

II

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No. 626

Traités et accords internationaux

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du 23 août 1966 au 21 septembre 1966

N° 626

No. 626

**UNITED NATIONS DEVELOPMENT PROGRAMME
(SPECIAL FUND)
and
UNIVERSAL POSTAL UNION**

Agreement concerning the execution of projects of the Special Fund sector of the United Nations Development Programme. Signed at Berne, on 13 September 1966, and at New York, on 21 September 1966

Official text: French.

Filed and recorded by the Secretariat on 21 September 1966.

**PROGRAMME DES NATIONS UNIES
POUR LE DÉVELOPPEMENT (FONDS SPÉCIAL)
et
UNION POSTALE UNIVERSELLE**

Accord relatif à l'exécution de projets du secteur du Fonds spécial du Programme des Nations Unies pour le développement. Signé à Berne, le 13 septembre 1966, et à New York, le 21 septembre 1966

Texte officiel français.

Classé et inscrit au répertoire par le Secrétariat le 21 septembre 1966.

[TRANSLATION — TRADUCTION]

No. 626. AGREEMENT¹ BETWEEN THE UNITED NATIONS DEVELOPMENT PROGRAMME (SPECIAL FUND) AND THE UNIVERSAL POSTAL UNION CONCERNING THE EXECUTION OF PROJECTS OF THE SPECIAL FUND SECTOR OF THE UNITED NATIONS DEVELOPMENT PROGRAMME. SIGNED AT BERNE, ON 13 SEPTEMBER 1966, AND AT NEW YORK, ON 21 SEPTEMBER 1966

WHEREAS the United Nations Development Programme (hereinafter referred to as UNDP), on the basis of resolutions 1240 (XIII)² and 2029 (XX)³ of the General Assembly, has agreed to provide certain Governments with assistance out of its Special Fund sector in carrying out projects for the purpose of promoting social progress and better standards of life and advancing the economic, social and technical development of peoples ;

WHEREAS the Administrator of UNDP desires to obtain the services of the Universal Postal Union (hereinafter referred to as the Executing Agency) to execute certain projects ;

WHEREAS resolutions 1240 (XIII) and 2029 (XX) of the General Assembly provide that the Administrator of UNDP shall establish and maintain close and continuing working relationships with the specialized agencies and the International Atomic Energy Agency concerned with those fields of activity in which UNDP will operate and that projects shall be executed, whenever possible, by the specialized agencies or the International Atomic Energy Agency concerned ; and

WHEREAS the Executive Council of the Executing Agency has agreed to co-operate with UNDP on this basis ;

NOW THEREFORE the Administrator of UNDP (hereinafter referred to as the Administrator) and the Executive Head of the Executing Agency have agreed as follows :

¹ Came into force on 21 September 1966, upon signature, in accordance with article XII (1).

² United Nations, *Official Records of the General Assembly, Thirteenth Session, Supplement No. 13* (A/4090), p. 11.

³ United Nations, *Official Records of the General Assembly, Twentieth Session, Supplement No. 14* (A/6014), p. 20.

Article I

PERFORMANCE OF WORK BY EXECUTING AGENCY

1. The Executing Agency agrees to carry out each project assisted by the Special Fund sector of UNDP in accordance with a Plan of Operation which shall be agreed to by UNDP, the Government and the Executing Agency. The terms of this Agreement shall apply to each Plan of Operation.

2. The Executing Agency shall commence execution of each project upon receipt of written authorization to do so from the Administrator. If the Administrator, after consultation with the Executing Agency, considers it to be necessary to suspend the execution of the project, he shall so notify the Executing Agency which shall thereupon suspend forthwith all further operations, after which discussion will be entered into as to future action.

Article II

CONCLUSION OF AGREEMENT WITH GOVERNMENTS

1. The UNDP will enter into an agreement with each Government at whose request a project is undertaken by the Executing Agency in terms substantially similar to those set forth in the appendix¹ to this Agreement. Any substantial variation of these terms directly affecting the Executing Agency will be applicable to it only with its concurrence.

2. The Executing Agency may enter into an agreement with a Government consistent with the terms hereof concerning the execution of a project. Any such agreement shall be subject to the provisions of the Agreement referred to in the preceding paragraph and shall require the prior concurrence of the Administrator.

Article III

EXECUTING AGENCY'S STATUS IN CARRYING OUT PROJECTS

The Executing Agency shall have the status vis-à-vis UNDP of an independent contractor, and its personnel shall not be considered as staff members or agents of UNDP. Without restricting the generality of the preceding sentence, UNDP shall not be liable for the acts or omissions of the Executing Agency or of persons performing services on behalf of the Executing Agency. The Executing Agency shall not be liable for the acts or omissions of UNDP or of persons performing services on behalf of UNDP.

¹ Not published herein; for an Agreement drawn up in terms identical to the model text set forth in this appendix, see United Nations, *Treaty Series*, Vol. 563, p. 71.