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Agenda Item 11: Non-Governmental Organisation
Questions

CONSIDERATION OF PROCEDURE FOR UNIDO RELATIONSHIP
WITH INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS

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We regret that some of the pages in the microfiche copy of this report may not be up to the proper legibility standards, even though the best possible copy was used for preparing the master fiche.

INTRODUCTION

1. At its first session, the Industrial Development Board proposed that the Secretariat should prepare for its second session a document on the procedures to be followed for admission of international non-governmental organizations as observers, based on the experience of other United Nations organizations.

2. The Secretariat accordingly approached a number of United Nations bodies regarding the rules governing their relations with non-governmental organizations. Information has been received from the Economic and Social Council (ECOSOC), the United Nations Conference on Trade and Development (UNCTAD), the International Labour Organisation (ILO), the Food and Agriculture Organization (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the International Bank for Reconstruction and Development (IBRD), and the International Atomic Energy Agency (IAEA).

3. To assist the Board in consideration of the agenda item, the pertinent rules of the other organizations are reviewed below, particularly with respect to:

- a) The principles and criteria to be applied for the establishment of relations with non-governmental organizations;
- b) The patterns and form of the relations to be established;
- c) The procedures for admission of international non-governmental organizations as observers.

4. With respect to the criteria for establishment of relations with non-governmental organizations, all of the rules reviewed reflect generally the principles defined in the ECOSOC resolution on the establishment of consultative relations (ECOSOC Res. 288 B (X)), which is attached to this document as Annex 1.^{1/}

^{1/} Annex 1 includes also Resolution 1225 of the Forty-second session of ECOSOC, calling for revision of its rules regarding relations with NGO's.

Review of procedures of other United Nations bodies
with regard to relationships with non-governmental
organizations

5. With respect to the pattern and form of relationship with non-governmental organizations, some bodies - UNCTAD, WHO and IAEA - have only one category of associated organizations. ECOSOC and ILO have two categories, while FAO and UNESCO have three, according to the nature of the co-operation between them and the associated non-governmental organizations. Unlike other specialized agencies, the International Bank for Reconstruction and Development has no rules governing the consultative status of non-governmental organizations, but deals with each on an ad hoc basis.
6. The differences in the form of relationship with non-governmental organizations from one United Nations body to another are reflected in the procedures that are followed for granting consultative status.
7. Procedures of bodies with a single category of associated NGO's: The United Nations bodies having a single category of associated non-governmental organizations - UNCTAD, WHO and IAEA - have similar procedures with respect to application and admission. Up to the present, UNCTAD has made no provision for a Committee on Non-Governmental Organizations; however, the draft procedure now under revision provides that officers of the Board will examine and decide on applications. As to the IAEA and WHO, their Committees on Non-Governmental Organizations make recommendations to their governing bodies (the IAEA Council and the WHO Executive Board) and the governing bodies decide on the applications.
8. Procedures of bodies with two categories of associate NGO's: The procedures are more diversified in the case of United Nations bodies whose relations with non-governmental bodies are divided into more than one category. Thus, ECOSOC and ILO, which have two categories of associate non-governmental organizations, have the following provisions:
- ECOSOC rules provide for two categories of associate non-governmental organizations - Category A and Category B. A register is maintained of those organizations that do not qualify for Categories A or B but which "have a significant contribution to make to the work of the Council". The Council's Committee on Non-Governmental Organizations makes recommendations to the Council, which decides on the applications.

The ILO provides for two categories of associate non-governmental organizations:

- (a) Those having an important interest in a wide range of ILO activities; and
- (b) Those having a special interest in some particular sector of the work of ILO and which may from time to time be invited to be represented at special meetings during consideration of matters of interest to them.

With respect to the first of these categories, it is provided that any organization wishing to establish consultative relationship with ILO shall address a formal request to the Director-General for submission to the Governing Body, which will decide on the application.

9. Procedures of bodies with three categories of associate NGO's: The rules of FAO and UNESCO provide for three categories of relationship with non-governmental organizations:

FAO's rules provide for the following three categories:

- (a) Those with consultative status;
- (b) Those with specialized consultative status; and
- (c) Those with liaison status.

For admission to the first of these categories - consultative status - the Council submits proposals to the FAO Conference for decision. As regards the second and third categories - for specialized consultative status or liaison status - the Director-General may grant the status under his own authority provided that he reports this action to the Council and consults with the Council when necessary.

UNESCO's rules also provide for three categories of associated NGO's:

- (a) Category A: Consultative and associate relations;
- (b) Category B: Information and consultative category;
- (c) Category C: Mutual information relationship.

Admission to Category A is decided by the Executive Board of UNESCO after consultation with the Director-General. Admission to Category B is decided by the Executive Board on the proposal of the Director-General or at the request of the organization. Admission to Category C is approved by the Director-General, who informs the Executive Board in his periodic report concerning the non-governmental organisations admitted or rejected.

Consideration of procedures to govern UNIDO's relationships
with associate international non-governmental organizations

10. In the light of the procedures of other United Nations bodies, referred to above, the Secretariat has studied the Rules of Procedure of the Industrial Development Board (ID/B/18) and notes that Rules 9 and 76 appear to give maximum rights to associated non-governmental organizations by comparison with similar provisions in the rules of procedure of other bodies.

11. The rights of associate non-governmental organizations as provided in the Rules of Procedure are as follows:

- (a) For the representatives designated by international non-governmental organizations "to sit as observers at public meetings of the Board, its committees and subsidiary organs"; (Rule 76, para.1)
- (b) "Upon the invitation of the President ... and subject to the approval of the Board or of the subsidiary organ concerned, international non-governmental organizations may make oral statements on matters within the scope of their activities"; (Rule 76, para.1)
- (c) To make written statements "related to items on the agenda of the Board or of its subsidiary organs"; (Rule 76, para.2)
- (d) To "propose to the Bureau^{2/} of the Board that the Bureau request the Executive Director to place items of special interest to the organization on the provisional agenda of the Board". (Rule 9, para.3)

12. The provisions of Rule 76 of the Rules of Procedure of the Industrial Development Board are like those of Rule 79 of the Rules of Procedure of the Trade and Development Board of the United Nations Conference on Trade and Development except that the UNIDO rule refers to "international non-governmental organizations", whereas the UNCTAD rule mentions only "non-governmental organizations".

Conclusion

13. Since the UNIDO Rules of Procedure appear to confer on non-governmental organizations the maximum rights as compared with other international bodies, the classification of associated non-governmental bodies into categories according to the extent of rights conferred on them (for example, Categories A and B and a special register in the case of the ECOSOC) does not seem relevant.

^{2/} Under Rule 18, the officers of the Board constitute the Bureau of the Board.

14. As the international character of the non-governmental organizations which may make application for consultative status with UNIDO is stressed in paragraph 36 of the General Assembly Resolution establishing UNIDO (GA Res. 2152 (XXI)) and in the UNIDO Rules of Procedure, this should be reflected in the procedures for application of non-governmental organizations.

15. In summary, the following principles are suggested as the basis for procedures to be developed for receiving applications from international non-governmental organizations:

- (a) There should be only one category of associated international non-governmental organizations, to be represented by observers.
- (b) The "bona fide" international character of applying non-governmental organizations should be established.
- (c) The international non-governmental organizations applying to UNIDO for associate relationship should be concerned with the promotion of industrial development, as referred to in paragraph 36 of General Assembly Resolution 2152 (XXI).

16. A draft procedure embodying these principles is submitted as Annex 2 to the present document for the Board's consideration.

ECOSOC Resolutions Governing Consultative Arrangements with
Non-Governmental Organizations

ECONOMIC AND SOCIAL COUNCIL RESOLUTION 288 B (X)
ON CONSULTATIVE ARRANGEMENTS WITH NON-GOVERNMENTAL ORGANIZATIONS

Part I Principles to be applied in the establishment of
consultative relations^{1/}

1. The following principles shall be applied in establishing consultative relations with non-governmental organizations.
2. The organization shall be concerned with matters falling within the competence of the Economic and Social Council with respect to international economic, social, cultural, educational, health and related matters and to questions of human rights.
3. The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations.
4. The organization shall undertake to support the work of the United Nations and to promote knowledge of its principles and activities, in accordance with its own aims and purposes and the nature and scope of its competence and activities.
5. The organization shall be of recognized standing and shall represent a substantial proportion of the organized persons within the particular field in which it operates. To meet this requirement, a group of organizations may form a joint committee or other body authorized to carry on consultation for the group as a whole. It is understood that when a minority opinion develops on a particular point within such a liaison committee, it will be presented along with the opinion of the majority.
6. The organization shall have an established headquarters, with an executive officer. It shall have a conference, convention or other policy-making body.
7. The organization shall have authority to speak for its members through its authorized representatives. Evidence of this authority shall be presented, if requested.
8. Subject to paragraph 9 below, the organization shall be international in its structure, with members who exercise voting rights in relation to the policies or action of the international organization. Any international organization which is not established by inter-governmental agreement shall be considered as a non-governmental organization for the purposes of these arrangements.

^{1/} The rules governing the relationships between ECOSOC and non-governmental organizations are liable to revision in accordance with a request made by ECOSOC in its Resolution 1225 (XLII), copy of which is attached.

9. National organizations shall normally present their views through international non-governmental organizations to which they belong. It would not, save in exceptional cases, be appropriate to include national organizations which are affiliated to an international non-governmental organization covering the same subjects on an international basis. National organizations, however, may be included in the list after consultation with the Member State concerned if they cover a field which is not covered by any international organization or have special experience upon which the Council wishes to draw.

10. Consultative arrangements shall not normally be made with an international organization which is a member of a committee or group composed of international organizations with which consultative arrangements have been made.

11. In considering the establishment of consultative relations with a non-governmental organization, the Council will take into account whether the field of activity of the organization is wholly or mainly within the field of a specialized agency.

Part III Establishment of consultative relationships

15. In establishing consultative relationships with each organization, regard shall be had to the nature and scope of its activities and to the assistance that may be expected by the Council or its subsidiary bodies in carrying out the functions set out in Chapters IX and X of the Charter.

16. In establishing consultative relations with organizations, the Council will distinguish between:

- (a) Organizations which have a basic interest in most of the activities of the Council and are closely linked with the economic or social life of the areas which they represent (to be known as organizations in category A);
and
- (b) Organizations which have a special competence in, and are concerned specifically with, only a few of the fields of activity covered by the Council (to be known as organization in category B).

17. Other organizations which have a significant contribution to make to the work of the Council may be entered by the Secretary-General in a register established for the purpose. The register shall include:

- (a) Organizations recommended for inclusion by the Council or its Committee on Non-Governmental Organizations;
- (b) International organizations in consultative status or similar relationship with a specialized agency which have not been granted consultative status in categories A or B;
- (c) Other international organizations which apply to the Secretary-General for inclusion, and which, in his opinion, have a significant contribution to make to the work of the Council or its subsidiary bodies.

18. Organizations to which the Council has decided not to grant consultative status in categories A and B are not thereby debarred from inclusion in the register.

Part VIII Council Committee on Non-Governmental Organizations

34. A Council Committee on Non-Governmental Organizations is established consisting of seven members^{2/} of the Council, to be elected at the first session of the Council each year, and the President of the Council, serving ex officio as Chairman of the Committee, without vote. In the absence of the President, the Committee shall elect an Acting Chairman. A member shall serve until the next election unless it ceases to be a member of the Council.

35. The functions of the Committee shall include the following:

- (a) The Committee shall hold a session before the first session of the Council each year to consider applications for consultative status in categories A and B made by non-governmental organisations and requests for changes in status and to make recommendations thereon to the Council.

The Committee shall consider at each such session applications received by the Secretary-General not later than 1 November^{3/} of the preceding year, on which sufficient data have been distributed to the members of the Committee not later than six weeks before the applications are to be considered.

Reapplication by an organization for status, or a request for a change in status, shall be considered by the Committee at the earliest at its first session of the second year following the session at which the substance of the previous application or request was considered; unless at the time of such consideration, it was decided otherwise.

- (b) The Committee may review from time to time the list of non-governmental organizations included in categories A and B.
- (c) The Committee may make recommendations regarding the inclusion or exclusion of organizations from the register as it deems appropriate.
- (d) The Committee shall consult, in connexion with sessions of the Council or at such other times as it may decide, with organizations in categories A and B on matters within their competence, other than items on the agenda of the Council, on which the Council or the Committee or the organization requests consultation. The Committee shall report to the Council on such consultations.

^{2/} Membership of Committee enlarged to 13 members (E/RES/1099(XL)Rev.1)

^{3/} At its 1363rd meeting on 26 March 1965, the Council decided to convene the Council Committee on Non-Governmental Organizations in the autumn and therefore decided that the closing date for the receipt of applications from non-governmental organizations for consultative status should in the future be 1 June.

- (e) The Committee shall consult, in connexion with each session of the Council, with organizations in categories A and B on matters within the competence of the organizations concerning items on the provisional agenda of the Council on which the Council or the Committee or the organization requests consultation, and shall make recommendations as to which organizations in category A should be heard by the Council or the appropriate Committee and regarding which subjects they should be heard. The Committee shall report to the Council on such consultations.
- (f) The Committee shall consider matters concerning non-governmental organizations which may be referred to it by the Council or by commissions.
- (g) The Committee shall consult with the Secretary-General, as appropriate, on matters affecting the consultative arrangements under Article 71 of the Charter and arising therefrom.

36. The Committee, in considering a request from a non-governmental organization in category A that an item be placed on the agenda of the Council, shall take into account:

- (a) The adequacy of the documentation submitted by the organization;
- (b) The extent to which it is considered that the item lends itself to early and constructive action by the Council; and
- (c) The possibility that the item might be more appropriately dealt with elsewhere than in the Council.

Any decision by the Committee on Non-Governmental Organizations not to grant a request submitted by a non-governmental organization that an item be placed upon the provisional agenda of the Council shall be considered as final.

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL
AT ITS FORTY-SECOND SESSION, JUNE 1967

Non-governmental organizations: applications and
reapplications for consultative status (E/Res/1225(XLII))

The Economic and Social Council,

Recognizing the importance of developing effective relationships, under Article 71 of the Charter of the United Nations, with non-governmental organizations in order to enhance the contributions they can make toward the attainment of the objectives of the United Nations, particularly in the economic, social and related fields,

Considering that the criteria laid down in its resolution 288 B (X) of 27 February 1950 for the admission of non-governmental organizations to consultative status with the Economic and Social Council do not tend to conform to the realities of contemporary experience in the international community,

Recognizing the necessity of assuring the widest possible representation of non-governmental organizations of different views and ideas on matters of interest to the Council and in conformity with the spirit, purposes and principles of the Charter,

Considering that the criteria in its resolution 288 B (X) do not make sufficient distinction between the requirements for admission to the various categories, especially categories A and B,

Concerned with the necessity of safeguarding the non-governmental character of organizations in consultative status in order to assure the free expression of views without government interference,

1. Requests the Committee on Non-Governmental Organizations:

- (a) To review the criteria laid down in its resolution 288 B (X) which govern the admission of non-governmental organizations to consultative status;
- (b) To redefine, as appropriate, the precise requirements for each category, particularly with a view to distinguishing more clearly between category A and other categories;
- (c) To review, in the light of their financial implications, the facilities and privileges enjoyed by these organizations;
- (d) To give consideration to the formulation of rules which would provide for the suspension of consultative status or possibly the withdrawal of such status from non-governmental organizations which failed to live up to the principles applied in the establishment of consultative relations;

- (e) To request non-governmental organizations granted consultative status by the Economic and Social Council to submit information on their current activities and their sources of financing such activities;
- (f) To transmit its report and recommendations not later than the forty-fourth session of the Council;

2. Further requests the Committee on Non-Governmental Organizations, on the basis of any changes in the principles and criteria approved by the Economic and Social Council:

- (a) To review the nature and activities of each non-governmental organization in consultative status with the Council, with a view to recommending re-classification where advisable;
- (b) To review in particular whether non-governmental organizations in consultative status are subject to undue influence by Member States through financial assistance or other means and to recommend what action should be taken by the Council to preserve the non-governmental character of all organizations associated with it.

3. Requests the Secretary-General to report to the General Assembly and to the Economic and Social Council, for any appropriate action they might desire to take, on:

- (a) The procedures of associating national and international non-governmental organizations with the Office of Public Information;
- (b) The possibilities of increasing the number of national non-governmental organizations from all States Members of the United Nations associated with the Office of Public Information, in order to increase their informational activities concerning economic and social affairs.

1478th plenary meeting, 6 June 1967

ANNEX 2 Draft procedure for UNIDO relationship with international non-governmental organizations

1. This (draft) procedure establishes:
 - (a) The functions and terms of reference of an ad hoc Board Committee on relations with international non-governmental organizations; (Paras. 2 to 6 below)
 - (b) Criteria for admission of international non-governmental organizations; (Para. 7)
 - (c) The form of application and supporting information to be provided by the applicant organization; (Para. 8)
 - (d) The rights and obligations of admitted international non-governmental organizations. (Paras. 9 to 10)

Ad hoc Board committee on relations with international non-governmental organizations

2. At each session of the Board, an ad hoc committee composed of the officers of the Board and the Executive Director shall review applications from non-governmental organizations under Rule 76 of the Rules of Procedure and submit a report to the Board during the same session. The committee shall ascertain whether the non-governmental organizations in question have an international character, are concerned with promoting industrial development, and can give the Board and/or its subsidiary organs such information or advice as might guide them in the fields in which the respective organizations are competent. When an organization has been admitted to consultative status, its participation in the activities of UNIDO shall be confined to questions within its field of competence.
3. On the basis of the information presented to the Committee in accordance with paragraph 8 below, and in accordance with the criteria for the establishment of relations with non-governmental organizations (para. 7 below), the ad hoc committee shall communicate to the Board its opinion on applications submitted to the Board at its current session.
4. The Industrial Development Board, after review of the recommendations of the ad hoc committee, may approve, reject or postpone the application of the non-governmental organization. If an application is approved, the name of the international non-governmental organization will be placed on the list of such organizations as provided in Rule 76 of the Rules of Procedure.
5. Any recommendation by the ad hoc committee to reject or postpone the placing of the name of an international non-governmental organization on the approved list shall be communicated to the applying organization only if it is approved by the Board.

6. The ad hoc committee shall be called into session by the Chairman of the Board after consultation with the Executive Director.

Criteria for admission of international non-governmental organizations

7. A non-governmental organization, to be considered for admission to consultative status with the Industrial Development Board must meet the following criteria:

- (a) The organization must be actively concerned with industrial problems falling within the field of competence of UNIDO as defined by General Assembly Resolution 2152 (XXI).
- (b) The aims and purposes of the organization must be in conformity with the spirit, purposes and principles of the Charter of the United Nations.
- (c) UNIDO must be able to rely on the entire support of an organization which is granted consultative status.
- (d) In line with the General Assembly Resolution establishing UNIDO (GA Res. 2152 (XXI)) the bona fide international character of the organization must be established.
- (e) It must be clearly established that the organization concerned is of recognized standing and that a substantial proportion of its members (whether individuals or groups) are actively participating in the industrial field. (Accordingly, any group of organizations which have formed a legally valid merger or association may participate in the activities of UNIDO through a representative authorized to act in the name of all members of the group.)
- (f) International organizations which have not been established by an inter-governmental agreement shall be considered as non-governmental organizations within the meaning of Rule 76 of the Rules of Procedure of the Board.

Form of application and supporting information

8. Applications will be addressed to the Executive Director and should be submitted at least four months prior to the next scheduled session of the Industrial Development Board.

9. In submitting an application in accordance with Rule 76 of the Rules of Procedure of the Board, an organization seeking consultative status must provide the following information:

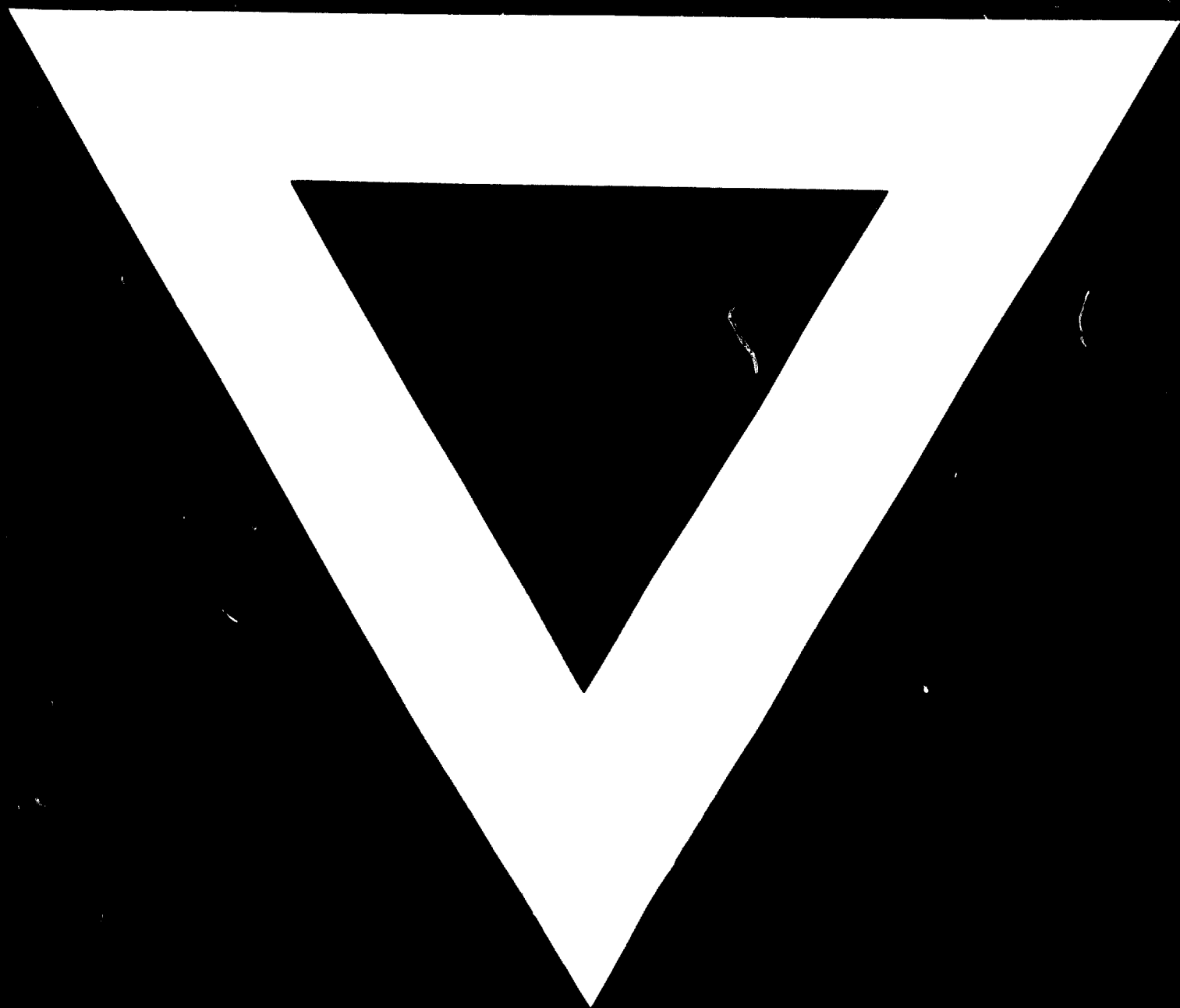
- (a) A summary history of the organization;
- (b) A detailed statement of its purposes;
- (c) The structure of its administration;

- (d) A detailed statement of its activities;
- (e) Description of its relations with inter-governmental organizations;
- (f) Description of its relations with other non-governmental organizations;
- (g) A statement of its financial resources;
- (h) The full address of its official headquarters and addresses of its regional offices, if any;
- (i) The name of its administrative director or his accredited representative who will maintain liaison with the Executive Director of UNIDO.

Rights and obligations of admitted international non-governmental organizations

10. Once the Industrial Development Board has approved the application of an international non-governmental organization for consultative status, the associated organization will have the following rights and obligations as provided under the Rules of Procedure:
- (a) For representatives to sit as observers at public meetings of the Board, its committees and subsidiary organs;
 - (b) On the invitation of the President, and subject to the approval of the Board or of the subsidiary organ concerned, to make statements on matters within the scope of their activities;
 - (c) To make written statements related to items on the agenda of the Board or of its subsidiary organs;
 - (d) To propose to the Secretariat of the Board that the secretariat request the Executive Director to place items of special interest to the organization on the provisional agenda of the Board.
11. Accredited representatives of the associated organization must give evidence to the Secretary of the Industrial Development Board of their authority to speak in its name.





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