

b) Sind innerhalb von drei Monaten nach der in Absatz 1 erwähnten Notifizierung ein Mitglied oder mehrere Mitglieder des Schiedsgerichts oder der Kommission nicht auf diese Weise benannt worden, bestimmt der Generalsekretär der Vereinten Nationen auf Antrag einer Partei innerhalb von drei Monaten nach diesem Antrag die Mitglieder, einschließlich des Vorsitzenden, deren Berufung noch erforderlich ist.

c) Wird im Schiedsgericht oder in der Kommission ein Sitz frei, wird er innerhalb eines Monats gemäß Buchstaben a oder in der Folgezeit gemäß Buchstaben b besetzt.

3. Verfahren und Arbeitsweise

a) Das Gericht oder die Kommission beschließt seine bzw. ihre Geschäftsordnung. Alle Entscheidungen in Verfahrens- oder Sachfragen können durch eine Mehrheit der Mitglieder getroffen werden.

b) Die Mitglieder des Gerichts oder der Kommission erhalten eine Vergütung entsprechend den Finanzbestimmungen der Organisation. Der Generaldirektor stellt in Absprache mit dem Vorsitzenden des Gerichts oder der Kommission die erforderlichen Sekretariatsdienste bereit. Alle Kosten des Gerichts oder der Kommission und ihrer Mitglieder, jedoch nicht der Streitparteien, werden von der Organisation getragen.

4. Schiedssprüche und Berichte

a) Das Schiedsgericht schließt sein Verfahren durch einen Schiedsspruch ab, der für alle Parteien verbindlich ist.

b) Die Schlichtungskommission beendet ihr Verfahren durch einen an alle Streitparteien gerichteten Bericht, der Empfehlungen enthält, welche die Parteien ernsthaft in Betracht ziehen sollen.

CONSTITUTION OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

PREAMBLE

The States Parties to this Constitution,

In conformity with the Charter of the United Nations,

Bearing in mind the broad objectives in the resolutions adopted by the sixth special session of the General Assembly of the United Nations on the establishment of a New International Economic Order, in the UNIDO Second General Conference's Lima Declaration and Plan of Action for Industrial Development and Co-operation, and in the resolution of the seventh special session of the General Assembly of the United Nations on Development and International Economic Co-operation,

Declaring that:

It is necessary to establish a just and equitable economic and social order to be achieved through the elimination of economic inequalities, the establishment of rational and equitable international economic relations, implementation of dynamic social and economic changes and the encouragement of necessary structural changes in the development of the world economy,

Industrialization is a dynamic instrument of growth essential to rapid economic and social development, in particular, of developing countries, to the improvement of the living standards and the quality of life of the peoples in all countries, and to the introduction of an equitable economic and social order,

It is the sovereign right of all countries to achieve their industrialization, and any process of such industrialization must conform to the broad objectives of self-sustaining and integrated socio-economic development, and should include

the appropriate changes which would ensure the just and effective participation of all peoples in the industrialization of their countries,

As international co-operation for development is the shared goal and common obligation of all countries it is essential to promote industrialization through all possible concerted measures including the development, transfer and adaptation of technology on global, regional and national, as well as on sectoral levels,

All countries, irrespective of their social and economic systems, are determined to promote the common welfare of their peoples by individual and collective actions aimed at expanding international economic co-operation on the basis of sovereign equality, strengthening of the economic independence of the developing countries, securing their equitable share in total world industrial production and contributing to international peace and security and the prosperity of all nations, in conformity with the purposes and principles of the Charter of the United Nations,

Mindful of these guidelines,

Desiring to establish, within the terms of Chapter IX of the Charter of the United Nations, a specialized agency to be known as the United Nations Industrial Development Organization (UNIDO) (hereinafter referred to as the "Organization"), which shall play the central role in and be responsible for reviewing and promoting the co-ordination of all activities of the United Nations system in the field of industrial development, in conformity with the responsibilities of the Economic and Social Council under the Charter of the United Nations and with the applicable relationship agreements,

Hereby agree to the present Constitution.

CHAPTER I

Objectives and Functions

Article 1

Objectives

The primary objective of the Organization shall be the promotion and acceleration of industrial development in the developing countries with a view to assisting in the establishment of a new international economic order. The Organization shall also promote industrial development and co-operation on global, regional and national, as well as on sectoral levels.

Article 2

Functions

In fulfilment of its foregoing objectives, the Organization shall generally take all necessary and appropriate action, and in particular shall:

(a) Encourage and extend, as appropriate, assistance to the developing countries in the promotion and acceleration of their industrialization, in particular in the development, expansion and modernization of their industries;

(b) In accordance with the Charter of the United Nations, initiate, co-ordinate and follow up the activities of the United Nations system with a view to enabling the Organization to play the central co-ordinating role in the field of industrial development;

(c) Create new and develop existing concepts and approaches in respect of industrial development on global, regional and national, as well as on sectoral levels, and carry out studies and surveys with a view to formulating new lines of action directed towards harmonious and balanced industrial development, with due consideration for the methods employed by countries with different socio-economic systems for solving industrialization problems;

(d) Promote and encourage the development and use of planning techniques, and assist in the formulation of development, scientific and technological programmes and plans