

Recommendation of the Council concerning a General Framework of Principles for International Co-operation in Science and Technology

OECD Legal Instruments



This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at http://legalinstruments.oecd.org.

Please cite this document as:

OECD, Recommendation of the Council concerning a General Framework of Principles for International Cooperation in Science and Technology, OECD/LEGAL/0237

Series: OECD Legal Instruments

© OECD 2018

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: "This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website http://legalinstruments.oecd.org"

Date(s)

Adopted on 21/04/1988

Background Information

The Recommendation concerning a General Framework of Principles for International Co-operation in Science and Technology was adopted by the OECD Council on 21 April 1988 on the proposal of the Committee for Scientific and Technological Policy. The Recommendation is based on the consideration that economic growth and social development of countries depend on advances in scientific and technological knowledge, requiring both a sustained research effort by countries and the widest possible circulation and interchange of ideas and information among countries.

THE COUNCIL,

HAVING REGARD to Articles 2 b) and 5 b) of the Convention on the Organisation for Economic Cooperation and Development of 14 December 1960;

HAVING REGARD to the conclusions of the Meeting of the Council at Ministerial Level on 12 and 13 May 1987 concerning the importance of the development and diffusion of technology for the growth of output, employment and living standards and the need to define an integrated and comprehensive approach to the different technology-related questions, and to the conclusions of the meeting of the Committee for Scientific and Technological Policy at Ministerial level of 28 and 29 October 1987, at which Ministers agreed that the Committee should prepare proposals for a general framework of common principles for international co-operation in science and technology;

CONSIDERING that a new context affects the contribution of science and technology to economic growth and social development, the main features of which are: increased opportunities opened by science and technology; the growing interdependence between technological development and basic scientific research as well as between different new technologies; the increasing involvement of enterprises in basic research; the increasing cost and complexity of some areas of research and innovation; the need for increased selectivity and flexibility in the allocation of human and financial resources to research; the special problems faced by less industrialised Member countries in exploiting the opportunities offered by science and technology; increased attention being given to the protection of the environment, and to the social, ethical and safety issues raised by developments in science and technology; the growing internationalisation of science and technology;

CONSIDERING that, in this context, the economic growth and social development of all countries depend more than ever on advances in scientific and technological knowledge, which require both a sustained research effort by all Member countries, and the widest possible circulation and interchange of ideas and information;

NOTING that in the utilisation of scientific and technological knowledge, the different circumstances and policies of Member countries may affect the openness of international exchanges, and in particular that:

- i) Barriers may be created by certain national and regional policies aimed at encouraging the effective transfer of scientific and technological knowledge to enterprises and strengthening their ability to exploit such knowledge;
- ii) Enterprises which have invested in research and development and innovation are more ready to exchange and transfer their technological knowledge when there exists an adequate regime for the protection of intellectual and industrial property rights, which can furthermore facilitate the publication of scientific knowledge having potentially immediate economic value;
- iii) In order to transfer to other countries certain technologies and related information involved in or resulting from research and development programmes, some Member countries require, for reasons of national defense or security, assurances of adequate protection of such technologies and related information; further noting that such issues are dealt with in arrangements to which not all OECD Member countries belong;

On the proposal of the Committee for Scientific and Technological Policy;

- I. **RECOMMENDS** that Member countries promote mutually beneficial scientific and technological exchanges and remove barriers which have harmful effects on scientific and technological progress and its contribution to economic growth and social development;
- **II. RECOMMENDS** that Member countries promote, individually and collectively, advances in scientific and technological knowledge, in particular through:

- a) Contributing, to the greatest extent commensurate with their capabilities, to supporting basic research and maintaining up-to-date research facilities, and encouraging the development of efficiently managed co-operative projects;
- b) Promoting the education and advanced training of future generations of scientists, engineers and technical personnel, and facilitating the exchange of students and scientists between Member countries;
- c) Facilitating the international mobility of scientists and engineers, and in particular their access to major basic research facilities;
- d) Promoting the dissemination of the results of basic research, particularly through publication in internationally available scientific literature, access to data banks and networks, and open participation in scientific meetings:
- **III. RECOMMENDS** that Member countries also strive to promote international co-operation in science and technology for economic growth and social development, in particular through:
 - a) Promoting international co-operation in research programmes for the transfer of scientific and technological knowledge to enterprises;
 - Encouraging the circulation, exchange and trade of technologies as well as co-operation between enterprises, including small and medium-sized enterprises, in particular through improved access to worldwide markets and improved harmonization of standards and regulations;
 - c) Promoting improved universal protection of intellectual and industrial property rights;
- **IV. INSTRUCTS** the Committee for Scientific and Technological Policy to contribute, within its terms of reference, to further understanding of the issues raised by the above principles, avoiding duplication with the responsibilities and activities of the other international organisations and OECD Committees concerned.

Adherents*

OECD Members

Non-Members

Australia

Austria

Belgium

Canada

Chile

Czech Republic

Denmark

Estonia

Finland

France

Germany

Greece

Hungary

Iceland

Ireland

Israel

Italy

Japan

Korea

Latvia

Luxembourg

Mexico

Netherlands

New Zealand

Norway

Poland

Portugal

Slovak Republic

Slovenia

Spain

Sweden

Switzerland

Turkey

United Kingdom

United States

Kazakhstan

^{*}Additional information and statements are available in the Compendium of OECD Legal Instruments: http://legalinstruments.oecd.org

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 450 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions**: OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- Recommendations: OECD legal instruments which are not legally binding but practice
 accords them great moral force as representing the political will of Adherents. There is an
 expectation that Adherents will do their utmost to fully implement a Recommendation. Thus,
 Members which do not intend to do so usually abstain when a Recommendation is adopted,
 although this is not required in legal terms.
- Declarations: OECD legal instruments which are prepared within the Organisation, generally
 within a subsidiary body. They usually set general principles or long-term goals, have a
 solemn character and are usually adopted at Ministerial meetings of the Council or of
 committees of the Organisation.
- **International Agreements**: OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- Arrangement, Understanding and Others: several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.