

No. 7336

**UNITED NATIONS,
INTERNATIONAL LABOUR ORGANISATION,
FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS,
UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION,
INTERNATIONAL CIVIL AVIATION
ORGANIZATION,
WORLD HEALTH ORGANIZATION,
INTERNATIONAL TELECOMMUNICATION
UNION,
WORLD METEOROLOGICAL ORGANIZATION,
INTERNATIONAL ATOMIC ENERGY AGENCY
and UNIVERSAL POSTAL UNION
and
GUATEMALA**

Agreement concerning technical assistance. Signed at Guatemala, on 28 January 1964

Official texts : English and Spanish.

Registered ex officio on 10 July 1964.

No. 7336. AGREEMENT¹ BETWEEN THE UNITED NATIONS, THE INTERNATIONAL LABOUR ORGANISATION, THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL TELECOMMUNICATION UNION, THE WORLD METEOROLOGICAL ORGANIZATION, THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE UNIVERSAL POSTAL UNION AND THE GOVERNMENT OF GUATEMALA CONCERNING TECHNICAL ASSISTANCE. SIGNED AT GUATEMALA, ON 28 JANUARY 1964

The United Nations, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the World Health Organization, the International Telecommunication Union, the World Meteorological Organization, the International Atomic Energy Agency and the Universal Postal Union (hereinafter called "the Organizations"), members of the Technical Assistance Board and the Government of Guatemala (hereinafter called "the Government") ;

Desiring to give effect to the resolutions and decisions relating to technical assistance of the Organizations, which are intended to promote the economic and social progress and development of peoples ;

Have entered into this Agreement in a spirit of friendly co-operation.

Article I

FURNISHING OF TECHNICAL ASSISTANCE

1. The Organizations shall render technical assistance to the Government, subject to the availability of the necessary funds. The Organizations, acting jointly or separately, and the Government shall co-operate in arranging, on the basis of the

¹ Came into force on 10 July 1964, upon notification of its ratification by the Government of Guatemala, in accordance with article VI (1).

requests received from the Government and approved by the Organizations concerned, mutually agreeable programmes of operations for the carrying out of technical assistance activities.

2. Such technical assistance shall be furnished and received in accordance with the relevant resolutions and decisions of the assemblies, conferences and other organs of the Organizations ; technical assistance rendered within the framework of the Expanded Programme of Technical Assistance for Economic Development of Under-Developed Countries shall, in particular, be furnished and received in accordance with the Observations and Guiding Principles set forth in Annex I of Resolution 222 A (IX) ¹ of the Economic and Social Council of the United Nations of 15 August 1949.

3. Such technical assistance may consist of :

- (a) making available the services of experts, in order to render advice and assistance to the Government or to private organizations through it ;
- (b) organising and conducting seminars, training programmes, demonstration projects, expert working groups, and related activities in such places as may be mutually agreed ;
- (c) awarding scholarships and fellowships or making other arrangements, under which candidates nominated by the Government and approved by the Organizations concerned shall study or receive training outside the country ;
- (d) preparing and executing pilot projects, tests, experiments or research in such places as may be mutually agreed upon ;
- (e) providing any other form of technical assistance which may be agreed upon by the Organizations and the Government.

4. (a) Experts who are to render advice and assistance to the Government or to private organizations through it shall be selected by the Organizations in consultation with the Government. They shall be responsible to the Organizations concerned.

(b) In the performance of their duties, the experts shall act in close consultation with the Government and with persons or bodies so designated by the Government, and shall comply with instructions from the Government as may be appropriate to the nature of their duties and the assistance to be given in conformity with the agreement drawn up by mutual agreement between the Organizations concerned and the Government.

(c) The experts shall, in the course of their advisory work, instruct appropriately any technical staff the Government may associate with them, in their professional methods, techniques and practices, and in the principles on which these are based.

¹ United Nations, *Treaty Series*, Vol. 76, p. 132.

5. Any technical equipment or supplies which may be furnished by the Organizations shall remain their property unless and until such time as title of such equipment or supplies may be transferred on terms and conditions mutually agreed upon between the Organizations concerned and the Government.

6. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Organizations and their experts, agents or employees and shall hold harmless such Organizations and their experts, agents and employees in case of any claims or liabilities resulting from operations under this Agreement, except where it is agreed by the Government, the Executive Chairman of the Technical Assistance Board and the Organizations concerned that such claims or liabilities arise from the gross negligence or wilful misconduct of such experts, agents or employees.

Article II

CO-OPERATION OF THE GOVERNMENT CONCERNING TECHNICAL ASSISTANCE

1. The Government shall do everything within its means to ensure the effective use of the technical assistance provided and, in particular, agrees to apply to the fullest possible extent the provisions set forth in Annex I to Resolution 222 A (IX) of the Economic and Social Council under the heading "Participation of Requesting Governments."

2. The Government and the Organizations concerned shall consult together regarding the publication, as appropriate, of any findings and reports of experts that may prove of benefit to other countries and to the Organizations themselves.

3. In any case, the Government will, as far as practicable, make available to the Organizations concerned information on the actions taken as a consequence of the assistance rendered and on the results achieved.

4. The Government shall associate with the experts such technical staff as may be mutually agreed upon and as may be necessary to give full effect to the provision of Article I, paragraph 4 (c).

Article III

ADMINISTRATIVE AND FINANCIAL OBLIGATIONS OF THE ORGANIZATIONS

1. The Organizations shall defray, in full or in part, as may be mutually agreed upon, the costs necessary to the technical assistance which are payable outside Guatemala (hereinafter called "the country") as follows :

(a) The salaries of the experts ;

(b) The costs of transportation and subsistence of the experts during their travel to and from the point of entry into the country ;