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RULES TO GOVERN THE PROVISION OF TECHNICAL ASSISTANCE BY THE AGENCY

Report of the Administrative and Legal Committee

Rapporteur: Dr. I. H. USMANI (Pakistan)

1. At its seventeenth and eighteenth meetings on 24 and 26 September 1960, the Committee considered item 14 of the agenda - Rules to govern the provision of technical assistance by the Agency. The Committee had before it a report by the Board of Governors to which was attached a draft resolution and an Annex on the guiding principles and general operating rules to govern the provision of technical assistance by the Agency^{1/}. The Committee also had before it a draft resolution on the provision of equipment in technical assistance projects, submitted jointly by Argentina, Pakistan, Thailand, Tunisia, Turkey and Viet-Nam.^{2/}
2. During the discussion many delegates commented on various aspects of the Annex to the Board's report,^{1/} and particularly on Part I.E, paragraph 5, concerning equipment and supplies. Although it was agreed that this paragraph gave the Board discretion to provide assistance in the form of equipment, some delegates thought it undesirable to mention any fixed percentage or amount for the proportion of such equipment to other forms of assistance, while other delegates expressed the hope that the limits fixed under the Expanded Programme of Technical Assistance would be generally observed in the Agency.
3. The delegate of the Czechoslovak Socialist Republic said that in the opinion of his delegation, the second paragraph of Part I of the Annex should be formulated as follows:

^{1/} GC(IV)/113.

^{2/} GC(IV)/COM.2/23 and Add.1.

"The technical assistance provided by the Agency shall be directed to the enhancement of national economies of the recipient countries by means of developing their industry, agriculture and science with a view to stabilizing their economic and political independence and making it possible for their entire populations to attain higher standards of living. A necessary prerequisite for such technical assistance shall be the principle of respect for the sovereignty of the recipient countries as well as the principle of non-interference with their domestic affairs, elimination of discrimination and regard to local conditions. In carrying out technical assistance care shall be taken to ensure the greatest possible administrative economies."

4. With regard to the joint draft resolution^{2/} many delegates stated that it was their understanding that the resolution was not intended to amend substantially the guiding principles and general operating rules set out in document GC(IV)/113 but merely to interpret them by placing legitimate emphasis on the discretionary powers of the Board in the matter of the provision of equipment and supplies referred to in Part I.E., paragraph 5 of the Annex to the Board's report, thus ensuring that this type of assistance would not be rigidly linked to other forms of assistance such as the assignment of experts or the award of fellowships. The joint draft resolution was not in conflict with that submitted by the Board and would therefore be supported by them.

5. An amendment^{3/} to the joint draft resolution, proposed by the delegate of Spain, providing that, in view of resolution GC(III)/RES/46 of the General Conference, the words "as far as possible, in accordance with the requests of other Governments" be inserted in the operative part after the words "more favorable attention" was subsequently withdrawn when, on the proposal of the delegate from Turkey, the sponsors of the joint resolution agreed to substitute the word "sympathetic" for the words "more favorable" in the operative part.

6. Voting first on the joint draft resolution,^{2/} the Committee decided, by a majority of 52 in favor, 1 against, with no abstentions, to recommend its adoption to the General Conference. The Committee then decided by a majority of 45 in favor, 1 against, with no abstentions, to recommend that the General Conference adopt the draft resolution submitted by the Board^{1/}. The delegate of the United Arab Republic proposed that the texts of the two draft resolutions be merged to form one resolution.

7. The Committee accordingly recommends that the General Conference adopt the following two draft resolutions:

I

PROVISION OF EQUIPMENT IN TECHNICAL ASSISTANCE PROJECTS

The General Conference,

- (a) Considering the special character of the Agency's operations and the increasing demand for equipment in the less-developed countries,
- (b) Considering further paragraph 5 of the Annex to the report by the Board of Governors,^{*/} and the explanation given in footnote [5] thereto, and
- (c) Recognizing that the total of technical assistance put at the disposal of any given State may comprise fellowships, experts and equipment,

Requests the Board of Governors to give special and sympathetic attention to providing, in the framework of technical assistance projects, equipment to those States which desire it.

*/ GC(IV)/113.

II

GUIDING PRINCIPLES AND GENERAL OPERATING RULES TO GOVERN
THE PROVISION OF TECHNICAL ASSISTANCE BY THE AGENCY

The General Conference,

Recalling its request to the Board of Governors for the establishment of rules for the provision of technical assistance by the Agency in 1961 and subsequent years,^{**/}

Takes note of the guiding principles and general operating rules to govern the provision of technical assistance by the Agency which the Board of Governors has established in compliance with its request and which are annexed hereto for the information of Governments.

**/ GC(III)/RES/46.

