social Council, at its sixth session, recommended, by resolution 114 (VI) of 2 March 1948, that the General Assembly should approve a draft resolution and protocol with an annex which would enable the United Nations to assume the functions and powers previously exercised by the League of Nations under the Convention of 14 December 1928 relating to economic statistics.
3. The General Assembly, at its 142nd meeting held on 24 September 1948, referred this question to the Sixth Committee, which considered it at its 88th to 91st meetings, held on 30 October and from 2 to 4 November 1948.
4. During the discussions in the Committee, the representative of Argentina proposed to delete the last paragraph of the draft resolution proposed by the Economic and Social Council. This proposal was adopted by 21 votes to 14, with 13 abstentions. The representative of Haiti proposed the deletion of article 11 of the Convention (A/C.6/250). This proposal was rejected by the Committee by 17 votes to 13, with 14 abstentions.

With respect to the drafting of the Protocol, the Committee decided, on suggestions presented by the representatives of Belgium and Egypt, to redraft article IV to read as follows:

"States may become Parties to the present Protocol by

"(a) Signature without reservation as to acceptance;

"(b) Signature with reservation as to acceptance, followed by  
acceptance;

"(c) Acceptance.

"Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations."

In this connexion the representative of Czechoslovakia called attention to certain divergencies in terminology in the texts drafted by the technical organs of the United Nations and suggested that in future the appropriate services of the Secretariat should always be consulted by those organs.

5. The Committee finally adopted, by 29 votes to 4, with 10 abstentions, the text of the draft resolution proposed by the Economic and Social Council, as amended by the Committee.

6. The Sixth Committee consequently recommends for the adoption of the General Assembly the following draft resolution together with the amended text of the draft protocol and annex proposed by the Economic and Social Council:

TRANSFER TO THE UNITED NATIONS OF FUNCTIONS AND POWERS PREVIOUSLY EXERCISED BY THE LEAGUE OF NATIONS UNDER THE INTERNATIONAL CONVENTION RELATING TO ECONOMIC STATISTICS, SIGNED AT GENEVA ON 14 DECEMBER 1928

THE GENERAL ASSEMBLY,

DESIROUS of continuing international co-operation relating to economic statistics,

APPROVES the Protocol which accompanies this resolution;

URGES that it shall be signed without delay by all the States which are Parties to the International Convention relating to Economic Statistics, signed at Geneva on 14 December 1928;

RECOMMENDS that, pending the entry into force of the aforementioned Protocol, effect be given to its provisions by the Parties to the Convention;

INSTRUCTS the Secretary-General to perform the functions conferred upon him by the Protocol upon its entry into force.

Draft Protocol amending the International Convention relating to Economic Statistics, signed at Geneva on 14 December 1928

The Parties to the present Protocol, considering that, under the International Convention relating to Economic Statistics, signed at Geneva on 14 December 1928, the League of Nations was invested with certain duties and functions for the continued performance of which it is necessary to make provision in consequence of the dissolution of the League of Nations, and considering that it is expedient that these duties and functions should be performed henceforth by the United Nations, hereby agree as follows:

Article I

The Parties to the present Protocol undertake that as between themselves they will, in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to, those instruments as they are set forth in the annex to the present Protocol.

Article II

The Secretary-General shall prepare a text of the Convention as revised in accordance with the present Protocol, and shall send copies for their information to the Governments of every Member of the United Nations and every State non-member of the United Nations to which this Protocol is open for signature and acceptance. He shall also invite Parties to the aforesaid Convention to apply the amended text of that instrument as soon as the amendments are in force, even if they have not yet been able to become Parties to the present Protocol.

Article III

The present Protocol shall be open for signature or acceptance by any of the Parties to the Convention of 14 December 1928 relating to Economic Statistics, to which the Secretary-General has communicated for this purpose a copy of this Protocol.

Article IV

States may become Parties to the present Protocol by

- (a) Signature without reservation as to acceptance;
- (b) Signature with reservation as to acceptance, followed by acceptance;
- (c) Acceptance.

Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article V

The present Protocol shall come into force on the date on which two or more States shall have become Parties thereto.

The amendments set forth in the annex to the present Protocol shall come into force when fifteen States have become Parties to the present Protocol, and consequently any State becoming a Party to the Convention, after the amendments thereto have come into force, shall become a Party to the Convention as so amended.

Article VI

In accordance with paragraph 1 of Article 102 of the Charter of

authorized to effect registration of this Protocol and of the amendments made in the Convention by the present Protocol on the respective dates of their entry into force, and to publish the Protocol and the revised text of the Convention of 14 December 1928 relating to Economic Statistics as soon as possible after registration.

Article VII

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Convention to be amended in accordance with the annex being in the English and French languages only, the English and French texts of the annex shall equally be the authentic texts and the Chinese, Russian and Spanish texts shall be translations. A certified copy of the Protocol, including the annex, shall be sent by the Secretary-General to each of the States Parties to the Convention of 14 December 1928, relating to Economic Statistics, as well as to all States Members of the United Nations.

IN FAITH WHEREOF the undersigned, being duly authorized thereto by their respective Governments, signed the present Protocol on the date appearing opposite their respective signatures.

DONE at ..... this ..... day of ..... 194....

ANNEX TO THE DRAFT PROTOCOL AMENDING THE INTERNATIONAL CONVENTION  
RELATING TO ECONOMIC STATISTICS, SIGNED AT GENEVA ON  
14 DECEMBER 1928

In Article 2, Section III (A): "Food and Agriculture Organization of the United Nations" shall be substituted for "International Institute of Agriculture".

Article 8 shall read:

"In addition to the particular functions which are entrusted to the Economic and Social Council under the provisions of the present Convention and the instruments annexed thereto, the Council may make any suggestions which appear to be useful, for the purpose of improving or amplifying the principles and arrangements laid down in the Convention concerning the classes of statistics dealt with therein. It may also make suggestions in regard to other classes of statistics of a similar character in respect of which it appears desirable and practicable to secure international uniformity. It shall examine all suggestions to the same end which may be submitted to it by the Governments of any of the High Contracting Parties.

"The Economic and Social Council is requested, if at any time a desire to that effect is expressed by not less than half of the Parties to the present Convention, to convoke a conference for the revision and, if it

seems desirable, the amplification of the present Convention."

Article 10: In its first paragraph "Economic and Social Council" shall be substituted for "Committee of Experts referred to in article 8".

In its second paragraph "Council" shall be substituted for "Committee".

Article 11 shall read:

"Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or all Trust Territories for which he acts as Administering Authority; and the present Convention shall not apply to any territories named in such declaration.

"Any High Contracting Party may give notice to the Secretary-General of the United Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice one year after its receipt by the Secretary-General of the United Nations.

"Any High Contracting Party may, at any time after the expiration of the five years' period mentioned in article 16, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates, overseas territories or all Trust Territories for which he acts as Administering Authority, and the Convention shall cease to apply to the territories named in such declaration six months after its receipt by the Secretary-General of the United Nations.

"The Secretary-General of the United Nations shall communicate to all Members of the United Nations and to non-member States to which he has communicated a copy of this Convention all declarations and notices received in virtue of this article."

Article 12: Its second paragraph shall read:

"The present Convention shall be ratified. As from the date of entry into force of the Protocol signed at ..... to amend this Convention, the instruments of ratification shall be transmitted to the Secretary-General of the United Nations, who shall notify their receipt to all Members of the United Nations and to non-member States to which he has communicated a copy of this Convention."

Article 13 shall read;

"From the date of entry into force of the Protocol signed at ..... to amend this Convention, the present Convention may be acceded to on behalf of any Member of the United Nations or any non-member State to which

the Economic and Social Council may decide officially to communicate the present Convention.

"The instruments of accession shall be transmitted to the Secretary-General of the United Nations, who shall notify their receipt to all Members of the United Nations and to non-member States to which he has communicated a copy of this Convention."

In Article 15: "Secretary-General of the United Nations" shall be substituted for "Secretary-General of the League of Nations".

Article 16: In its first paragraph "Secretary-General of the United Nations" shall be substituted for "Secretary-General of the League of Nations" and "Member of the United Nations" shall be substituted for "Member of the League".

Its second paragraph shall read: "The Secretary-General shall notify all Members of the United Nations and non-member States to which he has communicated a copy of this Convention of any denunciations received."

In its third paragraph "Members of the United Nations" shall be substituted for "Members of the League".

Article 17: Its second paragraph shall read: "The Governments of countries which are ready to accede to the Convention under article 13, but desire to be allowed to make any reservations with regard to the application of the Convention may inform the Secretary-General of the United Nations to this effect, who shall forthwith communicate such reservations to all Parties to the present Convention and inquire whether they have any objection thereto. If within six months of the date of the communication of the Secretary-General no objections have been received the reservation shall be deemed to have been accepted."