

No. 806

**UNITED NATIONS
and
INTERNATIONAL FUND
FOR AGRICULTURAL DEVELOPMENT**

Relationship Agreement (with protocol concerning its entry into force dated 6 April 1978). Approved by the Governing Council of the International Fund for Agricultural Development on 14 December 1977 and by the General Assembly of the United Nations on 15 December 1977

Authentic texts: English and French.

Filed and recorded by the Secretariat on 6 April 1978.

**ORGANISATION DES NATIONS UNIES
et
FONDS INTERNATIONAL
DE DÉVELOPPEMENT AGRICOLE**

Accord concernant leurs relations (avec protocole relatif à son entrée en vigueur en date du 6 avril 1978). Approuvé par le Conseil des gouverneurs du Fonds international de développement agricole le 14 décembre 1977 et par l'Assemblée générale des Nations Unies le 15 décembre 1977

Textes authentiques : anglais et français.

Classé et inscrit au répertoire par le Secrétariat le 6 avril 1978.

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

PREAMBLE

In accordance with the provisions of Articles 57 and 63 of the Charter of the United Nations and of section 1 of article 8 of the Agreement Establishing the International Fund for Agricultural Development² (hereinafter called the "Agreement"), the United Nations and the International Fund for Agricultural Development (hereinafter called the "Fund") agree as follows:

Article I. RECOGNITION

The United Nations recognizes the Fund as a specialized agency, operating in accordance with the Agreement concluded among its member States with the objective of mobilizing additional resources to be made available on concessional terms for agricultural development in developing member States.

Article II. RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be:

- (a) entitled to attend, and to participate without vote in, meetings of the Governing Council of the Fund;
- (b) invited to participate without vote in broad policy-making meetings of other organs and committees of the Fund.

2. Representatives of the Fund shall be:

- (a) entitled to attend meetings of the General Assembly of the United Nations for purposes of consultations;
- (b) entitled to attend, and to participate without vote in, meetings of the Main Committees and other organs of the General Assembly, in particular the World Food Council, as well as meetings of the Economic and Social Council and of the Trusteeship Council and of their respective subsidiary bodies dealing with matters in which the Fund has an interest.

3. Sufficient advance notice of these meetings, and their agendas shall be given so that, in consultation, arrangements can be made for adequate representation.

4. Written statements presented by either organization to the other shall be distributed by the secretariat of the latter to the members of the appropriate bodies in accordance with their rules of procedure.

Article III. PROPOSAL OF AGENDA ITEMS

Subject to such preliminary consultation as may be necessary, the Fund shall include in the provisional agenda of the appropriate organ of the Fund items proposed by the United Nations. Similarly, the Economic and Social Council and the World Food Council and their subsidiary bodies, as appropriate, shall include in their provisional agendas items proposed by the Fund.

¹ Came into force on 15 December 1977, upon approval by the General Assembly of the United Nations and the Governing Council of the Fund, in accordance with its article XVIII.

² United Nations, *Treaty Series*, vol. 1059, p. 191.

Article IV. CO-ORDINATION AND CO-OPERATION

1. In view of the co-ordinating role and global responsibilities of the United Nations in promoting economic and social development and the need for positive and effective co-operation between the United Nations and the Fund, the Fund agrees to co-operate closely with the United Nations in making co-ordination of the policies and activities of the United Nations and those of the organs and agencies within the United Nations system fully effective. The Fund agrees further to participate in the work of the United Nations aimed at enhancing such co-operation and co-ordination, in particular through membership in the Administrative Committee on co-ordination, and, as appropriate, in the work of such other United Nations bodies that have been established or may be established for that purpose.

2. In its financing operations, the Fund shall exercise its own independent judgement in accordance with the Agreement, taking fully into account the over-all policy guidelines established by the United Nations in the field of economic and social, and particularly agricultural, development.

Article V. CONSULTATION AND RECOMMENDATIONS

1. The Fund, having regard to the obligations of the United Nations to promote the objectives set forth in Article 55 of the Charter and the functions and powers of the United Nations and its appropriate organs, in particular to make recommendations for the co-ordination of the policies and activities of the specialized agencies, agrees to arrange for the consideration as soon as possible, by the appropriate organ of the Fund, of all formal recommendations which the United Nations may make to it.

2. The Fund agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Fund to give effect to such recommendations, or on the other results of their consideration.

Article VI. EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary between the United Nations and the Fund for the safeguarding of confidential material furnished to them by their members or other sources, full and prompt exchange of information and documents shall be made between the United Nations and the Fund.

2. Without prejudice to the generality of the provisions of paragraph 1 of this article:

- (a) the Fund agrees to transmit to the United Nations regular reports on the activities of the Fund;
- (b) to the fullest extent practicable, the Fund agrees to furnish upon request to the United Nations any special reports, studies or information;
- (c) the United Nations shall upon request furnish to the Fund such information as may be of special interest to the Fund.

Article VII. BUDGETARY AND FINANCIAL ARRANGEMENTS

1. The Fund recognizes the desirability of establishing close budgetary and financial co-operation in administrative matters with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economical manner possible and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. Any financial and budgetary arrangement entered into between the United Nations and the Fund shall be subject to the approval of the General Assembly of the United Nations and the Governing Council of the Fund.

3. The Fund shall transmit its administrative budget to the United Nations so as to enable the General Assembly of the United Nations to examine it and make recommendations, in accordance with paragraph 3 of Article 17 of the Charter of the United Nations.

Article VIII. ADMINISTRATIVE CO-OPERATION

1. The United Nations and the Fund recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the Fund shall consult together concerning the establishment and use of common administrative and technical services and facilities, in addition to those referred to in articles IV, V, IX, X and XII of the present Agreement in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. The consultations referred to in this article shall be utilized to establish the most equitable manner of financing any special services or assistance furnished, upon request, by the Fund to the United Nations or by the United Nations to the Fund.

Article IX. PERSONNEL ARRANGEMENTS

1. The Fund agrees to co-operate with the International Civil Service Commission on matters concerning the regulation and co-ordination of the conditions of service of staff.

2. The United Nations and the Fund agree:

- (a) to consult together concerning matters of mutual interest relating to the employment of staff, with a view to securing as much uniformity in these matters as may be feasible;
- (b) to co-operate in the interchange of staff when desirable, on a temporary or permanent basis;
- (c) that the Fund may participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Pension Fund.

3. The terms and conditions on which any facilities or services of the United Nations or the Fund in connexion with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose.

Article X. STATISTICAL SERVICES

1. The Fund recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations, without prejudice to the right of the Fund to concern itself with any statistics so far as they may be essential for its own purposes.

2. The United Nations and the Fund agree to strive for the maximum co-operation, the elimination of all undesirable duplication between them and the most efficient use of their technical personnel in their respective processes of collection,

analysis, publication and dissemination of statistical information. They shall combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burden placed upon Governments and on other organizations from which such information may be collected.

3. The United Nations and the Fund agree to furnish each other promptly with all appropriate non-confidential statistical information.

4. The United Nations shall, in consultation with the Fund and other agencies within the United Nations system, continue to develop administrative instruments and procedures through which effective statistical co-operation may be secured among all these organizations.

Article XI. ASSISTANCE TO THE UNITED NATIONS

Within the field of its competence and based upon its Agreement, the Fund shall co-operate with and render such assistance to the United Nations as the latter may request under its Charter, particularly for the accomplishment of the principles and purposes set forth in Article 55 thereof.

Article XII. TECHNICAL ASSISTANCE

1. The United Nations and the Fund shall co-operate in the provision of technical assistance for agricultural development, shall avoid undesirable duplication of activities and services relating to such technical assistance and shall take such action as may be necessary to achieve the effective co-ordination of their technical assistance activities, within the framework of co-ordination machinery in the field of technical assistance.

2. Within the field of its competence and based upon its relevant instruments, the Fund agrees to co-operate with the United Nations and its organs, as well as the agencies within the United Nations system, in promoting and facilitating the transfer of technology for food and agricultural development from developed to developing countries, the development of indigenous technology and technical co-operation among developing countries in such a manner as to assist these countries in attaining their objectives in these fields.

Article XIII. INTERNATIONAL COURT OF JUSTICE

1. The Fund shall furnish any information that may be requested by the International Court of Justice pursuant to Article 34 of the Statute of the Court.

2. The General Assembly of the United Nations authorizes the Fund to request advisory opinions of the International Court of Justice on legal questions arising within the scope of the Fund's activities, other than questions concerning the mutual relationships of the Fund and the United Nations or other specialized agencies. Such requests may be addressed to the Court by the Governing Council of the Fund, or by its Executive Board acting pursuant to an authorization by the Governing Council. The Fund shall inform the Economic and Social Council of any such request it addresses to the Court.

Article XIV. RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS

The Fund shall inform the Economic and Social Council of any formal agreement which the Fund shall enter into with any specialized agency, and in particular agrees to inform the Council of the nature and scope of any such agreement before it is concluded.

Article XV. UNITED NATIONS LAISSEZ-PASSER

The officials of the Fund shall be entitled to use the laissez-passers of the United Nations in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the President of the Fund.

Article XVI. IMPLEMENTATION OF THE AGREEMENT

The Secretary-General of the United Nations and the President of the Fund may enter into such supplementary arrangements for the implementation of the present Agreement as may be found desirable.

Article XVII. AMENDMENT AND REVISION

The present Agreement may be amended or revised by agreement between the United Nations and the Fund, and any such amendment or revision shall enter into force upon approval by the General Assembly of the United Nations and the Governing Council of the Fund.

Article XVIII. ENTRY INTO FORCE

The present Agreement shall enter into force upon its approval by the General Assembly of the United Nations and the Governing Council of the Fund.

PROTOCOL CONCERNING THE ENTRY INTO FORCE OF THE AGREEMENT
BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL FUND
FOR AGRICULTURAL DEVELOPMENT

Article 59 of its Charter calls on the United Nations to initiate, where appropriate, negotiations among the States concerned for the creation of any new specialized agencies required for the accomplishment of the purpose set forth in Article 55. Article 57 of the Charter provides that specialized agencies established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations. Article 63 of the Charter provides that the Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations, and specifies that such agreements shall be subject to approval by the General Assembly.

Acting on the basis of a resolution adopted by the World Food Conference on 16 November 1974, the General Assembly of the United Nations on 17 December 1974 requested the Secretary-General to convene urgently a meeting of all interested countries to work out the details of an international fund for agricultural development as envisaged in the resolution of the Conference. At its second session, the Meeting of Interested Countries on the Establishment of an International Fund for Agricultural Development recommended that the Fund be established as a specialized agency within the United Nations system with autonomy in policy formulation and operations.

Acting on the recommendation of the Meeting of Interested Countries, the General Assembly on 15 December 1975 adopted a resolution requesting the Secretary-General to convene a conference of plenipotentiaries on the establishment of an International Fund for Agricultural Development. By the same resolution the Assembly also requested the Economic and Social Council to arrange for the negotiation with the Preparatory Commission for the Fund, to be established by the conference, of an agreement with the Fund to constitute it as a specialized agency in

accordance with Articles 57 and 63 of the Charter and to enter into such agreement subject to the approval of the General Assembly.

Responding to the aforementioned resolution of the General Assembly, the Economic and Social Council on 13 May 1976 invited the Preparatory Commission for the Fund to prepare and submit to the Council's Committee on Negotiations with Intergovernmental Agencies proposals for bringing the Fund into relationship with the United Nations, taking into account the agreements previously concluded between the United Nations and the specialized agencies. It also requested the Committee on Negotiations to submit its report to the Council, including the text of a draft relationship agreement.

The Conference on the Establishment of an International Fund for Agricultural Development met in Rome from 10 to 13 June 1976 and adopted the Agreement Establishing the International Fund for Agricultural Development. Article 8, section 1, of the Agreement provides that the Fund is to enter into negotiations with the United Nations with a view to concluding an agreement to bring it into relationship with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter, and specifies that any such agreement concluded in accordance with Article 63 of the Charter requires the approval of the Governing Council of the Fund, by a two-thirds majority of the total number of votes, upon the recommendation of the Executive Board of the Fund. The Conference also established a Preparatory Commission for the Fund, which it charged, *inter alia*, with entering into appropriate consultations in respect of a relationship agreement with the United Nations, as foreseen in the Agreement Establishing the Fund.

At its first session the Preparatory Commission on 30 September 1976 took note of the aforementioned invitation of the Economic and Social Council and requested the interim secretariat of the Commission to submit to it at its second session a draft of a relationship agreement with the United Nations. At its second session the Commission on 16 December 1976 authorized its Chairman to transmit to the Council's Committee on Negotiations with Intergovernmental Agencies a draft of the Relationship Agreement and further authorized its Chairman to supply to the Committee any clarifications that it might seek concerning that draft. At its third session the Commission on 7 April 1977 recognized the need to explain to the Committee the full rationale for the proposal incorporated in the Commission's draft of the Relationship Agreement and approved an Explanatory Note on that Agreement which it authorized its Chairman to transmit to the Secretary-General of the United Nations for submission to the Committee; it further authorized its Chairman, assisted by the two Vice-Chairmen, to present on behalf of the Commission any clarification that the Committee might seek concerning the draft Relationship Agreement and to agree to any amendments in that draft within the framework of the Explanatory Note.

The Committee for Negotiations with Intergovernmental Agencies of the Economic and Social Council met between 14 April and 11 May 1977, with the participation of the Chairman and the two Vice-Chairmen of the Preparatory Commission for the Fund. At the conclusion of its meetings it submitted a report to the Council containing a revised text of a draft Relationship Agreement and indicating with regard to article IX thereof (entitled "Personnel Arrangements") that the Chairman of the Commission had stated that his agreement with the text of the draft of this article was subject to endorsement by the Commission. The Council at its sixty-second session on 13 May 1977 took note with appreciation of the report of the Committee and decided to transmit to the Fund, for its approval the draft Relationship Agreement proposed by the Committee, and the summary record of the Council's discussion.

At its fourth session the Preparatory Commission for the Fund on 13 July 1977 noted the report of its officers on the negotiations concerning the draft Relationship Agreement that they had conducted with the Committee on Negotiations with Intergovernmental Agencies, and approved the draft of the Relationship Agreement annexed to the report of the Committee.

The Economic and Social Council at its sixty-third session, on the basis of a report of its Policy and Programme Co-ordination Committee, decided on 3 August 1977 to recommend to the General Assembly that the Assembly approve at its thirty-second session the text of the draft Relationship Agreement in the form that had been negotiated by the Committee on Negotiations with Intergovernmental Agencies and the Preparatory Commission for the Fund.

At the thirty-second session of the General Assembly, the Administrative and Budgetary Committee of the Assembly, taking note of a report of the Assembly's Advisory Committee on Administrative and Budgetary Questions that commented on the proposed personnel arrangements as contained in article IX of the draft Agreement, recommended to the General Assembly that it invite the Fund, once constituted, to participate in the United Nations common system for the regulation and co-ordination of the conditions of employment of staff and, in particular, to accept the statute of the International Civil Service Commission, which it noted aimed at the development of a single, unified international civil service through the application of common personnel, standards, methods and arrangements. The Assembly accepted this recommendation and addressed a resolution to this effect to the Fund on 13 December 1977.

The Executive Board of the Fund at its first session on 14 December 1977 considered the proposals of the Preparatory Commission concerning the personnel practices of the Fund in the light of the resolution that had just been addressed to the Fund by the General Assembly; thereupon the Board approved, in connexion with its recommendation that the Governing Council of the Fund approve the draft Relationship Agreement with the United Nations, the text of a communication that the President of the Fund was to make to the Secretary-General announcing the approval of that Agreement, in which message it was to be stated that the Executive Board of the Fund had approved the adoption of the United Nations common system for determining the initial salary structure of the staff of the Fund and had authorized the President of the Fund to initiate discussions with the Chairman of the International Civil Service Commission to secure a certain degree of flexibility within the common system, required for a new financing institution with a small staff. Acting on the recommendation of the Board, the Governing Council on 14 December 1977 approved the Relationship Agreement, and the President of the Fund communicated this approval to the Secretary-General of the United Nations in the message the text of which had been approved by the Executive Board.

After the receipt of the communication from the President of the Fund, the General Assembly, acting on the recommendation of its Administrative and Budgetary Committee, on 15 December 1977 approved articles VII, VIII and IX of the draft Relationship Agreement and on the same date, acting on the recommendation of its Economic and Financial Committee, approved the draft Relationship Agreement.

Article XVIII of the Agreement provides that the Agreement shall enter into force on its approval by the General Assembly of the United Nations and the Governing Council of the International Fund for Agricultural Development.

The Agreement accordingly came into force on 15 December 1977.

A copy of the authentic text of the Agreement is attached hereto.

IN FAITH WHEREOF we have appended our signatures this sixth day of April one thousand nine hundred and seventy-eight at London to two original copies of the present Protocol in the English and French languages. One of the original copies will be filed and recorded with the Secretariat of the United Nations and the other will be deposited in the archives of the International Fund for Agricultural Development.

EN FOI DE QUOI nous avons apposé nos signatures le six avril mil neuf cent soixante dix-huit à Londres aux deux exemplaires originaux du présent Protocole, en langues française et anglaise. L'un des exemplaires originaux sera classé et enregistré auprès du Secrétariat de l'Organisation des Nations Unies et l'autre sera déposé dans les archives du Fonds international de développement agricole.

Secrétaire général de l'Organisation
des Nations Unies,

[Signed — Signé]

KURT WALDHEIM
Secretary-General of the United Nations

Le Président du Fonds international
de développement agricole,

[Signed — Signé]

ABDELMUHSIN M. AL-SUDEARY
President of the International Fund
for Agricultural Development
