

ARTICLE 59

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TEXT OF ARTICLE 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

INTRODUCTORY NOTE

1. The structure of this study is similar to that of Article 59 in the *Repertory*, except that the sub-headings have been modified to conform with the nature of the supplementary material. During the period under review there was no new material requiring discussion in the Analytical Summary of Practice.

2. Prior to the establishment by the General Assembly of the United Nations Industrial Development Organization (UNIDO)¹, the question of creating a specialized agency for industrial development was discussed in several sessions of the General Assembly and the Economic and Social Council.

3. In its resolution 1712 (XVI) of 19 December 1961, the General Assembly requested the Council to direct the Committee for Industrial Development to give consideration to the expansion of United Nations activities in the field of industrial development, "in particular to the advisability of establishing a specialized agency or any other appropriate body for industrial development". At its thirty-third session,² the Council requested the Secretary-General to appoint an advisory committee of ten experts which *inter alia* would examine this problem.

4. In December 1963, the General Assembly endorsed³ the view of this Advisory Committee of Experts "that the present institutional framework of United Nations activities in the field of industrial development is not satisfactory and that existing resources are not adequate". The General Assembly declared that there was a need to carry out changes

in the existing machinery to provide an organization capable of dealing with the problems of the developing countries, in order to intensify, concentrate and expedite United Nations efforts for industrial development, and recommended the Economic and Social Council to instruct the Committee for Industrial Development to consider the establishment of such an organization. It will be noted that this General Assembly resolution did not refer to the creation of a specialized agency for the purpose; however, the preamble to the resolution recalled the previous Assembly and Council resolutions in which specific mention had been made of such an agency.

5. At its thirty-seventh session in August 1964, the Economic and Social Council declared⁴ that there was "an urgent need to establish a specialized agency for industrial development within the framework of the United Nations family" and requested the Secretary-General to prepare a study on the scope, structure and functions of this agency. In July 1965 the Council reaffirmed⁵ "the need for urgent action towards the establishment at the earliest date possible of a specialized agency for industrial development", and requested the Assembly to consider the matter at its twentieth session with a view to an early decision on the question. In December 1965 the General Assembly decided⁶ to establish, within the United Nations, an autonomous organization for the promotion of industrial development to be known as the United Nations Industrial Development Organization (UNIDO).

¹ See this *Supplement* under Articles 22 and 68.

² E S C resolution 873 (XXXIII).

³ G A resolution 1940 (XVIII).

⁴ E S C resolution 1030 B (XXXVII).

⁵ E S C resolution 1081 F (XXXIX).

⁶ G A resolution 2089 (XX).

I. GENERAL SURVEY

**A. The Inter-Governmental Maritime Consultative Organization

**B. The International Trade Organization

**C. The Organization for Trade Co-operation

**D. The International Atomic Energy Agency

E. The International Development Association

6. At its fourteenth session, the General Assembly adopted a draft resolution⁷ by which it welcomed the decision of the Board of Governors of the International Bank for Reconstruction and Development

⁷ G A resolution 1420 (XIV).

to establish an International Development Association as an affiliate of the Bank, and expressed the belief that "the new affiliate of the International Bank for Reconstruction and Development will provide under-developed countries with types of financing which have not hitherto been available from multilateral agencies and which, while stimulating economic development, would tend to ease their balance-of-payments position". The Assembly further expressed the hope that "adequate provisions will be made and appropriate procedures adopted for a close working relationship and effective co-ordination and consultation between the International Development Association and the United Nations".

7. At its thirtieth session, the Economic and Social Council adopted a draft resolution⁸ in which it noted with satisfaction "that the Agreement establishing the International Development Association has entered into force, and that the Association has begun its operations", noted further that "the Articles of Agreement of the International Development Association provide that the Association

⁸ E S C resolution 805 (XXX).

shall enter into formal arrangements with the United Nations" and requested the President of the Economic and Social Council to "negotiate, with the appropriate authorities of the International Development Association, an agreement for the purpose of bringing the Association into relationship with the United Nations". At the same session, the Council considered the draft Agreement negotiated between the President of the Council and the representative of the International Development Association for the purpose of bringing the Association into relationship with the United Nations, and adopted a draft resolution⁹ recommending to the General Assembly that it approve this Agreement.

8. At its fifteenth session,¹⁰ the General Assembly "having considered the Agreement entered into on 22 December 1960 between the Economic and Social Council and the International Development Association, . . ." approved the Agreement.¹¹

⁹ E S C resolution 807 (XXX).

¹⁰ G A resolution 1594 (XV).

¹¹ See also this *Supplement* under Article 63.

** II. ANALYTICAL SUMMARY OF PRACTICE