

9. CONSTITUTION OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

Vienna, 8 April 1979

ENTRY INTO FORCE: 21 June 1985, in accordance with article 25(2b).
REGISTRATION: 21 June 1985, No. 23432.
STATUS: Signatories: 126. Parties: 173.¹
TEXT: United Nations, *Treaty Series*, vol. 1401, p. 3

Note: The Constitution was adopted at Vienna on 8 April 1979 at the seventh plenary meeting of the United Nations Conference on the Establishment of the United Nations Industrial Development Organization as a Specialized Agency at its second session held at Vienna from 19 March to 8 April 1979.

In accordance with its article 24 (1), it was open for signature at the Federal Ministry for Foreign Affairs of the Republic of Austria at Vienna from 8 April 1979 until 7 October 1979, by all States referred to in sub-paragraph (a) of article 3 and after that date at the United Nations Headquarters in New York until its entry into force.

Pursuant to article 25, the Constitution entered into force when at least eighty States having deposited instruments of ratification, acceptance or approval had notified the Secretary-General that they had agreed, after consultation among themselves, that the Constitution should enter into force.

For those States, the Constitution entered into force on that date (21 June 1985). For States having deposited instruments of ratification, acceptance or approval before that date, but not participating in the said notification, the Constitution entered into force on such later date on which they notified the Secretary-General that the Constitution should enter into force for them. For States having deposited instruments of ratification, acceptance, approval or accession subsequent to the entry into force of the Constitution, it entered into force on the date of the said deposit.

<i>Participant^{1,2,3}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Notification under article 25</i>
Afghanistan.....	13 Feb 1980	9 Sep 1981	10 Jun 1985
Albania.....		19 Apr 1988 a	
Algeria	22 Oct 1979	6 Nov 1980	10 Jun 1985
Angola	3 Sep 1982	9 Aug 1985	
Antigua and Barbuda	8 Sep 1982	1 Apr 2019	
Argentina	8 Apr 1979	6 Mar 1981	10 Jun 1985
Armenia		12 May 1992 a	
Australia ^{1,4}	[3 Mar 1980]	[1 Jan 1992 a]	
Austria	3 Oct 1979	14 May 1981	10 Jun 1985
Azerbaijan.....		23 Nov 1993 a	
Bahamas (The).....		13 Nov 1986 a	
Bahrain.....		4 Apr 1986 a	
Bangladesh.....	2 Jan 1980	5 Nov 1980	28 Jun 1985
Barbados	30 May 1980	30 May 1980	10 Jun 1985
Belarus	10 Dec 1980	17 Jun 1985	17 Jun 1985
Belgium ¹	[5 Oct 1979]	[18 Nov 1981]	[10 Jun 1985]
Belize		27 Feb 1986 a	

<i>Participant^{1,2,3}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Notification under article 25</i>
Benin.....	4 Dec 1979	3 Mar 1983	8 Aug 1985
Bhutan.....	15 Sep 1983	25 Oct 1983	23 Aug 1985
Bolivia (Plurinational State of).....	25 Jan 1980	9 Jan 1981	10 Jun 1985
Bosnia and Herzegovina.....		1 Oct 1992 a	
Botswana		21 Jun 1985 a	
Brazil	8 Apr 1979	10 Dec 1980	10 Jun 1985
Bulgaria	6 Jan 1981	5 Jun 1985	5 Jun 1985
Burkina Faso.....	16 Nov 1979	9 Jul 1982	16 Jul 1985
Burundi	25 Jan 1980	9 Aug 1982	9 Aug 1985
Cabo Verde.....	28 Jan 1983	27 Nov 1984	10 Jun 1985
Cambodia.....		18 Sep 1995 a	
Cameroon.....	8 Jul 1980	18 Aug 1981	20 Jun 1985
Canada ¹	[31 Aug 1982]	[20 Sep 1983]	[10 Jun 1985]
Central African Republic.....	8 Jan 1982	8 Jan 1982	9 Jan 1986
Chad.....	14 Apr 1982	22 Aug 1991	
Chile.....	8 Apr 1979	12 Nov 1981	7 Jun 1985
China.....	6 Sep 1979	14 Feb 1980 AA	17 Jun 1985
Colombia	8 Apr 1979	25 Nov 1981	30 Jul 1985
Comoros.....	18 May 1981	10 May 1985	9 Jan 1986
Congo.....	18 Dec 1979	16 May 1983	12 Jul 1985
Costa Rica.....	5 Jan 1984	26 Oct 1987	
Côte d'Ivoire	21 Feb 1980	4 Nov 1981	21 Jun 1985
Croatia		2 Jun 1992 a	
Cuba.....	2 Oct 1979	16 Mar 1981	10 Jun 1985
Cyprus.....	17 Mar 1981	28 Apr 1983	10 Jun 1985
Czech Republic ²		22 Jan 1993 a	
Democratic People's Republic of Korea.....	10 Aug 1981	14 Sep 1981 AA	24 Jun 1985
Democratic Republic of the Congo	21 Jan 1980	9 Jul 1982	8 Jul 1985
Denmark ¹	[5 Oct 1979]	[27 May 1981]	[10 Jun 1985]
Djibouti.....	29 Oct 1981	20 Aug 1991	
Dominica	8 Jun 1982	8 Jun 1982	27 Nov 1985
Dominican Republic.....	8 May 1981	29 Mar 1983	20 Jun 1985
Ecuador.....	8 Apr 1979	15 Apr 1982	10 Jun 1985
Egypt.....	8 Apr 1979	9 Jan 1981	10 Jun 1985
El Salvador	8 Apr 1979	29 Jan 1988	
Equatorial Guinea	3 Oct 1983	4 May 1984	20 Jan 1986
Eritrea		20 Jun 1995 a	
Eswatini	14 Jan 1980	19 Aug 1981	3 Apr 1986
Ethiopia.....	18 Feb 1981	23 Feb 1981	21 Jun 1985
Fiji	21 Dec 1981	21 Dec 1981	30 Dec 1985
Finland.....	28 Sep 1979	5 Jun 1981	10 Jun 1985
France ¹	[5 Oct 1979]	[30 Mar 1982]	[10 Jun 1985]
Gabon.....	8 Jan 1980	1 Feb 1982	6 Aug 1985

<i>Participant^{1,2,3}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Notification under article 25</i>
Gambia.....		12 Jun 1986 a	
Georgia		30 Oct 1992 a	
Germany ^{5,6}	5 Oct 1979	13 Jul 1983	10 Jun 1985
Ghana	8 Apr 1979	8 Feb 1982	30 Jul 1985
Greece ¹	[5 Oct 1979]	[10 Jun 1983]	[10 Jun 1985]
Grenada.....		16 Jan 1986 a	
Guatemala	13 May 1981	8 Jul 1983	14 Jun 1985
Guinea.....	29 Nov 1979	23 Jun 1980	11 Jun 1985
Guinea-Bissau.....	1 May 1980	17 Mar 1983	14 Jun 1985
Guyana.....	17 Jul 1984	17 Jul 1984	19 Jul 1985
Haiti	28 Jan 1981	9 Jul 1982	5 Aug 1985
Honduras.....	5 Feb 1980	3 Mar 1983	13 Jun 1985
Hungary	26 Jan 1981	15 Aug 1983	2 Jul 1985
India	16 Nov 1979	21 Jan 1980	17 Jun 1985
Indonesia.....	28 Sep 1979	10 Nov 1980	10 Jun 1985
Iran (Islamic Republic of).....	12 Nov 1980	9 Aug 1985	
Iraq.....	26 Feb 1980	23 Jan 1981	27 Jun 1985
Ireland.....	5 Oct 1979	17 Jul 1984	10 Jun 1985
Israel	1 Nov 1982	25 Nov 1983	24 Apr 1985
Italy	5 Oct 1979	25 Mar 1985	10 Jun 1985
Jamaica	1 Nov 1982	10 Dec 1982	21 Jun 1985
Japan	18 Jan 1980	3 Jun 1980 A	10 Jun 1985
Jordan.....	29 Jun 1981	30 Aug 1982	28 Oct 1985
Kazakhstan.....		3 Jun 1997 a	
Kenya.....	28 Oct 1981	13 Nov 1981	10 Jun 1985
Kiribati.....		9 Feb 2016 a	
Kuwait	7 Jan 1981	7 Apr 1982	30 Jul 1985
Kyrgyzstan.....		8 Apr 1993 a	
Lao People's Democratic Republic.....	5 Mar 1980	3 Jun 1980	3 Sep 1985
Lebanon	8 Apr 1979	2 Aug 1983	6 Aug 1985
Lesotho	18 Jun 1981	18 Jun 1981	10 Jun 1985
Liberia.....	30 Jan 1980	10 May 1990	
Libya.....	8 Apr 1979	29 Jan 1981	8 Aug 1985
Lithuania ¹		[17 Oct 1991 a]	
Luxembourg.....	5 Oct 1979	9 Sep 1983	10 Jun 1985
Madagascar.....	13 Dec 1979	18 Jan 1980	10 Jun 1985
Malawi	12 Feb 1980	30 May 1980	19 Jul 1985
Malaysia.....	10 Apr 1980	28 Jul 1980	10 Jun 1985
Maldives		10 May 1988 a	
Mali.....	23 May 1980	24 Jul 1981	17 Jul 1985
Malta	2 Oct 1981	4 Nov 1982	10 Jun 1985
Marshall Islands.....		16 Mar 2015 a	
Mauritania.....	4 Mar 1981	29 Jun 1981	9 Aug 1985

<i>Participant^{1,2,3}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Notification under article 25</i>
Mauritius.....	16 Sep 1981	9 Dec 1981	10 Jun 1985
Mexico.....	12 Nov 1979	21 Jan 1980	10 Jun 1985
Micronesia (Federated States of).....		7 Mar 2019 a	
Monaco.....		23 Jan 2003 a	
Mongolia.....	22 Dec 1980	3 Jun 1985 A	10 Jun 1985
Montenegro ⁷		22 Nov 2006 a	
Morocco.....	25 Jul 1980	30 Jul 1985	
Mozambique.....	10 Nov 1982	14 Dec 1983	13 Nov 1985
Myanmar.....		12 Apr 1990 a	
Namibia ⁸		21 Feb 1986 a	
Nepal.....	11 Aug 1983	6 Dec 1983	8 Aug 1985
Netherlands (Kingdom of the) ⁹	5 Oct 1979	10 Oct 1980 A	10 Jun 1985
New Zealand ^{1,10}	[30 May 1985]	[19 Jul 1985]	
Nicaragua.....	16 Jan 1980	28 Mar 1980	1 Jul 1985
Niger.....	9 Apr 1979	22 Aug 1980	20 May 1985
Nigeria.....	8 Apr 1979	19 Dec 1980	10 Jun 1985
North Macedonia.....		27 May 1993 a	
Norway.....	28 Sep 1979	13 Feb 1981	10 Jun 1985
Oman.....	6 Jul 1981	6 Jul 1981	10 Jun 1985
Pakistan.....	8 Apr 1979	29 Oct 1979	10 Jun 1985
Palau.....		17 Jan 2023 a	
Panama.....	17 Aug 1979	23 Jul 1980	19 Jun 1985
Papua New Guinea.....	29 Mar 1985	10 Sep 1986	
Paraguay.....	7 Oct 1980	2 Dec 1981	18 Jul 1985
Peru.....	8 Apr 1979	13 Sep 1982	10 Jun 1985
Philippines.....	12 Oct 1979	7 Jan 1980	10 Jun 1985
Poland.....	22 Jan 1981	5 Mar 1985	14 Jun 1985
Portugal ¹	[10 Sep 1979]	[21 May 1984]	[10 Jun 1985]
Qatar.....		9 Dec 1985 a	
Republic of Korea.....	7 Oct 1980	30 Dec 1980	14 Jun 1985
Republic of Moldova.....		1 Jun 1993 a	
Romania.....	8 Apr 1979	28 Nov 1980	10 Jun 1985
Russian Federation.....	8 Dec 1980	22 May 1985	22 May 1985
Rwanda.....	28 Aug 1979	18 Jan 1983	10 Jun 1985
Samoa.....		11 Dec 2008 a	
Sao Tome and Principe.....	29 Nov 1983	22 Feb 1985	14 Apr 1986
Saudi Arabia.....		21 Jun 1985 a	
Senegal.....	8 Apr 1979	24 Oct 1983	13 Jun 1985
Serbia.....		6 Dec 2000 a	
Seychelles.....	21 Apr 1982	21 Apr 1982	19 Aug 1985
Sierra Leone.....	29 Aug 1979	7 Mar 1983	15 Aug 1985
Slovakia ¹		[20 Jan 1993 a]	
Slovenia.....		11 Jun 1992 a	

<i>Participant^{1,2,3}</i>	<i>Signature</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), Succession(d)</i>	<i>Notification under article 25</i>
Solomon Islands		4 Oct 2024 a	
Somalia	21 Mar 1980	20 Nov 1981	15 Nov 1985
South Africa.....		24 Oct 2000 a	
South Sudan.....		18 Aug 2023 a	
Spain	21 Jan 1980	21 Sep 1981	10 Jun 1985
Sri Lanka.....	31 Oct 1979	25 Sep 1981	10 Jun 1985
St. Kitts and Nevis		11 Dec 1985 a	
St. Lucia.....	8 May 1980	11 Aug 1982	19 Nov 1985
St. Vincent and the Grenadines		30 Mar 1987 a	
State of Palestine		17 May 2018 a	
Sudan	27 Jun 1979	30 Sep 1981	28 Jun 1985
Suriname.....	19 Sep 1980	8 Oct 1981	24 Dec 1985
Sweden.....	28 Sep 1979	28 Jul 1980	10 Jun 1985
Switzerland.....	19 Sep 1979	10 Feb 1981	10 Jun 1985
Syrian Arab Republic	1 Feb 1980	6 Dec 1982	12 Jun 1985
Tajikistan		9 Jun 1993 a	
Thailand.....	8 Apr 1979	29 Jan 1981	10 Jun 1985
Timor-Leste		31 Jul 2003 a	
Togo.....	20 Dec 1979	18 Sep 1981	25 Jun 1985
Tonga		13 Aug 1986 a	
Trinidad and Tobago	14 Apr 1980	2 May 1980	15 Jul 1985
Tunisia	8 Apr 1979	2 Feb 1981	13 Jun 1985
Türkiye.....	8 Apr 1979	5 May 1982	10 Jun 1985
Turkmenistan		16 Feb 1995 a	
Tuvalu.....		13 Sep 2011 a	
Uganda.....	8 Apr 1979	23 Mar 1983	5 Dec 1985
Ukraine	12 Dec 1980	10 Jun 1985	10 Jun 1985
United Arab Emirates	4 Dec 1981	4 Dec 1981	1 Aug 1985
United Kingdom of Great Britain and Northern Ireland ¹	[5 Oct 1979]	[7 Jul 1983]	[10 Jun 1985]
United Republic of Tanzania.....	12 May 1980	3 Oct 1980	10 Jun 1985
United States of America ¹	[17 Jan 1980]	[2 Sep 1983]	[10 Jun 1985]
Uruguay	5 May 1980	24 Dec 1980	10 Jun 1985
Uzbekistan		26 Apr 1994 a	
Vanuatu.....		17 Aug 1987 a	
Venezuela (Bolivarian Republic of).....	5 Oct 1979	28 Jan 1983	10 Jun 1985
Viet Nam.....	16 Jun 1981	6 May 1983 AA	19 Jul 1985
Yemen ¹¹	8 Apr 1979	29 Jan 1982	29 Jul 1985
Zambia.....	5 Oct 1979	15 May 1981	10 Jun 1985
Zimbabwe		21 Jun 1985 a	

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession, acceptance or approval.)

AUSTRALIA⁴

"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."

BELARUS¹²

In ratifying the Constitution of UNIDO, the Byelorussian SSR assumes that the agreements on the condition for the establishment of UNIDO as 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. Fulfilment 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 [the Government of the Byelorussian Soviet Socialist Republic's] 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.

BULGARIA¹²

"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. [The Government of the People's Republic of Bulgaria] 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 [said] 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 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 condition for the re-channelling 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.

"[The Permanent Representative of Bulgaria avails himself] of this opportunity to reaffirm the position of [his] 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 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 [its] Government during the consultations on the conversion of UNIDO into a specialized agency."

CZECH REPUBLIC²

ISRAEL

"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."

ITALY

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 Organization (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.

KUWAIT¹³

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.

LAO PEOPLE'S DEMOCRATIC REPUBLIC

... The Lao People's Democratic Republic believes that 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 Lao People's Democratic Republic believes that without the fundamental restructuring of the existing unjust international economic relations, without effecting progressive social and economic reforms, without the strengthening of the States sector of the Economy and without the co-ordination of national plans and programmes for social and economic development, those objectives can never be achieved.

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

It is therefore important that UNIDO contribute actively to 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 States Parties express their determination to contribute to international peace and security and to the prosperity of all peoples; that determination should be reflected in the Organization's decisions and in its practical activities.

MONGOLIA¹²

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 practiced 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.

NEW ZEALAND

The instrument of ratification indicates that in accordance with the special relationships which exist between New Zealand and the Cook Islands and between New Zealand and Niue, there have been consultations between the Government of New Zealand and the Government of Cook Islands and between the Government of New Zealand and the Government of Niue regarding the Constitution; that the Government of the Cook Islands, which has exclusive competence to implement treaties in the Cook Islands, has requested that the Constitution should extend to the Cook Islands; that the Government of Niue which has exclusive competence to implement treaties in Niue, has requested that the Constitution should extend to Niue. The said instrument specifies that accordingly the Constitution shall apply also to the Cook Islands and Niue.

RUSSIAN FEDERATION¹²

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 internal 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 that provision of the Constitution of UNIDO with regard to the purposes for which the regular and operational budgets of 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 6 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 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.

SLOVAKIA²

UKRAINE¹²

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.

UNITED STATES OF AMERICA

"(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 the 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."

"In connection with the notification, [concerning *inter alia* declarations made by Bulgaria, Czechoslovakia, the German Democratic Republic, and the Union of Soviet Socialist Republics] 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 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 functioning of the Organization or in any way prejudice the decisions to be adopted by UNIDO."

Notes:

¹ The Secretary-General received instruments of denunciation of the Constitution from the following Governments on the dates indicated hereinafter:

Participant:	Date of notification:	Date of effect:	Depositary Notification:
Canada	3 Dec 1992	31 Dec 1993	C.N.411.1992.TR EATIES-4

Participant:	Date of notification:	Date of effect:	Depositary Notification:
United States of America	4 Dec 1995	31 Dec 1996	C.N.421.1995.TR EATIES-4
Australia	23 Dec 1996	31 Dec 1997	C.N.455.1996.TR EATIES-1
United Kingdom	27 Apr 2011	31 Dec 2012	C.N.232.2011.TR EATIES-1
Lithuania	29 Dec 2011	31 Dec 2012	C.N.817.2011.TR EATIES-3
New Zealand	13 Dec 2012	31 Dec 2013	C.N.707.2012.TR EATIES-X.9
France	30 Sep 2013	31 Dec 2014	C.N.1053.2013.T REATIES-X.9
Portugal	31 Dec 2013	31 Dec 2014	C.N.1050.2013.T REATIES-X.9
Belgium	28 Nov 2014	31 Dec 2015	C.N.745.2014.TR EATIES-X.9
Denmark	17 Dec 2015	31 Dec 2016	C.N.698.2015.TR EATIES-X.9
Greece	30 Dec 2015	31 Dec 2016	C.N.709.2015.TR EATIES-X.9
Slovakia	21 Dec 2016	31 Dec 2017	C.N.958.2016.TR EATIES-X.9

² Czechoslovakia had signed and ratified the Constitution on 26 November 1980 and 29 May 1985, respectively, with declarations. For the text of the declarations, see United Nations, *Treaty Series*, vol. 1401, p. 149. See also note 1 under “Czech Republic” and under “Slovakia” in the “Historical Information” section in the front matter of this volume.

³ The former Yugoslavia had signed and ratified the Constitution, and deposited its notification under article 25 thereof on 8 April 1979, 8 February 1980 and 10 June 1985, respectively. See also note 1 under “Bosnia and Herzegovina”, “Croatia”, “former Yugoslavia”, “Slovenia”, “The Former Yugoslav Republic of Macedonia” and “Yugoslavia” in the “Historical Information” section in the front matter of this volume.

⁴ On 24 December 1987, the Secretary-General received from the Government of Australia, an instrument of denunciation of the Constitution. The denunciation took effect on 31 December 1988, in accordance with article 6 (2) of the Constitution. It is recalled that the Government of Australia had signed and ratified the Constitution on 3 March 1980 and 12 July 1982, respectively. In regard to the date of deposit of the instrument of ratification, it is recalled that the instrument of ratification was received by the Secretary-General on 20 November 1981. By a note verbale dated 12 July 1982, received on the same day, the Permanent Mission of Australia to the United Nations in response to a request of clarifications concerning the declarations accompanying the instrument of ratification, informed the Secretary-General as follows:

“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, [made in relation to the ratification by Australia to the Constitution], do not purport to constitute reservations in respect of any provisions of the UNIDO Constitution.”

On the basis of those assurances and due account being taken of the provisions of article 22 of UNIDO regarding the interpretation or application of the said Constitution, the Secretary-General concluded that the statements made by Australia in relation to the instrument received on 20 November 1981 were in nature of interpretative statements and, accordingly, proceeded to the deposit of the said instrument as at 12 July 1982. With regard to the position of the Government of Australia in respect to the Convention on the Privileges and Immunities of the Specialized Agencies, it should be reminded that, in accordance with the practice described in the Secretary-General's report entitled “Depositary practice with regard to reservations” (A/5687, part II, par. 22-75), in the absence of agreement on the said reservations, the instrument of accession by Australia to the said Convention received on 20 November 1962, was not then accepted for deposit. It is also recalled that the Government of Australia had also deposited a notification under article 25 thereof on 10 June 1985.

Subsequently, on 1 January 1992, the Government of Australia acceded to the Constitution. Thereafter, on 23 December 1996, the Government of Australia deposited with the Secretary-General an instrument of denunciation of the above-mentioned Constitution.

⁵ See note 1 under “Germany” regarding Berlin (West) in the “Historical Information” section in the front matter of this volume.

⁶ The German Democratic Republic had signed the Constitution on 28 May 1981, ratified it and deposited its notification under article 25 on 24 May 1985, with declarations. For the text of the declarations, see United Nations, *Treaty Series*, vol. 1401, p. 152. See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

⁷ See note 1 under “Montenegro” in the “Historical Information” section in the front matter of this volume.

⁸ See note 1 under “Namibia” in the “Historical Information” section in the front matter of this volume.

⁹ For the Kingdom in Europe and the Netherlands Antilles. See also note 1 under “Netherlands” regarding Aruba/Netherlands Antilles in the “Historical Information” section in the front matter of this volume.

¹⁰ The ratification is applicable also to the Cook Island and Niue.

¹¹ The Yemen Arab Republic had signed and ratified the Constitution, and deposited its notification under article 25 on 19 July 1979, 20 October 1983 and 14 August 1985, respectively. See also note 1 under “Yemen” in the “Historical Information” section in the front matter of this volume.

¹² The Secretary-General received on 28 April 1986, from the Government of the United Kingdom of Great Britain and Northern Ireland the following declaration with regard to the said declarations:

“The Government of the United Kingdom of Great Britain and Northern Ireland wishes to note that article 27 of the Constitution of UNIDO provides that reservations to the

Constitution are not permitted. The Government wishes to confirm that nothing in [these declarations] affects the rights and obligations of the Parties to the Constitution or the provisions of the Constitution that regulate the functioning of the Organization."

Subsequently, the Secretary-General received from the Governments of France (on 1 May 1986), Italy (on 12 May 1986), the Federal Republic of Germany (on 29 May 1986) and Spain (3 October 1986) declarations identical in essence, *mutatis mutandis*, to the one made by the United Kingdom. (See also declaration by the United States of America.)

¹³ The Secretary-General received on 28 June 1982 from the Government of Israel the following objection with regard to the above-mentioned understanding:

"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 of 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."