

## **Board decision 43 (VII) and Rule 77 of the TDB**

### Board decision 43 (VII)

#### *Arrangements for the participation of non-governmental organizations in the activities of the United Nations Conference on Trade and Development*<sup>1</sup>

#### I. CRITERIA TO BE APPLIED IN THE ESTABLISHMENT OF THE LIST OF NON-GOVERNMENTAL ORGANIZATIONS PROVIDED FOR IN RULE 79<sup>2</sup> OF THE RULES OF PROCEDURE OF THE TRADE AND DEVELOPMENT BOARD

1. The organization shall be concerned with matters of trade and of trade as related to development. In this connection the organization shall provide the necessary evidence that it is concerned with matters falling within the terms of the functions which devolve upon the United Nations Conference on Trade and Development (UNCTAD) under General Assembly resolution 1995 (XIX) of 30 December 1964.
2. In considering an application from a non-governmental organization under rule 79 of the rules of procedure the Secretary-General of the Conference and the Bureau of the Board shall be guided by the principle that relationship arrangements are to be made, on the one hand, for the purpose of enabling the Board and/or its subsidiary bodies to secure information or advice from organizations having special competence in the subjects for which relationship arrangements are made, and, on the other hand, to enable organizations which represent important elements of public opinion to express their views. Therefore, the participation of each organization in the activities of UNCTAD should involve only the subjects for which that organization has a special competence or in which it has special interest.
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 UNCTAD 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 be represented by a joint committee or other body authorized to carry on consultations 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 to UNCTAD along with the opinion of the majority.

---

<sup>1</sup> Board decision 43 (VII) of 20 September 1968, replacing Board decision 14 (II) of 7 September 1965.

<sup>2</sup> As of March 1989, replace Rule 79 of the Board by Rule 77 (TD/B/16/Rev.4).

6. The organization shall have an established headquarters with an executive officer. It shall have a conference, convention or other policy-making body. In submitting its application under rule 79, the organization shall indicate the name of the executive officer, or of its authorized representative who shall be in charge of maintaining liaison with the Secretary-General of UNCTAD.

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. The organization shall be international in its structure, with members who exercise voting rights in relation to the policies or action of the international organizations. Any international organization which is not established by intergovernmental agreement shall be considered as a non-governmental organization for the purposes of rule 79.

9. An international organization which is a member of a committee or of a group composed of international organizations which has already been included in the list provided for in rule 79 shall not normally be included in the list.

10. In considering the inclusion of a non-governmental organization in the list provided for under rule 79, the Secretary-General of UNCTAD and the Bureau of the Board will take into account whether or not the field of activity of the organization is wholly or mainly within the field of a specialized agency or an intergovernmental organization of those referred to in paragraph 18 of General Assembly resolution 1995 (XIX).

11. In including a non-governmental organization in the list provided for in rule 79 regard shall be had to the nature and scope of its activities and to the assistance that may be expected by UNCTAD in carrying out the functions set out in General Assembly resolution 1995 (XIX).

12. In establishing the list provided for in rule 79, the Board shall distinguish between:

- (a) Organizations which exercise functions, and have a basic interest, in most of the activities of the Board and which would, therefore, be entitled to the rights provided for in rule 79 of the Board at meetings of the Board, and under rule 78 of the Committees at meetings of all the Committees (to be known as organizations in the General Category); and
- (b) Organizations which have a special competence in, and are concerned with, specific matters falling within the terms of reference of one or two Committees or of the Board itself and which would, therefore, be entitled to the rights provided for in rule 78 of the rules of procedure of the Committees concerned, and, when the Board has these specific matters under consideration, the rights provided under rule 79 of the Board (to be known as organizations in the Special Category).

## II. Procedures to be applied by the Bureau in discharging its functions under rule 79 of the rules of procedure of the Board

1. The Bureau shall meet upon the recommendation of the Secretary-General of UNCTAD whenever matters falling within the terms of rule 79 must be considered. Whenever possible, the Secretary-General of UNCTAD shall also consult the members of the Bureau by mail.
2. The Bureau shall consider the applications which have been submitted to the Secretary-General of UNCTAD by non-governmental organizations as well as the explanatory memoranda and other documentation that the organizations may have attached to their applications. In this connection, due account shall be taken of the recommendations and explanatory notes submitted by the Secretary-General regarding each application.
3. Upon the basis of the documentation submitted under paragraph 2 above and of the criteria for the establishment of relationship arrangements with non-governmental organizations, the Bureau shall then give advice to the Secretary-General of UNCTAD as to which non-governmental organizations should be included in the list provided for in rule 79. If required, the matter shall be put to the vote and decided by majority vote of the members of the Bureau present and voting. Any recommendation of the Bureau against the inclusion of a non-governmental organization in the list shall be considered as final.

## III. ARRANGEMENTS FOR THE ASSOCIATION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS WITH THE ACTIVITIES OF UNCTAD (THE REGISTER)

National non-governmental organizations of recognized standing which are deemed to have a significant contribution to make to the work of UNCTAD may be entered by the Secretary-General of UNCTAD in a Register established for that purpose. Entry in the Register of a national organization shall be subject to prior consultation with the member State concerned.

## IV. SECRETARIAT RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

The Secretary-General of UNCTAD shall be authorized, within the means at his disposal, to offer to non-governmental organizations which are included in the list provided for in rule 79 (i.e. non-governmental organizations in the General and Special Categories) and to non-governmental organizations entered in the Register referred to in part III above, the following facilities:

1. Distribution of such documents of the Board and its subsidiary organs as shall in the judgement of the Secretary-General of UNCTAD be appropriate.
2. Access to the press documentation of UNCTAD, and, periodically, to such other public information material relating to the activities of UNCTAD as may be considered appropriate.
3. Arrangements for informal discussions of matters of special interest to groups or organizations.

## V. APPLICATION OF RULE 79 OF THE BOARD AND RULE 78 OF THE COMMITTEES OF THE BOARD

For the purposes of applying rule 79 of the Board and rule 78 of the Committees of the Board only non-governmental organizations admitted to either the General or the Special Category provided for in part I, paragraph 12, above, shall be deemed to be included in the list referred to in those rules and, consequently, to be entitled to the rights set out therein.

172nd Plenary Meeting,  
20 September 1968

### *Extract from the Rules of Procedure of the Trade and Development Board (TD/B/16/Rev.4)*

#### XV. Observers for non-governmental organizations

##### Rule 77

1. Non-governmental organizations concerned with matters of trade and of trade as related to development, referred to in paragraph 11 of General Assembly resolution 1995 (XIX), may designate representatives to sit as observers at public meetings of the Board, its sessional committees and subsidiary organs. The Secretary-General of the Conference, in consultation with the Bureau of the Board, shall from time to time prepare a list of such organizations for the approval of the Board. Upon the invitation of the President or Chairman, as the case may be, and subject to the approval of the Board or of the subsidiary organ concerned, non-governmental organizations may make oral statements on matters within the scope of their activities.
2. Written statements provided by non-governmental bodies referred to in paragraph 1 above, related to items on the agenda of the Board or of its subsidiary organs, shall be circulated by the secretariat to the members of the Board or the subsidiary organ concerned.