

shall also be empowered to receive contributions from international organizations, both governmental and non-governmental, and from other private sources.

2. Contributions to the Fund may also be made by means of pledging conferences convened by the Secretary-General of the United Nations, the first pledging conference to be convened not later than twelve months after the adoption of the statute of the Fund. Contributions as pledged to the Fund shall be payable within the twelve months following the pledge.

3. Cash contributions shall be made in convertible currencies or in currency readily usable by the Fund.

4. Contributions shall be made without limitation to a specific recipient country.

Article 4

ORGANIZATION AND SUPERVISION

1. The policies and procedures of the Fund shall be formulated by a Board of Governors, composed of representatives of thirty-six States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, elected by the General Assembly keeping in view, *inter alia*, the need for balance among the representation of the beneficiary land-locked developing countries and their transit neighbours, on the one hand, and potential donor countries, both developed and developing, on the other. States elected to the Board of Governors shall do their utmost to ensure that their representatives possess the expertise required for the efficient operation of the Fund.

2. The members of the Board of Governors shall be elected for a term of three years, provided, however, that, of the members elected at the first election, the terms of one third of the members shall expire at the end of one year and the terms of a further one third of the members at the end of two years. Retiring members shall be eligible for re-election.

3. The Board of Governors shall report annually to the General Assembly through the Economic and Social Council. The comments of the Council on the report shall also be transmitted to the Assembly.

4. The Board of Governors shall meet at least once a year and as often as may be necessary for the conduct of the work of the Fund.

5. The Board of Governors may, in the light of requirements, establish an Executive Committee which shall supervise the operations of the Fund on a continuous basis and report to the Board on its activities at regular intervals. Beneficiary land-locked developing countries and their transit neighbours, on the one hand, and potential donor countries, on the other, shall be represented on the Executive Committee in proportions similar to such representation on the Board of Governors.

Article 5

QUORUM AND VOTING

1. A majority of the members of the Board of Governors or of the Executive Committee shall constitute a quorum.

2. Each member of the Board of Governors and each member of the Executive Committee shall have one vote.

3. Decisions on all questions shall as far as possible be made on the basis of consensus. In the absence of consensus, decisions shall be made by a majority of the members present and voting. For the purpose of the present article, the phrase "members present and voting" means members present and casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Article 6

MANAGEMENT

1. The chief executive officer of the Fund, who shall be appointed by the Secretary-General of the United Nations subject to confirmation by the General Assembly, shall be the Executive Director of the Fund.

2. The Executive Director shall discharge his functions under the guidance and supervision of the Board of Governors

and the Executive Committee, if established, in whose deliberations he will participate without the right to vote. He shall exercise over-all responsibility for the day-to-day operations of the Fund and shall report directly, on a regular basis, to the Board of Governors, or through the Executive Committee, if established, on the operations of the Fund.

3. The Executive Director shall be assisted by a small secretariat within the framework of the United Nations Secretariat. The Fund may enter into management contracts with the competent international organizations, including the regional development banks, to conduct its operations. The contracts shall ensure the full and effective control, at all times, of the Fund over the operations. The Executive Director shall make effective use of the existing facilities of the United Nations Secretariat, including those of the United Nations Conference on Trade and Development, the regional commissions and the United Nations Industrial Development Organization, as well as those of the United Nations Development Programme. Where appropriate, the Fund may also use the facilities of the specialized agencies.

Article 7

MODES OF OPERATION

1. To carry out its purposes as specified in article 1, the Fund is empowered to make grants and loans, including loans on concessionary terms, and, as appropriate, to participate in investments and to allocate assistance in kind under its control and direction.

2. The Fund shall ensure an equitable distribution of its resources, taking into account the needs of each of the land-locked developing countries as well as relevant problems at the regional and subregional levels.

Article 8

RESPONSIBILITIES OF GOVERNMENTS OF RECIPIENT COUNTRIES

Governments of recipient countries shall ensure the effective utilization of the resources provided by the Fund, shall maintain the records required by the Fund in connexion with the administration of its financial and technical assistance and shall report fully on the utilization of such assistance.

Article 9

FINANCIAL ADMINISTRATION

1. The financial regulations for the Fund shall be drafted by the Secretary-General of the United Nations in consultation with the Executive Director of the Fund, for approval by the General Assembly on the recommendation of the Board of Governors. In the preparation of these regulations, account shall be taken of the special requirements of the operations of the Fund.

2. Pending the approval by the General Assembly of financial regulations for the Fund, the Financial Regulations and Rules of the United Nations¹⁰² shall apply.

Article 10

FUTURE INSTITUTIONAL ARRANGEMENTS

The General Assembly shall review, in the light of experience, the effectiveness and further evolution of these institutional arrangements with a view to deciding upon such changes and improvements as may be necessary in order to meet fully the purposes of the Fund.

31/178. Implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII)

The General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974 containing the Declaration and the Programme of Action on the Establishment of a

¹⁰² ST/SGB/Financial Rules/1/Rev.1 and Amend.1-5.

New International Economic Order, 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Recalling also its resolution 3506 (XXX) of 15 December 1975 on the implementation of the decisions adopted by the General Assembly at its seventh special session,

Recalling further its resolution 2626 (XXV) of 24 October 1970 containing the goals, targets and policy measures of the International Development Strategy for the Second United Nations Development Decade, which have been complemented and strengthened by its resolutions on the establishment of a new international economic order and its resolution 3517 (XXX) of 15 December 1975 on the mid-term review and appraisal of progress in the implementation of the International Development Strategy,

Noting the reports on the fourth session of the United Nations Conference on Trade and Development, held at Nairobi from 5 to 31 May 1976,¹⁰³ and the interim report of the Conference on International Economic Co-operation,¹⁰⁴ as well as other relevant reports,

Noting further the pertinent decisions on the establishment of the new international economic order adopted at the Third Ministerial Meeting of the Group of Seventy-seven, held at Manila from 26 January to 7 February 1976,¹⁰⁵ the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976,¹⁰⁶ and the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976,¹⁰⁷

Considering with deep and increasing concern that parts of the developing world are still subject to foreign aggression and occupation, *apartheid*, racial discrimination and colonial and neo-colonial domination, which constitute major obstacles to the economic emancipation and development of the developing countries as a whole as well as major threats to international peace and security,

Noting the regret expressed by the developing countries that the developed countries have yet to display the necessary political will to implement these fundamental decisions of the United Nations and fulfil their commitments and obligations and to adjust their policies for this purpose,

Deeply concerned that during the current Second United Nations Development Decade the terms of trade of the majority of developing countries have deteriorated, together with unprecedented and growing balance-of-payments deficits, that the burden of debt has reached unmanageable proportions in many developing countries and growth in the developing countries is expected to fall short not only of the 6 per cent target of the International Development Strategy but

¹⁰³ See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10); A/31/276.

¹⁰⁴ A/31/282, annex.

¹⁰⁵ See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10), annex V.

¹⁰⁶ See A/31/197, annex II.

¹⁰⁷ See A/C.2/31/7.

also of the rate of growth achieved in the First United Nations Development Decade and that, for many developing countries, particularly among the least developed, land-locked, island and most seriously affected developing countries, real *per capita* income could, if present trends persist, be lower in 1980 than at the start of the Decade,

Considering that the inequity in economic relations between the developed and the developing countries is one of the primal issues confronting the international community, a situation which could adversely affect international economic co-operation and the promotion of world peace and security,

I

1. *Affirms* that its resolutions on the establishment of a new international economic order reflect a commitment on the part of all countries to ensure equitable economic relations between developed and developing countries and a deliberate, sustained and planned effort to contribute to the development of the developing countries;

2. *Emphasizes* the conclusions reached in the mid-term review and appraisal of progress in the implementation of the International Development Strategy for the Second United Nations Development Decade, contained in its resolution 3517 (XXX), which specifically identified serious shortfalls in the implementation of its resolution 2626 (XXV) during the first half of the Decade;

3. *Expresses its deep concern and disappointment* at the failure of the Conference on International Economic Co-operation to achieve thus far any concrete results;

4. *Reaffirms* that urgent, more vigorous and concrete steps and actions still remain to be taken, collectively and individually, by all members of the international community to end without delay all forms of foreign aggression and occupation, racial discrimination, *apartheid*, colonialism and neo-colonialism and that it is also the duty of all States effectively to support and extend assistance to the countries, territories and peoples subjected to them so as to restore their national sovereignty, their territorial integrity and their inalienable and fundamental rights in order to promote development and international co-operation, peace and security;

5. *Expresses deep concern*, despite some progress in certain areas, at the slow pace of progress in the implementation of the measures specified in the resolutions and decisions of the General Assembly adopted at its sixth and seventh special sessions and at the limited nature of agreements reached at the fourth session of the United Nations Conference on Trade and Development;

6. *Urges* the international community, particularly the developed countries, to display the necessary political will in the ongoing negotiations in different United Nations forums and elsewhere so as to reach the concrete and urgent solutions necessary to promote the establishment of a new international economic order;

II

1. *Decides* to undertake during the course of its thirty-second session a detailed assessment of the prog-

ress made in the implementation of its resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII) under a single item entitled "Assessment of the progress made in the implementation of General Assembly resolutions 2626 (XXV), 3202 (S-VI), 3281 (XXIX) and 3362 (S-VII) entitled, respectively, 'International Development Strategy for the Second United Nations Development Decade', 'Programme of Action on the Establishment of a New International Economic Order', 'Charter of Economic Rights and Duties of States' and 'Development and international economic co-operation'";

2. *Requests* the Economic and Social Council and the Committee on Review and Appraisal to prepare a preliminary assessment, for consideration by the General Assembly at its thirty-second session, bearing in mind the provisions of the preceding paragraphs and the reports at the sectoral and regional level submitted by the United Nations organs and organizations concerned, and such other developments as may take place in the interim;

3. *Requests* the Secretary-General and the heads of the United Nations bodies and organizations concerned, in preparing for the review and assessment, and Member States, in preparing their national reports on the implementation of the International Development Strategy for the Second United Nations Development Decade, to take fully into account the provisions of the present resolution, in particular section II, paragraph 1.

*106th plenary meeting
21 December 1976*

31/179. United Nations Conference on Technical Co-operation among Developing Countries

The General Assembly,

Recalling its resolutions 3251 (XXIX) of 4 December 1974 and 3461 (XXX) of 11 December 1975, and other relevant resolutions of the General Assembly,

Recalling its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3362 (S-VII) of 16 September 1975 on development and international economic co-operation,

Noting the recommendations made at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo from 16 to 19 August 1976,¹⁰⁸ and at the Conference on Economic Co-operation among Developing Countries, held at Mexico City from 13 to 22 September 1976,¹⁰⁹

Bearing in mind Economic and Social Council resolution 2023 (LXI) of 4 August 1976,

Recalling further the relevant decisions adopted by the Governing Council of the United Nations Development Programme at its eighteenth,¹¹⁰ nineteenth,¹¹¹

twentieth,¹¹² twenty-first¹¹³ and twenty-second¹¹⁴ sessions,

Taking note with appreciation of the statement made by the Administrator of the United Nations Development Programme emphasizing the importance of technical co-operation among developing countries as an integral part and a new dimension of mutual co-operation for development and of his assurance of making a great success of the United Nations Conference on Technical Co-operation among Developing Countries,¹¹⁵

Further taking note of the reports on the first and second sessions of the sessional Committee on Technical Co-operation among Developing Countries, contained in the report of the Governing Council of the United Nations Development Programme on its twenty-second session, of the reports of the participating and executing agencies of the United Nations development system and of the conclusions of the regional meetings on technical co-operation among developing countries, held in Asia and the Pacific, Latin America and Africa,

1. *Decides* to convene the United Nations Conference on Technical Co-operation among Developing Countries at Buenos Aires from 27 March to 7 April 1978;

2. *Requests* the Administrator of the United Nations Development Programme, in view of the importance of the Conference, to act as the Secretary-General of the Conference;

3. *Requests* the Secretary-General to invite:

(a) All States to participate in the Conference;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, in accordance with Assembly resolution 3237 (XXIX) of 22 November 1974;

(c) Representatives of the national liberation movements recognized in its region by the Organization of African Unity, in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) The United Nations Council for Namibia to participate as an observer;

(e) The specialized agencies and the International Atomic Energy Agency, the regional commissions, as well as interested organs of the United Nations, to be represented at the Conference;

(f) Interested intergovernmental organizations to be represented by observers;

(g) Interested non-governmental organizations in consultative status with the Economic and Social Council to be represented by observers;

4. *Requests* the Secretary-General to ensure that the necessary arrangements are made for the effective participation in the Conference of the representatives referred to in paragraph 3 (b) and (c) above, including the requisite financial provisions for their travel expenses and *per diem*;

¹⁰⁸ See A/31/197.

¹⁰⁹ See A/C.2/31/7.

¹¹⁰ *Official Records of the Economic and Social Council, Fifty-seventh Session, Supplement No. 2A (E/5543/Rev.1), para. 224.*

¹¹¹ *Ibid.*, *Fifty-ninth Session, Supplement No. 2 (E/5646), para. 164.*

¹¹² *Ibid.*, *Supplement No. 2A (E/5703/Rev.1), para. 332.*

¹¹³ *Ibid.*, *Sixty-first Session, Supplement No. 2 (E/5779), para. 302.*

¹¹⁴ *Ibid.*, *Supplement No. 2A (E/5846/Rev.1), para. 512.*

¹¹⁵ *Ibid.*, para. 462.