

No. 3012

**UNITED NATIONS CHILDREN'S FUND
and
GUATEMALA**

**Basic Agreement concerning the activities of UNICEF in
Guatemala. Signed at Guatemala City, on 22 November
1955**

Official text: Spanish.

Registered ex officio on 22 November 1955.

**FONDS DES NATIONS UNIES POUR L'ENFANCE
et
GUATEMALA**

**Accord de base concernant les activités du FISE au Guate-
mala. Signé à Guatemala, le 22 novembre 1955**

Texte officiel espagnol.

Enregistré d'office le 22 novembre 1955.

[TRANSLATION — TRADUCTION]

No. 3012. BASIC AGREEMENT¹ BETWEEN THE UNITED NATIONS CHILDREN'S FUND AND THE GOVERNMENT OF GUATEMALA CONCERNING THE ACTIVITIES OF UNICEF IN GUATEMALA. SIGNED AT GUATEMALA CITY, ON 22 NOVEMBER 1955

WHEREAS the General Assembly of the United Nations, by Resolution 57 (I) adopted on 11 December 1946,² created an International Children's Emergency Fund (hereinafter referred to as "the Fund") as a subsidiary organ of the United Nations and amended its terms of reference by Resolution 417 (V), adopted 1 December 1950,³ and

WHEREAS the Government of Guatemala (hereinafter referred to as "the Government") desires the aid of the Fund for the benefit of children and adolescents and expectant and nursing mothers (hereinafter referred to as "the persons to be aided") within its territories.

NOW, THEREFORE, the Government and the Fund have agreed as follows:

Article I

PLANS OF OPERATIONS

A. On each occasion that the Government wishes to obtain assistance from the Fund, it shall prepare a plan of operations describing the proposed project, the respective commitments proposed to be undertaken by the Government and the Fund, and the means proposed to ensure the proper use and distribution of supplies or other assistance which the Fund may provide.

B. The Fund, after examining the need for such assistance and taking into account its available resources, will decide on its own participation in the proposed plan, and the Government and the Fund will agree on a mutually acceptable plan of operation (hereinafter referred to as the "approved plan"). Approved plans may be amended, should circumstances so require, in any manner agreed to between the Government and the Fund. The present Agreement shall then apply to such plans as amended.

¹ Came into force on 22 November 1955, upon signature, in accordance with article XI A.

² United Nations, *Resolutions adopted by the General Assembly during the Second Part of its First Session* (A/64/Add. 1, p. 90).

³ United Nations, *Official Records of the General Assembly, Fifth Session, Supplement No. 20*, A/1775, p. 40.

Article II

FURNISHING OF SUPPLIES AND SERVICES

A. The Government and the Fund, in accordance with their respective commitments under any approved plan of operations, shall provide supplies and services for the persons to be aided in Guatemala.

B. The Fund shall provide the supplies and services under this Agreement free of charge.

C. The Government undertakes that the supplies and services provided by the Fund shall be distributed to, or made available for the benefit of, the persons to be aided, in accordance with the approved plan of operations and in conformity with the policies of the Fund.

Article III

TRANSFER AND DISTRIBUTION OF SUPPLIES

A. The Fund shall retain full ownership of its supplies until consumed or used by the persons aided or, in the case of capital goods, until the transfer of title or, during the period of loan, as may be provided for in the approved plan.

B. The Fund shall entrust its supplies to the Government for handling or distribution on behalf of the Fund for the benefit of the persons to be aided. In distributing or otherwise handling such supplies, the Government shall act as agent for the Fund. In discharging this responsibility, the Government may avail itself of the services of agencies within the country and chosen by mutual agreement between the Government and the Fund.

C. The Government undertakes to see that these supplies are used, dispensed or distributed equitably and efficiently on the basis of need, without discrimination because of race, creed, nationality status or political belief.

D. It is agreed that supplies and services provided by the Fund are to be in addition to, and not in substitution for, the budget charges or other resources which the Government or other authorities within the country have established for similar activities. No ration plan in force at the time of approval of a plan of operations shall be modified by reason of such supplies so as to reduce the rations allocated to the persons to be aided.

E. The Fund, at its discretion, may cause such distinctive markings to be placed upon the supplies provided by it as may be deemed necessary by the