

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1985 Nr. 138

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A. TITEL

*Statuut van de Organisatie van de Verenigde Naties voor Industriële Ontwikkeling (UNIDO), met bijlagen;  
Wenen, 8 april 1979*

B. TEKST

De Engelse en de Franse tekst van het Statuut zijn geplaatst in *Trb.* 1980, 13; zie ook *Trb.* 1980, 75 en rubriek J hieronder.

Voor de ondertekeningen zie *Trb.* 1980, 13 en 75.

Het Statuut is in overeenstemming met artikel 24, eerste lid, voorts nog ondertekend voor de volgende Staten:

Guinee-Bissau . . . . .	1 mei 1980
Uruguay . . . . .	5 mei 1980
Sint Lucia . . . . .	8 mei 1980
Tanzania . . . . .	12 mei 1980
Mali . . . . .	23 mei 1980
Barbados . . . . .	30 mei 1980
Kameroen . . . . .	8 juli 1980
Marokko . . . . .	25 juli 1980
Suriname . . . . .	19 september 1980
Korea . . . . .	7 oktober 1980
Paraguay . . . . .	7 oktober 1980
Iran . . . . .	12 november 1980
Tsjechoslowakije . . . . .	26 november 1980
de Sowjet-Unie . . . . .	8 december 1980
Witrusland . . . . .	10 december 1980
de Oekraïne . . . . .	12 december 1980
Mongolië . . . . .	22 december 1980
Bulgarije . . . . .	6 januari 1981
Koeweit . . . . .	7 januari 1981

Polen . . . . .	22 januari 1981
Hongarije . . . . .	26 januari 1981
Haiti . . . . .	28 januari 1981
Ethiopië . . . . .	18 februari 1981
Mauritanië . . . . .	4 maart 1981
Cyprus . . . . .	17 maart 1981
de Dominicaanse Republiek . . . . .	8 mei 1981
Guatemala . . . . .	13 mei 1981
de Comoren . . . . .	18 mei 1981
de Duitse Democratische Republiek . . . . .	28 mei 1981
Vietnam . . . . .	16 juni 1981
Lesotho . . . . .	18 juni 1981
Jordanië . . . . .	29 juni 1981
Oman . . . . .	6 juli 1981
de Democratische Volksrepubliek Korea <sup>1)</sup> . . . . .	10 augustus 1981
Mauritius . . . . .	16 september 1981
Malta . . . . .	2 oktober 1981
Kenya . . . . .	28 oktober 1981
Djibouti . . . . .	29 oktober 1981
de Verenigde Arabische Republiek . . . . .	4 december 1981
Fiji . . . . .	21 december 1981
de Centrafrikaanse Republiek . . . . .	8 januari 1982
Tsjaad . . . . .	14 april 1982
Seychellen . . . . .	21 april 1982
Dominica . . . . .	8 juni 1982
Canada . . . . .	31 augustus 1982
Angola . . . . .	3 september 1982
Antigua en Barbuda . . . . .	8 september 1982
Israël . . . . .	1 november 1982
Jamaica . . . . .	1 november 1982
Mozambique . . . . .	10 november 1982
Kaapverdië . . . . .	28 januari 1983
Nepal . . . . .	11 augustus 1983
Bhoetan . . . . .	15 september 1983
Equatoriaal-Guinee . . . . .	3 oktober 1983
Sao Tomé en Príncipe . . . . .	29 november 1983
Costa Rica . . . . .	5 januari 1984
Guyana . . . . .	17 juli 1984
Papoea Nieuw-Guinea . . . . .	29 maart 1985
Nieuw-Zeeland . . . . .	30 mei 1985

<sup>1)</sup> De Democratische Volksrepubliek Korea wordt door het Koninkrijk der Nederlanden niet erkend.

#### C. VERTALING

Zie *Trb.* 1980, 75.

D. PARLEMENT

Bij brieven van 2 juni 1980 (Kamerstukken II 1979/80, 16 236 (R 1148), nr. 1) is het Statuut, met Bijlagen, in overeenstemming met artikel 60, tweede lid, en op de voet van artikel 61, derde lid, van de Grondwet overgelegd aan de Eerste en de Tweede Kamer der Staten-Generaal en in overeenstemming met artikel 24, eerste lid, van het Statuut voor het Koninkrijk aan de Staten van de Nederlandse Antillen.

De toelichtende nota die de brieven vergezelde, is ondertekend door de Minister voor Ontwikkelingssamenwerking J. DE KONING en de Minister van Buitenlandse Zaken C. A. VAN DER KLAAUW.

De goedkeuring door de Staten-Generaal is verleend op 7 juli 1980.

E. BEKRACHTIGING

Zie *Trb.* 1980, 13 en 75.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel 24, tweede lid, van het Statuut een akte van bekrachtiging, aanvaarding of goedkeuring nedergelegd bij de Secretaris-Generaal van de Verenigde Naties:

Trinidad en Tobago . . . . .	2 mei 1980
Barbados . . . . .	30 mei 1980
Malawi . . . . .	30 mei 1980
Japan . . . . .	3 juni 1980
Laos . . . . .	3 juni 1980
Guinee . . . . .	23 juni 1980
Panama . . . . .	23 juli 1980
Maleisië . . . . .	28 juli 1980
Zweden . . . . .	28 juli 1980
Niger . . . . .	22 augustus 1980
Tanzania . . . . .	3 oktober 1980
het <i>Koninkrijk der Nederlanden</i> . . . . .	10 oktober 1980
(voor het gehele Koninkrijk)	
Bangladesh . . . . .	5 november 1980
Algerije . . . . .	6 november 1980
Indonesië . . . . .	10 november 1980
Roemenië . . . . .	28 november 1980
Brazilië . . . . .	10 december 1980
Nigeria . . . . .	19 december 1980
Uruguay . . . . .	24 december 1980
Korea . . . . .	30 december 1980
Bolivia . . . . .	9 januari 1981
Egypte . . . . .	9 januari 1981
Irak . . . . .	23 januari 1981
Libië . . . . .	29 januari 1981
Thailand . . . . .	29 januari 1981
Tunesië . . . . .	2 februari 1981
Zwitserland . . . . .	10 februari 1981

Noorwegen	13 februari 1981
Ethiopië	23 februari 1981
Argentinië	6 maart 1981
Cuba	16 maart 1981
Oostenrijk	14 mei 1981
Zambia	15 mei 1981
Denemarken	27 mei 1981
Finland	5 juni 1981
Lesotho	18 juni 1981
Mauritanië	29 juni 1981
Oman	6 juli 1981
Mali	24 juli 1981
Kameroen	18 augustus 1981
Swaziland	19 augustus 1981
Afghanistan	9 september 1981
de Democratische Volksrepubliek	
Korea <sup>1)</sup>	14 september 1981
Togo	18 september 1981
Spanje	21 september 1981
Sri Lanka	25 september 1981
Soedan	30 september 1981
Suriname	8 oktober 1981
Ivoorkust	4 november 1981
Chili	12 november 1981
Kenya	13 november 1981
België	18 november 1981
Somalië	20 november 1981
Colombia	25 november 1981
Paraguay	2 december 1981
de Verenigde Arabische Emiraten	4 december 1981
Mauritius	9 december 1981
Fiji	21 december 1981
de Centrafrikaanse Republiek	8 januari 1982
Jemen (Zuid-)	29 januari 1982
Gabon	1 februari 1982
Ghana	8 februari 1982
Frankrijk	30 maart 1982
Koeweit <sup>2)</sup>	7 april 1982
Ecuador	15 april 1982
Seychellen	21 april 1982
Turkije	5 mei 1982
Dominica	8 juni 1982
Boven-Volta	9 juli 1982
Haïti	9 juli 1982
Zaire	9 juli 1982
Australië <sup>3)</sup>	12 juli 1982
Boeroendi	9 augustus 1982

Sint Lucia . . . . .	11 augustus 1982
Jordanië . . . . .	30 augustus 1982
Peru . . . . .	13 september 1982
Malta . . . . .	4 november 1982
Syrië . . . . .	6 december 1982
Jamaica . . . . .	10 december 1982
Rwanda . . . . .	18 januari 1983
Venezuela . . . . .	28 januari 1983
Benin . . . . .	3 maart 1983
Honduras . . . . .	3 maart 1983
Sierra Leone . . . . .	7 maart 1983
Guinee-Bissau . . . . .	17 maart 1983
Oeganda . . . . .	23 maart 1983
de Dominicaanse Republiek . . . . .	29 maart 1983
Cyprus . . . . .	28 april 1983
Vietnam . . . . .	6 mei 1983
Kongo . . . . .	16 mei 1983
Griekenland . . . . .	10 juni 1983
het Verenigd Koninkrijk van Groot- Brittannië en Noord-Ierland . . . . .	7 juli 1983
Guatemala . . . . .	8 juli 1983
de Bondsrepubliek Duitsland <sup>4)</sup> . . . . .	13 juli 1983
Libanon . . . . .	2 augustus 1983
Hongarije . . . . .	15 augustus 1983
de Verenigde Staten van Amerika <sup>5)</sup> . . . . .	2 september 1983
Luxemburg . . . . .	9 september 1983
Canada . . . . .	20 september 1983
Jemen (Noord-) . . . . .	20 oktober 1983
Senegal . . . . .	24 oktober 1983
Bhoetan . . . . .	25 oktober 1983
Israël <sup>6)</sup> . . . . .	25 november 1983
Nepal . . . . .	6 december 1983
Mozambique . . . . .	14 december 1983
Equatoriaal-Guinee . . . . .	4 mei 1984
Portugal . . . . .	21 mei 1984
Guyana . . . . .	17 juli 1984
Ierland . . . . .	17 juli 1984
Kaapverdië . . . . .	27 november 1984
Sao Tomé en Príncipe . . . . .	22 februari 1985
Polen . . . . .	5 maart 1985
Italië <sup>7)</sup> . . . . .	25 maart 1985
de Comoren . . . . .	10 mei 1985
de Sowjet-Unie <sup>8)</sup> . . . . .	22 mei 1985
de Duitse Democratische Republiek <sup>9)</sup> . . . . .	24 mei 1985
Tsjechoslowakije <sup>10)</sup> . . . . .	29 mei 1985
Mongolië <sup>11)</sup> . . . . .	3 juni 1985
Bulgarije <sup>12)</sup> . . . . .	5 juni 1985

de Oekraïne <sup>13)</sup> . . . . .	10 juni 1985
Witrusland <sup>14)</sup> . . . . .	17 juni 1985
Nieuw-Zeeland . . . . .	19 juli 1985
Marokko . . . . .	30 juli 1985
Angola . . . . .	9 augustus 1985
Iran . . . . .	9 augustus 1985

1) De Democratische Volksrepubliek Korea wordt door het Koninkrijk der Nederlanden niet erkend.

2) Onder de volgende verklaring:

"It is understood that the ratification of the Constitution of the United Nations Industrial Development Organization, signed in New York by the State of Kuwait on 7 January 1981, does not mean in any way recognition of Israel by the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel."

De Regering van Israël heeft naar aanleiding van het voorgaande op 28 juni 1982 het volgende verklaard:

"The Government of the State of Israel has noted that the instrument deposited by the Government of Kuwait contains a statement of a political character in respect to Israel. In the view of the Government of the State of Israel, this Constitution is not the proper framework for such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon the Government of Kuwait under general international law or under particular conventions. The Government of the State of Israel will, in so far as concerns the substance of the matter, adopt towards the Government of Kuwait an attitude of complete reciprocity."

3) Onder de volgende verklaring:

"In accordance with section 43 of the Convention on the Privileges and Immunities of the Specialized Agencies, UNIDO will be accorded the same privileges and immunities as are accorded by Australia to other specialized agencies.

Until the Constitution enters into force the Government of Australia will continue to accord to UNIDO the privileges and immunities in accordance with the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946."

Op 10 december 1981 heeft de Secretaris-Generaal van de Verenigde Naties het volgende medegedeeld:

"The Secretary-General understands the combined effect of the statements contained in the [two paragraphs reproduced above] to be as follows:

(i) In accordance with subparagraph 2 (c) of article 21 of the Constitution, Australia will not apply the Convention on the Privileges and Immunities of the United Nations to which Australia is a party to UNIDO after the Constitution of that Organization has entered into force; and

(ii) Australia intends to apply to UNIDO, when the Constitution has entered into force, the privileges and immunities inscribed in the Convention on the privileges and immunities of the specialized agencies, subject to the following exceptions formulated by the Government of Australia in its instrument of accession to the Convention on the privileges and immunities of the specialized agencies received on 20 November 1962 by the Secretary-General and circulated by depositary notification C.N.294.1962.TREATIES-21 of 12 December 1962:

"(1) In common with other Governments the Australian Government is unable fully to comply with the requirements of Section 11 of the Convention, which

requires that the specialized agencies shall enjoy in the territory of each State party to the Convention, for their official communications, treatment not less favourable than the treatment accorded by the Government of such State to any other Government, in the matter of priorities, rates and taxes on telecommunications until such time as all other Governments have decided to co-operate in granting this treatment to the agencies in question. It is understood that this matter has been under consideration by the United Nations and the International Telecommunication Union.

“(2) The Australian Government wishes to reserve the right to levy taxation on the salary and emoluments paid in respect of services performed in Australia to an official of a specialized agency who is a resident of Australia within the meaning of the Australian legislation relating to income tax, other than

a) an official entitled under the Convention or the Annexes thereto to the additional immunities and privileges specified in Article VI, section 21, of the Convention; or

b) an official who is not an Australian citizen and has come to Australia solely for the purpose of performing his official duties.

“(3) The Australian Government wishes to reserve the right to levy taxation on the part of the income derived by the International Finance Corporation in any year from sources in Australia that represents the amount which the International Finance Corporation is required to pay to a person or corporation (being a person or corporation that is liable to pay Australian tax on income derived directly from sources in Australia) in pursuance of an agreement entitling that person or corporation to participate with the International Finance Corporation in income derived by the International Finance Corporation from sources in Australia.

“(4) The Australian Government understands that the Convention and the Annexes thereto do not provide any exemption from inspection of articles where there are serious grounds for presuming that they are articles the import or export of which is prohibited or controlled by Australian quarantine or other laws. In this regard the Australian Government has taken account of the provisions of paragraph 2 of Article 36 of the Vienna Convention on Diplomatic Relations.”

It will be recalled in this regard that, in accordance with the procedure described in the Report of the Secretary-General entitled “Depositary Practice in relation to Reservations” (A/5687, Part II, paras. 22–25), consultations took place between the specialized agencies and the Government of Australia. Those consultations, however, have not yet resulted in an agreement, so that Australia is not listed in the Secretary-General’s records as a party to the Convention on the privileges and immunities of the specialized agencies.

Such being the case, reference is made to the following provisions of the UNIDO Constitution:

“Article 21

*Legal capacity, privileges and immunities*

...

“2. The legal capacity, privileges and immunities referred to in paragraph 1 shall:

“(a) In the territory of any Member that has acceded to the Convention on the Privileges and Immunities of the Specialized Agencies in respect of the Organization, be as defined in the standard clauses of that Convention as modified by an annex thereto approved by the Board;

“(b) In the territory of any Member that has not acceded to the Convention on the Privileges and Immunities of the Specialized Agencies in respect of the Organization but has acceded to the Convention on the Privileges and Immunities of the United Nations, be as defined in the latter Convention, unless such State notifies the Depositary on depositing its instrument of ratification, acceptance, approval or accession that it will not apply this Convention to the Organization; the Convention on the Privileges and Immunities of the United Nations shall cease to apply to the Organization thirty days after such State has so notified the Depositary;

“(c) Be as defined in other agreements entered into by the Organization.

“Article 27  
*Reservations*”

“No reservations may be made in respect of this Convention.”

In the light of the above provisions, it is the Secretary-General's understanding that the statements by the Government of Australia [accompanying the instrument of ratification of the Constitution of UNIDO] do not purport to constitute reservations in respect of any provisions of the UNIDO Constitution – in particular article 21 (2) (c) thereof. It would be appreciated, however, if the Government of Australia could confirm that this understanding is correct. The deposit of the instrument of ratification will be effected as soon as the confirmation has been received.”

De Regering van Australië heeft op 12 juli 1982 het volgende verklaard:

“The Australian Government considers that Australia is a Party to the Convention on the Privileges and Immunities of the Specialized Agencies and confirms the Secretary-General's understanding that the statements made by the Government of Australia, quoted in paragraph 3 of the Secretary-General's Note, do not purport to constitute reservations in respect of any provisions of the UNIDO Constitution. The Permanent Mission of Australia would be grateful, therefore, to receive the Secretary-General's confirmation that the deposit of the instrument of ratification has been effected.”

<sup>4)</sup> Onder de verklaring dat het Statuut mede van toepassing zal zijn op Berlijn (West) vanaf de datum van inwerkingtreding voor de Bondsrepubliek Duitsland.

<sup>5)</sup> Onder de volgende verklaringen:

“(1) As used in Article 1 of the Constitution the phrase “new international economic order”

(A) is an evolving concept with no fixed meaning;

(B) reflects to continuing goal of members of the United Nations to find new or more effective ways of handling international economic relations and is subject to interpretation by all such members; and

(C) is not legally defined by the Constitution or by any resolution of the sixth or seventh special session of the General Assembly of the United Nations or by the Lima Declaration and Plan of Action of the United Nations Industrial Development Organization.

(2) The entry into force of the Constitution with respect to the United States of America does not abrogate or rescind any reservation made by the United States of America to any resolution declaration, or plan of action referred to in the Constitution.”.

<sup>6)</sup> Onder de volgende verklaring:

“The Government of the State of Israel, in accordance with Article 21(2) (b) of the said Constitution, will not apply the Convention on the Privileges and



Immunities of the United Nations to the United Nations Industrial Development Organization.”

7) Onder de volgende verklaring:

“The Italian Government will apply the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, in accordance with Article 21, paragraph 2(b), of the Constitution. The Italian Government reserves the right to take into account the tax-free emoluments paid by the United Nations Industrial Development Organisation (UNIDO) to its officials who are nationals or permanent residents of Italy for the purpose of calculating the amount of tax to be levied on income from other sources.”. (VN-vertaling).

8) Onder de volgende verklaring:

“In taking this action, the Soviet side assumes that the agreements on the conditions for converting UNIDO into a specialized agency which were confirmed in General Assembly resolution 39/231, including the agreement on the equitable geographical distribution of posts and, in particular, the allocation of one of the posts of Deputy Director-General to the socialist countries, will be fully and strictly observed. This will ensure the universal character of the new organization's activities in the interest of all countries members of UNIDO.

UNIDO activities aimed at promoting industrial development in the developing countries and at those countries' attainment of economic independence must be based on the progressive provisions and principles of the Charter of Economic Rights and Duties of States, the Declaration on the Establishment of a New International Economic Order and the Lima and New Delhi Declarations on international industrial development co-operation.

The Soviet Union believes that those goals can be achieved only by means of a fundamental restructuring of the existing unjust international economic relations, the conduct of progressive social and economic reforms, the strengthening of the State sector of the economy and the implementation of national plans and programmes for social and economic development.

UNIDO must combat the acts of economic aggression, *diktat*, blackmail and interference in the international affairs of States which are perpetrated by the forces of imperialism. It must oppose the policies of those States which are striving not only to maintain but also to increase the neo-colonialist exploitation of the developing countries.

Of particular significance is UNIDO's active promotion of the establishment of effective control of the activities of transnational corporations with a view to restricting their negative influence on the economies of developing countries and on international economic relations and development as a whole.

In the Constitution of the United Nations Industrial Development Organization, the Members of UNIDO express their determination to contribute to international peace and security and to the prosperity of all nations; that determination should be reflected in the Organization's decisions and in its practical activities. Only under conditions of peace, and only when real disarmament measures are implemented, can significant additional resources be released for the needs of economic and social development, including the industrialization of the developing countries. The importance and urgency of that task was reaffirmed in the Declaration entitled “Maintenance of peace and international economic co-operation” adopted at the high-level Economic Conference of the member countries of the Council for Mutual Economic Assistance held in June 1984.

The Soviet Union bases its position on the need to apply consistently in practice the provision of the Constitution of UNIDO with regard to the purposes for which the regular and operational budgets of the Organization may be utilized, and on

the need not to permit the expenditure of resources for programmes and projects, including "advisory services", which could serve for the penetration of foreign private capital into the economies of the developing countries. In order to ensure the effective and economical use of the resources of the regular budget, the level of that budget must be established on a stable basis.

At the United Nations Conference on the Establishment of the United Nations Industrial Development Organization as a Specialized Agency, the delegations of the socialist countries announced, on 7 April 1979, their opposition in principle to the use of funds from the regular budget of UNIDO for the provision of technical assistance.

In connection with the provision of the Constitution of UNIDO on the allocation of six per cent of the regular budget to technical assistance, the Soviet Union states that the corresponding promotion of its convertible currency contribution to the UNIDO budget will be credited to a separate account in the Foreign Trade Bank of the USSR. The Soviet Union will make use of those funds to participate in the provision through UNIDO of technical assistance to interested countries.

The Soviet Union firmly expects that its positions of principle on the activities of UNIDO, as contained in this statement and as expressed in the course of the consultations on the conversion of UNIDO into a specialized agency, will be duly taken into account and acted upon. The nature and the extent of the Soviet Union's co-operation with UNIDO will depend on the implementation of the agreements reached, on the nature and direction of the practical activities of UNIDO and on that organization's real observation of the basic United Nations decisions relating to international economic development and the restructuring of international economic relations on an equitable and democratic basis.

I request you, Mr. Secretary-General, to consider this letter as official notification of the Soviet Union's agreement to the entry into force of the Constitution of the United Nations Industrial Development Organization in accordance with article 25, paragraph 1, of that Constitution.

I also request you to take the necessary measures to circulate this letter as an official document of the Economic and Social Council under item 12 of the provisional agenda of its second regular session of 1985, and of the General Assembly under items 12 and 84 of the preliminary list of items to be included in the provisional agenda of its fortieth regular session." (*Vertaling*).

<sup>9)</sup> Onder de volgende verklaring:

"With regard to the conversion of the United Nations Industrial Development Organization into a specialized agency the German Democratic Republic declares its intention to contribute constructively to the implementation of the objectives embodied in the constitution concerning the international co-operation in the field of industrial development. It expresses the expectation that the new organization's activities should be conducted on a universal basis and that all States should be enabled to co-operate on an equal footing. In this light the GDR considers it necessary that the consensus confirmed in resolution 39/231 of the General Assembly at its thirty-ninth session concerning the conditions for the conversion of UNIDO into a specialized agency, including the consensus on an equitable geographical representation in the Secretariat structure, in particular the employment of one Deputy Director-General from the Group of socialist countries, will be completely and strictly honoured.

The GDR regards it as an essential task for the new organization to perform its activities consistently in accordance with the recommendations and principles of the Charter of Economic Rights and Duties of States, of the Declaration on the Establishment of a New International Economic Order, and of the Lima and

New Delhi Declarations regarding international co-operation in the field of industrial development. The accelerated industrialization requires, as a matter of priority, such activities as will assist the developing countries in strengthening the public sector in industry, State planning, and the implementation of progressive socio-economic transformations. The GDR holds the position that UNIDO should act against neo-colonialist exploitation and work for overcoming the developing countries' disadvantaged situation in international economic relations. Of particular significance will be UNIDO's active support in the establishment of effective control over the operations of transnational corporations in order to restrict their negative influence on the industrial development of developing countries.

It ought to be an essential obligation for UNIDO, the GDR believes, to make appropriate efforts for fulfilling a task embodied in its constitution: to contribute to international peace and security and the prosperity of all nations. Steps to this end in full conformity with United Nations General Assembly resolutions, in particular 39/151 E and 39/10, would have a favourable impact on the general conditions for industrialization and international industrial co-operation. Only with the implementation of effective disarmament measures will it be possible to re-allocate significant additional resources for economic and social purposes, including the industrialization of developing countries. The importance and topicality of this task was reaffirmed by the GDR together with the other member countries of the Council for Mutual Economic Assistance in the Declaration on the Maintenance of Peace and International Economic Co-operation of 16 June 1984.

From the GDR's point of view it is necessary that in the conduct of its programme activities and budget operations UNIDO will faithfully observe the relevant provisions of its constitution, notably in regard to the specific use of the regular and operational budgets, and take care that the regular budget resources at a stable level will be used effectively and economically. The German Democratic Republic expects that the foregoing considerations of principle, already expressed in the consultations on the conversion of UNIDO into a specialized agency, will be duly taken into account in UNIDO's activities.

I kindly ask you, Excellency, to regard this letter as the official notification of agreement of the German Democratic Republic for entry into force of the UNIDO constitution in accordance with its article 25, paragraph 1.

At the same time I request you to see to it that this letter be circulated as an official document of the Economic and Social Council under the item "Industrial development co-operation" of its second regular session 1985 and of the General Assembly under items 12 and 84 of the preliminary list of items to be included in the provisional agenda of its fortieth regular session."

<sup>10)</sup> Onder de volgende verklaring:

"The Czechoslovak Socialist Republic proceeds herein from the assumption that in its activities the United Nations Industrial Development Organization will fully respect the United Nations General Assembly resolution 39/231 on the transformation of UNIDO into a specialized agency, including the mutual agreement of States on their just geographical representation and the distribution of senior posts in the Secretariat of that new Organization, with the understanding that the socialist countries will be represented in the leadership of the Organization by a representative in the post of one of the Deputies of the Director-General. A basis should be created in that way for this Organization to develop its activities to the benefit of all its member States.

The Czechoslovak Socialist Republic expects that the activities of the new United Nations Industrial Development Organization in support of the industrial

development of developing countries and in the process of their advancing economic independence will unfold in accordance with the progressive provisions and principles of the Charter of Economic Rights and Duties of States as well as of the Declaration on the Establishment of a New International Economic Order and declarations adopted at Lima and New Delhi on international cooperation in the field of industrial development.

These objectives can only be attained by means of restructuring the present international economic relations, strengthening confidence among all States, securing conditions for the implementation of progressive socio-economic changes in the world, and strengthening the state sector in the economies of the developing countries.

The United Nations Industrial Development Organization must play an important role in strengthening the national sovereignty of the developing countries in the economic sphere and in the process of struggle against all forms of neocolonialist oppression and exploitation by some States. Care must be taken that funds from the regular and operational budgets of the Organization be not expended on such activities of the Organization that could facilitate the penetration of private capital, especially that of transnational corporations, into the developing countries.

The activities of the United Nations Industrial Development Organization can be much more productive if they unfold in a climate of universal peace and disarmament. In such case a part of the means now so unproductively spent on ever new rounds of the arms race could be used for social and economic development, including the process of industrialization. The importance and the timeliness of this task have been reaffirmed in the Declaration on the Maintenance of Peace and International Economic Cooperation adopted at the economic summit meeting of the member-countries of the Council for Mutual Economic Assistance held in June 1984. The United Nations Industrial Development Organization must play an important role in strengthening peace, international security, disarmament, and cooperation among nations.

The current complicated international situation urgently requires that the United Nations Industrial Development Organization implement its activities while striving for maximum effectiveness, maintaining its regular and operational budgets on just and well-balanced principles, fully in accordance with the principle tasks of the Organization.

At the Conference of the United Nations Industrial Development Organization on the transformation of UNIDO into a specialized agency, the delegation of the socialist countries expressed their fundamental disagreement with the use of funds from the regular budget for the granting of technical assistance.

The Statute of the United Nations Industrial Development Organization provides that six per cent of the Organization's regular budget will be allocated for technical assistance. In this context, the Czechoslovak Socialist Republic wishes to advise that it will deposit the corresponding part of its contribution to the budget of the United Nations Industrial Development Organization into a special account with the Czechoslovak Commercial Bank to be used for technical assistance by the United Nations Industrial Development Organization. These funds will finance technical assistance provided by the Czechoslovak Socialist Republic to developing countries through the United Nations Industrial Development Organization.

The Czechoslovak Socialist Republic earnestly trusts that the mentioned positions of principle concerning the activities of the Organization and the conclusions reached in consultations on the transformation of UNIDO into a specialized agency will be taken into account and will be implemented in the

activities of the Organization. It is convinced at the same time that the implementation of these positions will create a basis for the continued successful activities of the United Nations Industrial Development Organization and for Czechoslovakia's cooperation with the Organization."

11) Onder de volgende verklaring:

"The Mongolian People's Republic has always attached and continues to attach great significance to the activities of the United Nations in the field of industrial development. For this reason, it supports the proposal to convert UNIDO into a specialized agency of the United Nations, on the understanding that this step will enhance its capability for the promotion of industrial development and for the attainment and consolidation of the economic independence of the developing countries on the basis of the progressive provisions and principles of the Charter of Economic Rights and Duties of States, the Declaration on the Establishment of a New International Economic Order and the Lima and New Delhi Declarations on international co-operation in the field of industrial development.

In supporting UNIDO as a specialized agency of the United Nations, the Government of the Mongolian People's Republic considers that, for the full attainment of the purposes and the performance of the functions specified in the Constitution, UNIDO should actively promote a radical restructuring of the existing unjust international economic relations, the introduction of progressive social and economic transformations, the strengthening of the State sector of the economy and the implementation of national plans and programmes of social and economic development.

UNIDO must oppose any form of economic aggression, *diktat*, *blackmail*, interference in the internal affairs of States and neo-colonialist exploitation of the developing countries practised by the forces of imperialism and in particular by the transnational corporations.

UNIDO is also called on to promote the solution of the key problems of today – the establishment and strengthening of international peace and security and the adoption of practical disarmament measures, which will release additional resources for the development of the developing countries.

In the light of the above considerations, the Mongolian People's Republic is prepared to support the activities of UNIDO and the development of co-operation between its member countries. It is confident that the fruitful co-operation between the Mongolian People's Republic and UNIDO which has already existed for many years will be further expanded.

The Permanent Mission of the Mongolian People's Republic to the United Nations requests the Secretary-General of the United Nations to circulate this letter as an official document of the General Assembly, under items 12 and 84 of the preliminary list, and of the Economic and Social Council, under item 12 of the provisional agenda of its second regular session of 1985." (*Vertaling*).

12) Onder de volgende verklaring:

"The People's Republic of Bulgaria ratifies the Constitution of UNIDO proceeding from the consensus confirmed in General Assembly resolution 39/231 concerning the conditions for the conversion of UNIDO into a specialized agency of the United Nations. My Government attaches particular importance to the consensus on equitable geographical representation in the Secretariat post allocation, including the employment of one Deputy Director-General from the group of socialist countries. The People's Republic of Bulgaria is of the opinion that the strict and complete observance of this consensus would furnish the conditions for respecting the interests of all members of UNIDO on the basis of the principle of universality.

The activities of UNIDO on behalf of the industrial development of the developing countries should be aimed at promoting international co-operation in the field of industrial development and should be based on the principles and norms of the Charter of Economic Rights and Duties of States, the Declaration on establishing the New International Economic Order, the Lima and New Delhi Declarations on international co-operation in this field. The activities of UNIDO should pursue as a lasting goal the attainment of economic independence for the developing countries.

The Bulgarian Government is of the view that in order to achieve the above goals, international economic relations, including those in the industrial field, should be based on their radical restructuring through strengthening the state-owned and cooperative sectors of the economy and the creation of diversified industry in the developing countries which serves their national objectives as well as their plans for economic and social development.

The maintenance of international peace and security are a prerequisite for the accelerated industrial development of the developing countries and for fostering international co-operation. Through its decisions and practical activities, UNIDO should actively contribute to the strengthening of world peace and security, to the cessation of the arms race and the achievement of disarmament, as well as to the creation of conditions for the rechanneling of non-productive expenditures for the purposes of economic development and international co-operation in the industrial field.

UNIDO should vigorously oppose the use of economic measures and sanctions as a means of exerting political and economic pressures against sovereign States and should resist the attempts of the imperialist forces to preserve and expand their exploitation of the developing countries. For this purpose, of particular importance is the active co-operation of UNIDO in establishing an effective control over the activities of transnational corporations for limiting the negative consequences of their activities for the overall socio-economic development of the developing countries.

The People's Republic of Bulgaria is of the opinion that UNIDO should not allow the spending of resources under programmes and projects which might be used to facilitate the penetration by foreign private capital of the developing countries to the detriment of their national interests.

It is the view of the People's Republic of Bulgaria that the resources of UNIDO's regular budget should be expended in a rational and economic fashion, whereas the amount of the regular budget should be maintained at the predetermined level.

I avail myself of this opportunity to reaffirm the position of my Government, as expressed on 7 April 1979 in the statement made by the delegations of the socialist countries at the United Nations conference on conversion of UNIDO into a specialized agency, with regard to the question of using the resources of UNIDO's regular budget for providing technical assistance.

As in the past, the People's Republic of Bulgaria will continue to give active support to the efforts of the developing countries for their industrialization, as well as to the activities of UNIDO in this field, aimed at the restructuring of international economic relations and international industrial co-operation on a just and democratic basis.

The People's Republic of Bulgaria hopes that in its practical work UNIDO would strive after realizing the foregoing considerations, as well as the considerations voiced by my Government during the consultations on the conversion of UNIDO into a specialized agency.

I kindly request you to regard this letter as the official notification of agreement

of the People's Republic of Bulgaria for the entry into force of the Constitution of UNIDO in accordance with its Article 25, paragraph 1.

Also, I request that this letter be circulated as an official document of the Economic and Social Council, under item 12 of the provisional agenda of its second regular session of 1985, and of the General Assembly, under item 12 and 84 of the preliminary list."

<sup>13)</sup> Onder de volgende verklaring:

"The Ukrainian SSR supports the purposes and principles of UNIDO's activities, as stated in the UNIDO Constitution, and believes that their implementation requires a fundamental restructuring of the existing unjust international economic relations, the establishment of a new international economic order on an equitable and democratic basis, the conduct of progressive social and economic reforms, the strengthening of the State sector of the economy and the carrying out of national plans and programmes for economic and social development.

UNIDO's activities aimed at promoting industrial development in the developing countries and at those countries' attainment of economic independence must be based on the progressive provisions and principles of the Charter of Economic Rights and Duties of States, the Declaration on the Establishment of a New International Economic Order, and the Lima and New Delhi Declarations on international industrial development co-operation.

To these ends, UNIDO must actively and firmly oppose the attempts of imperialist forces to interfere in the internal affairs of States and must combat acts of economic aggression, *diktat* and blackmail. UNIDO should work against the policies of those States and economic circles which are endeavouring not only to continue but even to expand the neo-colonialist plundering of the developing countries. In this connection, UNIDO should take active steps to establish effective control over the activities of transnational corporations with a view to restricting their negative influence on the economic development of the developing countries and on international economic relations in general.

The Ukrainian SSR attaches primary importance to the need for implementing the provisions of the UNIDO Constitution which declare the determination of member countries to promote international peace and security and the prosperity of all peoples.

It is firmly convinced that a cessation of the arms race and a transition to real disarmament measures would make possible the release of significant additional resources to meet the needs of social and economic development, including the industrialization of the developing countries.

The Ukrainian SSR emphasizes that it is essential to comply strictly, in the practical activities of UNIDO, with the provisions of its Constitution concerning the purposes for which the regular and operational budgets of the Organization may be utilized. UNIDO should take steps to prevent the expenditure of resources on programmes and projects, including "advisory services", that could be used for the penetration of foreign private capital into the economies of the developing countries. Fixing the levels of the regular budget on a stable basis will enable the Organization to make sure that the budget is more effectively and rationally used.

With regard to the expenditure of UNIDO regular budget resources for technical assistance, the Ukrainian SSR's position of principle has been stated in the joint declaration issued by the delegations of the socialist countries on 7 April 1979 at the United Nations Conference on the Establishment of UNIDO as a Specialized Agency. In connection with the provision in annex II of the UNIDO Constitution that 6 per cent of the regular budget of the Organization should be

allocated to technical assistance, the Ukrainian SSR declares that the corresponding portion of its convertible currency contribution to the UNIDO budget will be credited to a separate account at the Foreign Trade Bank of the USSR. The Ukrainian SSR will make use of that portion of its contribution to participate in the provision through UNIDO of technical assistance to interested countries.

The Ukrainian SSR advocates keeping the new Organization's activities universal in character in the interests of all its member countries. The realization of this very important principle would help to ensure the full implementation of General Assembly resolution 39/231 of 18 December 1984, which confirms the agreement on the conditions for the establishment of UNIDO as a specialized agency, including the agreement on the equitable geographical distribution of posts and, in particular, the allocation of one of the posts of Deputy Director-General to the socialist countries.

The Ukrainian SSR wishes to express its conviction that the considerations with regard to the activities of the new Organization put forward in this statement and expressed in the course of the consultations on the establishment of UNIDO as a specialized agency will be duly taken into account and reflected in UNIDO's practical activities.

I request you to regard this letter as official notification of the Ukrainian SSR's agreement to the entry into force of the UNIDO Constitution in accordance with article 25, paragraph 1, of that Constitution.

I request you also to take the necessary steps to circulate this letter as an official document of the General Assembly, under items 12 and 84 of the preliminary list, and of the Economic and Social Council, under item 12 of the provisional agenda of its second regular session of 1985." (*Vertaling*).

14) Onder de volgende verklaring:

"In ratifying the Constitution of UNIDO, the Byelorussian SSR assumes that the agreements on the condition for the establishment of UNIDO as a specialized agency that were confirmed in General Assembly resolution 39/231 of 18 December 1984 will be fully and strictly observed, including the agreement on the equitable geographical distribution of posts and, in particular, the allocation of one of the posts of Deputy Director-General to the socialist countries. Fulfillment of those conditions will make it possible to ensure the universal character of UNIDO's activities in the interests of all its member countries.

The determination of the members of UNIDO, as expressed in the Organization's Constitution, to contribute to international peace and security and to the prosperity of all nations should be reflected in its decisions and its practical activities, since only under conditions of peace, and only when real disarmament measures are implemented, can significant additional resources be released for the needs of economic and social development, including the industrialization of the developing countries.

In our view, UNIDO activities aimed at promoting industrial development in the developing countries and at those countries' attainment of economic independence must be based on the progressive provisions and principles of the *Charter of Economic Rights and Duties of States*, the *Declaration on the establishment of a New International Economic Order* and the *Lima and New Delhi Declarations* on international industrial development co-operation. Those goals can be achieved only by means of a fundamental restructuring of the existing unjust international economic relations, the conduct of progressive social and economic reforms, the strengthening of the State sector of the economy and the implementation of national plans and programmes for social and economic development.



UNIDO must oppose the policies of those States that are striving not only to maintain but also to increase the neo-colonialist exploitation of the developing countries, must combat the acts of economic aggression, *diktat*, blackmail and interference in the internal affairs of States that are perpetrated by the forces of imperialism, and must promote the establishment of effective control over the activities of transnational corporations with a view to restricting their negative influence on the economies of developing countries and on international economic relations and development as a whole.

The Byelorussian SSR bases its position on the need to apply consistently in practice the provision of the UNIDO Constitution that relates to the purposes for which the regular and operational budgets of the Organization may be utilized, and on the need not to permit the expenditure of resources for programmes and projects, including "advisory services", that could serve for the penetration of foreign private capital into the economies of the developing countries. In order to ensure the effective and economical use of the resources of the regular budget, the level of that budget must be established on a stable basis.

At the United Nations Conference on the establishment of the United Nations Industrial Development Organization as a Specialized Agency, the delegations of the socialist countries announced on 7 April 1979 their opposition in principle to the use of funds from the Organization's regular budget for the provision of technical assistance.

In connection with the provision of the UNIDO Constitution on the allocation of 6 per cent of the regular budget to technical assistance, the Byelorussian SSR states that the corresponding portion of its convertible currency contribution to the UNIDO budget will be credited to a separate account in the Foreign Trade Bank of the USSR. The Republic will make use of those funds to participate in the provision through UNIDO of technical assistance to interested countries.

The Byelorussian SSR firmly expects that its position of principle on the activities of UNIDO, as contained in this statement and as expressed in the course of the consultations on the establishment of UNIDO as a specialized agency, will be duly taken into account and acted upon.

The nature and extent of our co-operation with UNIDO will depend on the implementation of the agreements reached, on the nature and direction of the practical activities of UNIDO and on that Organization's real observance of the basic United Nations decisions relating to international economic development and the restructuring of international economic relations on an equitable and democratic basis.

I request you to regard this letter as official notification of the Byelorussian SSR's agreement to the entry into force of the Constitution of UNIDO, in accordance with article 25, paragraph 1, of that Constitution.

I also request you to circulate this letter as an official document of the General Assembly, under items 12 and 84 of the preliminary list, and of the Economic and Social Council, under item 12 of the provisional agenda of its second regular session of 1985." (*Vertaling*).

#### F. TOETREDING

In overeenstemming met artikel 24, derde lid, van het Statuut hebben de volgende Staten een akte van toetreding bij de Secretaris-Generaal van de Verenigde Naties nedergelegd.

Botswana . . . . . 20 juni 1985

Saoedi-Arabië . . . . .	21 juni 1985
Zimbabwe . . . . .	21 juni 1985

G. INWERKINGTREDING

Zie *Trb.* 1980, 13.

De bepalingen van het Statuut, met bijlagen, zijn ingevolge artikel 25 op 21 juni 1985 in werking getreden voor de volgende 82 staten die op die datum een kennisgeving als bedoeld in het eerste lid van artikel 25 hadden gericht aan de Secretaris-Generaal van de Verenigde Naties:

Afghanistan	Jamaica
Algerije	Japan
Argentinië	Joegoslavië
Australië	Kaapverdië
Barbados	Kameroen
België	Kenya
Bolivia	het Koninkrijk der Nederlanden
de Bondsrepubliek Duitsland	(voor het gehele Koninkrijk)
Brazilië	Korea
Bulgarije <sup>1)</sup>	Lesotho
Canada	Luxemburg
Chili	Madagascar
China	Maleisië
Cuba	Malta
Cyprus	Mauritius
Denemarken	Mexico
de Dominicaanse Republiek	Mongolië
de Duitse Democratische	Niger
Republiek	Nigeria
Ecuador	Noorwegen
Egypte	de Oekraïne <sup>1)</sup>
Ethiopië	Oman
de Filippijnen	Oostenrijk
Finland	Pakistan
Frankrijk	Panama
Griekenland	Peru
Guatemala	Polen
Guinee	Portugal
Guinee-Bissau	Roemenië
Honduras	Rwanda
India	Senegal
Indonesië	de Sowjet-Unie <sup>1)</sup>
Ierland	Spanje
Israël	Sri Lanka
Italië	Syrië
Ivoorkust	Tanzania

Thailand	het Verenigd Koninkrijk van
Tsjechoslowakije	Groot-Brittannië en
Tunesië	Noord-Ierland
Turkije	Witrusland <sup>1)</sup>
Uruguay	Zambia
Venezuela	Zweden
de Verenigde Staten van Amerika <sup>2)</sup>	Zwitserland

<sup>1)</sup> De kennisgeving geschiedde bij de in rubriek E vermelde verklaringen.

<sup>2)</sup> De kennisgeving was vergezeld van de volgende mededeling:

„In connection with the aforesaid notification, the United States wishes to draw the attention of the Secretary-General to the understandings set forth in its instrument of ratification of the new UNIDO Constitution, deposited with the Secretary-General on September 2, 1983.

Article 25, paragraph 1, of the Constitution provides for its entry into force „when at least eighty States that had deposited instruments of ratification, acceptance or approval notify the Depositary that they have agreed, after consultation among themselves, that the Convention shall enter into force.” The Permanent Missions of several States, including the Czechoslovak Socialist Republic, the German Democratic Republic, the People's Republic of Bulgaria and the Union of Soviet Socialist Republics, have inserted in their Article 25 notices or otherwise indicated their individual views as to how the organization's goals should be achieved, characterizations of the results of the consultations, and statements as to how those States intend to apply certain articles of the Constitution. The United States considers that such unilateral statements cannot vary the legal rights or obligations of the Parties to the Constitution or of UNIDO. The United States also considers that such statements do not modify the provisions established for the functioning of the organization or in any way prejudice the decisions to be adopted by UNIDO.”

De volgende Staten hebben na 21 juni 1985 nog een kennisgeving betreffende de inwerkingtreding gedaan:

de Democratische Volksrepubliek	
Korea <sup>1)</sup> . . . . .	24 juni 1985
Togo . . . . .	25 juni 1985
Irak . . . . .	27 juni 1985
Bangladesh . . . . .	28 juni 1985
Soedan . . . . .	28 juni 1985
Nicaragua . . . . .	1 juli 1985
Hongarije . . . . .	2 juli 1985
Zaire . . . . .	8 juli 1985
Kongo . . . . .	12 juli 1985
Trinidad en Tobago . . . . .	15 juli 1985
Burkina Faso . . . . .	16 juli 1985
Mali . . . . .	17 juli 1985
Paraguay . . . . .	18 juli 1985
Guyana . . . . .	19 juli 1985

Malawi . . . . .	19 juli 1985
Vietnam . . . . .	19 juli 1985

<sup>1)</sup> De Democratische Volksrepubliek Korea wordt door het Koninkrijk der Nederlanden niet erkend.

Ingevolge artikel 25, tweede lid, letter b, treedt het Statuut voor deze zestien Staten op de erbij vermelde data in werking.

Voor de Staten die hun akte van bekrachtiging, aanvaarding, goedkeuring of toetreding na de in werkingtreding van het Statuut nederleggen, treedt het Statuut ingevolge artikel 25, tweede lid, letter c, in werking op de datum van nederlegging.

#### H. TOEPASSELIJKVERKLARING

Het Statuut is door Nieuw-Zeeland van toepassing verklaard op:

de Cook-eilanden . . . . .	19 juli 1985
Niue . . . . .	19 juli 1985

#### J. GEGEVENS

Zie *Trb.* 1980, 13 en 75.

Voor het op 26 juni 1945 te San Francisco totstandgekomen Handvest der Verenigde Naties zie ook, laatstelijk, *Trb.* 1985, 5.

Voor het op 26 oktober 1956 te New York tot stand gekomen Statuut van de Internationale Organisatie voor Atoomenergie zie ook *Trb.* 1984, 156.

Aan Bijlage I bij het Statuut dienen de volgende lijsten te worden toegevoegd:

#### *A. List of States indicated in section II, paragraph 4 (a), of General Assembly resolution 2152 (XXI)*

Afghanistan	Cape Verde
Algeria	Central African
Angola	Republic
Bahrain	Chad
Bangladesh	China
Benin	Comoros
Bhutan	Congo
Botswana	Democratic Kampuchea
Brunei Darussalam	Democratic People's
Burkina Fasa	Republic of Korea
Burma	Democratic Yemen
Burundi	Djibouti
Cameroon	Egypt

Equatorial Guinea	Nigeria
Ethiopia	Oman
Fiji	Pakistan
Gabon	Papua New Guinea
Gambia	Philippines
Ghana	Qatar
Guinea	Republic of Korea
Guinea-Bissau	Rwanda
India	Sao Tome and Principe
Indonesia	Saudi Arabia
Iran	Senegal
Iraq	Seychelles
Israel	Sierra Leone
Ivory Coast	Singapore
Jordan	Solomons Islands
Kenya	Somalia
Kuwait	South Africa
Lao People's Democratic Republic	Sri Lanka
Lebanon	Sudan
Lesotho	Swaziland
Liberia	Syria
Libya	Thailand
Madagascar	Togo
Singapore	Tunisia
Malaysia	Uganda
Maldives	United Arab Emirates
Mali	United Republic of Tanzania
Mauritania	Vanuatu
Mauritius	Viet Nam
Mongolia	Yemen
Morocco	Yugoslavia
Mozambique	Zaire
Nepal	Zambia
Niger	Zimbabwe

*B. List of States indicated in section II, paragraph 4 (b)*

Australia	Greece
Austria	Iceland
Belgium	Ireland
Canada	Italy
Cyprus	Japan
Denmark	Liechtenstein
Finland	Luxembourg
France	Malta
Federal Republic of Germany	Monaco