

No. 27296

MULTILATERAL

**Terms of Reference of the International Nickel Study Group,
as adopted on 2 May 1986 by the United Nations Confer-
ence on Nickel, 1985**

Authentic texts: English, French, Russian, Spanish and Arabic.

Registered ex officio on 23 May 1990.

MULTILATÉRAL

**Statuts du Groupe d'étude international du nickel, adoptés le
2 mai 1986 par la Conférence des Nations Unies sur le
nickel, 1985**

Textes authentiques : anglais, français, russe, espagnol et arabe.

Enregistré d'office le 23 mai 1990.

TERMS OF REFERENCE¹ OF THE INTERNATIONAL NICKEL STUDY GROUP, AS ADOPTED ON 2 MAY 1986 BY THE UNITED NATIONS CONFERENCE ON NICKEL, 1985

Preamble

The parties to this arrangement have reached an understanding for the establishment of an International Nickel Study Group which will have the following Terms of Reference.

Establishment

1. The International Nickel Study Group is hereby established to administer the provisions and supervise the operation of the Terms of Reference.

Objectives

2. To ensure enhanced international co-operation on issues concerning Nickel, in particular by improving the information available on the international nickel economy and by providing a forum for intergovernmental consultations on Nickel.

Definitions

3. (a) "The Group" means the International Nickel Study Group as constituted in these Terms of Reference;

¹ Came into force in respect of the following twelve States listed below on 23 May 1990, the date on which the said States, which had made a notification of provisional or definitive application, decided to put these Terms of Reference into effect among themselves in whole, in accordance with paragraph 19 (b) thereof:

<i>State</i>	<i>Date of notification of provisional application (n) or definitive application (N)</i>
Australia*	12 March 1990 N
Canada*	20 September 1986 N
Cuba*	18 December 1989 n
Finland	12 September 1986 N
France	28 October 1986 n
Germany, Federal Republic of*	19 September 1986 n
Greece*	2 December 1986 n
Indonesia	2 May 1990 N
Japan	11 April 1990 N
Netherlands	19 September 1986 n
(For the Kingdom of Europe.)	
Norway	5 January 1988 N
Sweden	19 September 1986 N

* See p. 57 of this volume for the texts of declarations and reservations made upon or in connection with provisional or definitive application.

(b) "Nickel" shall include, inter alia, scraps, wastes, and/or residues and such nickel products as the Group may determine;

(c) "Members" means all States as provided for in paragraph 5 which have notified their acceptance pursuant to paragraph 19.

Functions

4. (a) To establish the capacity for and to undertake the continued monitoring of the world nickel economy and its trends, particularly by establishing, maintaining and continuously updating a statistical system on world production, stocks, trade and consumption of all forms of Nickel.

(b) To conduct between Members consultations and exchanges of information on developments related to the production, stocks, trade and consumption of all forms of Nickel.

(c) To undertake studies as appropriate on a broad range of important issues concerning Nickel, in accordance with the decisions of the Group.

(d) To consider special problems or difficulties which exist or may be expected to arise in the international nickel economy.

Membership

5. Membership of the Group shall be open to all States which are interested in the production or consumption of, or international trade in Nickel.

Powers of the Group

6. (a) The Group shall exercise such powers and perform or arrange for the performance of such functions as are necessary to carry out the provisions of the Terms of Reference.

(b) The Group is not a trading organization and shall not have power to enter into any trading contract for Nickel or any other commodity or product.

(c) The Group shall adopt such Rules of Procedure as are considered necessary to carry out its functions.

Headquarters

7. The Headquarters of the Group shall be at a location selected by it in the territory of a Member State. The Group shall negotiate a Headquarters Agreement with the host Government.

Decision-making

8. (a) The highest authority of the Group established under these Terms of Reference shall be vested in the General Session.

(b) The Group, the Standing Committee referred to in paragraph 9, and such committees and subsidiary bodies as may be established, shall normally take decisions by consensus. If a vote is called for, it shall be taken under the conditions set out in the Rules of Procedure.

Standing Committee

9. (a) The Group shall establish a Standing Committee which shall consist of those Members of the Group who have indicated their desire to participate in its work.

(b) The Standing Committee shall undertake such tasks as may be assigned to it by the Group and shall report to the Group on completion, or on progress, of its work.

Committees and Subsidiary Bodies

10. The Group may establish such committees or subsidiary bodies, in addition to the Standing Committee, on such terms and conditions as it may determine.

Secretariat

11. (a) The Group shall have a Secretariat consisting of a Secretary-General and such staff as may be required.

(b) The Secretary-General shall be the chief administrative officer of the Group and shall be responsible to it for the administration and operation of these Terms of Reference in accordance with the decisions of the Group.

Co-operation with others

12. (a) The Group may make arrangements for consultations or co-operation with the United Nations, its organs or specialized agencies, and with other intergovernmental institutions, as appropriate.

(b) The Group may also make arrangements for maintaining contact with interested non-participating Governments of the States referred to in paragraph 5, with other international non-governmental organizations, or with private sector institutions, as appropriate.

Legal status

13. (a) The Group shall have legal personality in its host country. It shall, in particular, have the capacity to enter into contracts, to acquire and to dispose of movable and immovable property, and to institute legal proceedings.

(b) The status of the Group in the territory of the host Government shall be governed by a Headquarters Agreement between the host Government and the Group, to be concluded as soon as possible after these Terms of Reference have come into effect.

Budget contributions

14. The Group shall assess the contribution of each Member for each financial year, in the currency of the host country, in accordance with the provisions for contributions specified in the Rules of Procedure. The payment of the contribution by each Member shall be made in accordance with its constitutional procedures.

Statistics and information

15. (a) The Group shall collect, collate and make available to Members such statistical information on production, trade, stocks, consumption and internationally recognized published prices of Nickel as it deems appropriate for the effective operation of these Terms of Reference.

(b) The Group shall make such arrangements as it considers appropriate by which information may be exchanged with the interested non-participating Governments and with appropriate non-governmental and intergovernmental organizations in order to ensure the availability of recent and reliable data on production, consumption, stocks, international trade, internationally recognized published prices, and on other factors that influence the demand for and supply of Nickel.

(c) The Group shall endeavour to ensure that no information published shall prejudice the confidentiality of the operations of persons or enterprises producing, processing, marketing or consuming Nickel.

Annual assessment and studies

16. (a) The Group shall prepare and distribute to Members an annual assessment of the world nickel situation and related matters in the light of information supplied by Members and supplemented by information from all other relevant sources.

(b) The Group shall, as deemed desirable, undertake or make appropriate arrangements to undertake studies of short- and long-term trends in the international nickel economy, including, once a year or,