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EBD/83/55

March 3, 1983

To: Members of the Executive Board

From: The Acting Secretary

Subject: Proposal of an Agenda Item for the Board of  
Governors by the United Nations

1. Attached is a letter dated January 10, 1983, from the UN Under-Secretary-General for Political Affairs, Trusteeship and Decolonization, transmitting to the Fund General Assembly resolution 37/32 entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations." The provisional text of this resolution has already been brought to the attention of the Executive Board in Annex II of SM/83/7 (1/11/83). The resolution states in part:

"The General Assembly...

20. Reiterates its proposal, under article III of the Agreement between the United Nations and the International Monetary Fund, for the urgent inclusion in the agenda of the Board of Governors of the Fund of an item dealing with the relationship between the Fund and South Africa and further reiterates its proposal that, in pursuance of article II of the Agreement, the relevant organs of the United Nations should participate in any meeting of the Board of Governors called by the Fund for the purpose of discussing the item;"

2. The same proposal was made last year in the earlier General Assembly resolution 36/52, which was brought to the attention of the Executive Board in EBD/82/19 (1/26/82). This document is attached for reference, except for its attachment, because it describes the procedural requirements under the By-Laws of the Fund with respect to the preparation of the agenda for a meeting of the Board of Governors, and under the UN/Fund Agreement, with respect to items proposed for that agenda by the United Nations, as well as participation in such meetings by the representatives of the United Nations.

3. The agenda for the next Annual Meeting, which is scheduled to take place beginning September 27, 1983, would need to be transmitted, under Section 6(a) of the By-Laws, to each member of the Fund at least 42 days prior to the date set for that meeting, i.e., no later than August 15, 1983.

4. The letter also refers to paragraph 24 of the resolution which requests the Secretary-General to report on the actions undertaken by specialized agencies to implement this resolution and previous ones on the subject. The Secretary-General will be informed that the relevant resolution has been brought to the attention of the Executive Board so that due consideration may be given to the proposal.

Attachments

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CABLE ADDRESS: ADDRESS TELEGRAPHIQUE: UNATIONS NEW YORK

TELETYPE: TF 210(3)

10 January 1983

Dear Sir.

..... On behalf of the Secretary-General, I wish to transmit herewith for your attention, a copy of resolution 37/32 concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, adopted by the General Assembly at its 77th plenary meeting, on 23 November 1982.

In so doing, I wish to draw your particular attention to operative paragraphs 8, 20 and 24 of the resolution.

In order to enable the Secretary-General to submit the report requested of him in operative paragraph 24 in time for consideration by the relevant bodies concerned with related aspects of the question, it would be appreciated if your organization could send the information called for by the end of February, if possible, it being understood that any further

Mr. J. de Larosière  
Chairman of the Executive Board  
and Managing Director  
International Monetary Fund  
700 19th Street, N.W.  
Washington, D.C. 20431

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-2-

information made available to the Secretary-General at a subsequent date would be included in addenda to the report.

The Secretary-General has asked me to convey to you his readiness to extend assistance as may be required.

Yours truly,

A handwritten signature in dark ink, appearing to read 'R. Ahmed', written over a horizontal line.

Rafeeuddin Ahmed -  
Under-Secretary-General  
for Political Affairs,  
Trusteeship and Decolonization

ATTACHMENT II

EBD/82/19

January 26, 1982

To: Members of the Executive Board

From: The Secretary

Subject: Proposal of an Agenda Item by the United Nations  
for the Board of Governors

1. Attached is a letter from the UN Under Secretary General for Political Affairs, Trusteeship and Decolonization, transmitting to the Fund General Assembly Resolution 36/52 entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Specialized Agencies and the International Institutions Associated With the United Nations" (SM/82/15, 1/22/82). This Resolution states in part:

"The General Assembly

\* \* \* \* \*

"20. Proposes under article III of the Agreement between the United Nations and the International Monetary Fund, the urgent inclusion in the agenda of the Board of Governors of the International Monetary Fund of an item dealing with the relationship between the Fund and South Africa and that, in pursuance of article II of the Agreement, the relevant organs of the United Nations should participate in any meeting of the Board of Governors called by the Fund for the purpose of discussing the above-mentioned item;"

2. Article III of the Agreement between the United Nations and the Fund, which came into force on November 15, 1947, and which brought the Fund into the relationship with the United Nations as a specialized agency, provides in part:

"In preparing the agenda for meetings of the Board of Governors, the Fund will give due consideration to the inclusion in the agenda of items proposed by the United Nations."

Article II of the same Agreement, which deals with the matter of representation, contains, in paragraphs 1 and 4, the following provisions:

"1. Representatives of the United Nations shall be entitled to attend, and to participate without vote in, meetings of the Board of Governors of the Fund. Representatives of the United Nations shall be invited to participate without vote in meetings especially called by the Fund for the particular purpose of considering the United Nations point of view in matters of concern to the United Nations."

\* \* \*

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

The undertakings of the Fund under the provisions of Agreement with the United Nations are to be understood in the light of Article I of that Agreement, which provides, inter alia, as follows:

"2. The Fund is a specialized agency established by agreement among its member governments and having wide international responsibilities, as defined in its Articles of Agreement, in economic and related fields within the meaning of Article 57 of the Charter of the United Nations. By reason of the nature of its international responsibilities and the terms of its Articles of Agreement, the Fund is, and is required to function as, an independent international organization."

3. Under the By-Laws of the Fund, the agenda for each meeting of the Board of Governors is prepared by the Managing Director under the direction of the Executive Board. Section 6(a) of the By-Laws reads as follows:

"Under the direction of the Executive Board, the Managing Director shall prepare an agenda for each meeting of the Board of Governors and shall cause the agenda to be transmitted to each member of the Fund with the notice of the meeting."

The agenda for the next Annual Meeting, which is scheduled to take place early next September, would need to be transmitted to each member of the Fund at least 42 days prior to the date set for that meeting, i.e., no later than July 26, 1982. This deadline results from the requirement under Section 6(a) that the agenda be transmitted to each member of the Fund "with the notice of the meeting" and the requirement under Section 4 of the By-Laws that a notice of the meeting must be given to each member no less than 42 days prior to the date set forth for the meeting. Section 4 reads as follows:

"The Managing Director shall cause notice of the time and place of each meeting of the Board of Governors to be given to each member of the Fund by rapid means of communication not less than 42 days prior to the date set for such meeting, except that in urgent cases notice shall be sufficient if dispatched by rapid means of communication not less than ten days prior to the date set for the meeting."

4. The letter also refers to paragraph 23 of the Resolution which requests the Secretary-General to report on the actions undertaken by specialized agencies to implement this Resolution and previous ones on the subject. As in past years, the Secretary General will be informed that the relevant resolution has been brought to the attention of the Executive Board. Any further information could be provided at a later date through the addenda referred to in the letter.

Att: (1)

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