

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1953 No. 42

Overgelegd aan de Staten-Generaal door de Minister  
van Buitenlandse Zaken

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A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en het  
Internationaal Kindernoodfonds der Verenigde Naties  
(UNICEF) inzake hulpverlening aan Suriname;  
New York, 9 April 1953*

B. TEKST

**Agreement between the United Nations International Children's  
Emergency Fund and the Government of the Kingdom  
of the Netherlands with respect to Surinam, concerning  
the activities of the UNICEF in Surinam**

*Whereas* the General Assembly of the United Nations, by Resolution 57 (I), adopted on 11 December 1946, 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, and

*Whereas* the Government of Surinam 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 territory and representatives of the Fund and of the Government of the Kingdom of the Netherlands have considered the need for such aid in Surinam;

Now, therefore, the Government of the Kingdom of the Netherlands and the Fund have agreed as follows:

## Article I

### *Plans of operations*

A. On each occasion that the Government of Surinam 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 of Surinam 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 of Surinam and the Fund will agree on a mutually acceptable plan of operations (hereinafter referred to as the "approved plan"). Approved plans may be amended, should circumstances so require, in any manner agreed between the Government of Surinam and the Fund. The present Agreement shall then apply to such plan as amended.

## Article II

### *Furnishing of supplies and services*

A. The Government of Surinam 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 Surinam.

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

C. The Government of Surinam 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 to be 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 of Surinam 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 of Surinam shall act as

agent for the Fund. In discharging this responsibility, the Government of Surinam may avail itself of the services of agencies operating within the country and chosen by mutual agreement between the Government of Surinam and the Fund.

C. The Government of Surinam 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 of Surinam or other authorities within the country have established for similar activities. No ration plan in force at the time of the 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 Fund to indicate that such supplies are provided under the auspices of the Fund and are intended for the persons to be aided.

F. The persons to be aided shall not be required to pay directly or indirectly for the cost of any supplies or services provided by the Fund.

G. The Government of Surinam shall make all arrangements for, and shall sustain all operational and administrative expenses or costs incurred in the currency of Surinam, with respect to the reception, unloading, warehousing, insurance, transportation and distribution of the supplies furnished by the Fund.

#### Article IV

##### *Exports*

The Government of Surinam agrees that it will not expect the Fund to furnish supplies for the aid and assistance of children and adolescents and expectant and nursing mothers under this Agreement if the Government of Surinam exports any supplies of the same or similar character, except in such special circumstances as may arise and are approved by the Programme Committee of the Executive Board of the Fund.

#### Article V

##### *Records and reports*

A. The Government of Surinam shall maintain adequate accounting and statistical records of the Fund's operations necessary to discharge the Fund's responsibilities, and shall consult with the Fund, at its request, with respect to the maintenance of such records.

B. The Government of Surinam shall furnish the Fund with such records, reports and information as to the operation of approved plans as the Fund may find necessary to the discharge of the responsibilities entrusted to it by the General Assembly.

#### Article VI

##### *Relationship between the Government of Surinam and the Fund in the carrying out of this Agreement*

A. It is recognized and understood by the Government of the Kingdom of the Netherlands and the Fund that, in order to carry out the terms of this Agreement, it will be necessary to establish a close and cordial relationship of co-operation between officials of the Government of Surinam and officers of the Fund. The Fund shall provide duly authorized officers to visit periodically or be stationed in Surinam for consultation and co-operation with the appropriate officials of the Government of Surinam with respect to the shipment, receipt, and use or distribution of the supplies furnished by the Fund, to consider and review the needs of the persons to be aided in Surinam, to advise the Fund on the progress of approved plans of operations under the present Agreement, and of any problems which the Government of Surinam may wish to submit to the Fund with regard to assistance for the benefit of the persons to be aided in Surinam.

B. It is agreed that, for the above purposes, the Fund may maintain an office in Surinam through which its officers may be reached and through which it will conduct its principal business.

C. The Government of Surinam shall facilitate employment by the Fund, as officers, clerical staff or otherwise, of such residents and citizens of Surinam as may be required to discharge the Fund's functions under the present Agreement.

D. The Government of Surinam shall permit authorized officers of the Fund to have access to such records, books of account, or other appropriate documents with respect to the distribution of supplies furnished by the Fund. The Government of Surinam shall further permit authorized officers of the Fund entire freedom to observe the handling, distribution, and use of such supplies and the maintenance of loaned capital goods at any time and at any place, and to examine the processes and techniques of distribution and make observations with respect thereto to the appropriate Government authorities.

E. If an office is established in the territory of the Government of Surinam under Section B of this Article, the Government of Surinam shall, in agreement with the Fund, make arrangements for, and meet the cost of, expenses incurred in the currency of Surinam, for the housing, subsistence, automobile transportation, and travel

of the officers to be provided by the Fund under this Article, for the establishing, equipping, and maintaining of the office, for clerical and other assistance, for postal, telegraphic, and telephone communications, and for other services necessary to carry out the activities provided for by this Article.

## Article VII

### *Immunity from taxation*

A. The Fund, its assets, property, income, and its operations and transactions of whatsoever nature, shall be immune from all taxes, fees, tolls, or duties imposed by the Government of Surinam or by any political sub-division thereof or by any other public authority in Surinam. The Fund shall also be immune from liability for the collection or payment of any tax, fee, toll, or duty imposed by the Government of Surinam or any political sub-division thereof or by any other public authority.

B. No tax, fee, toll, or duty shall be levied by the Government of Surinam or any political sub-division thereof or any other public authority on or in respect of salaries or remunerations for personal services paid by the Fund to its officers, employees, or other Fund personnel who are not citizens of Surinam, or permanent residents thereof.

C. The Government of Surinam shall take such action as is necessary for the purpose of giving effect to the foregoing provisions of this Article. In addition, the Government of Surinam shall take whatever other action may be necessary to ensure that supplies and services furnished by the Fund are not subjected to any tax, fee, toll, or duty in a manner which reduces the resources of the Fund.

D. The Government of Surinam shall undertake to pay all taxes, fees, tolls, or duties referred to in the above three paragraphs of this Article if its laws do not allow such exceptions.

## Article VIII

### *Privileges and immunities*

The Government of the Kingdom of the Netherlands recognizes that the Fund, as a subsidiary organ of the United Nations, and its personnel are entitled to the privileges and immunities contained in the General Convention on Privileges and Immunities adopted by the General Assembly of the United Nations to which the Kingdom of the Netherlands acceded on April 19, 1948.

## Article IX

### *Public information*

The Government of Surinam shall afford the Fund opportunity for, and shall co-operate with the Fund in, making public information

regarding the delivery and distribution of supplies furnished by the Fund.

## Article X

### *Period of Agreement*

A. The present Agreement shall come into force on the date of signature. It shall remain in force at least until the termination of all plans of operations approved under this Agreement, plus a reasonable period for the completion of an orderly liquidation of all Fund activities in Surinam.

B. In case of disagreement as to whether the terms of this Agreement are being complied with, the matter shall be referred to the Programme Committee of the Executive Board of the Fund for appropriate action.

Done in duplicate in the English language and signed at United Nations, New York, the 9th day of April, 1953.

For the Government of the  
Kingdom of the Netherlands  
with respect to Surinam:

(s.) D. J. VON BALLUSECK  
Permanent Representative of  
the Netherlands to the United  
Nations

For the United Nations  
International Children's  
Emergency Fund:

(s.) MAURICE PATE  
Executive Director

### G. INWERKINGTREDDING

Deze Overeenkomst is 9 April 1953 in werking getreden.

### J. GEGEVENS

De Engelse tekst van de in de preambule genoemde resolutie 57 (I), aangenomen door de Algemene Vergadering van de Verenigde Naties op 11 December 1946, tot oprichting van een Internationaal Kindernoodfonds (vgl. uitgave No. 1 van het Ministerie van Buitenlandse Zaken, Maart 1947, bl. 62/64) luidt als volgt:

### **57 (I). Establishment of an International Children's Emergency Fund**

#### *I. The General Assembly,*

*Having* considered the resolution adopted by the Economic and Social Council at its third session recommending the creation of an International Children's Emergency Fund to be utilized for the

benefit of children and adolescents of countries which were the victims of aggression, and recognizing the desirability of establishing such a Fund in accordance with Article 55 of the Charter of the United Nations,

*Decides, therefore:*

1. There is hereby created an International Children's Emergency Fund to be utilized and administered, to the extent of its available resources:

(a) For the benefit of children and adolescents of countries which were victims of aggression and in order to assist in their rehabilitation;

(b) For the benefit of children and adolescents of countries at present receiving assistance from the United Nations Relief and Rehabilitation Administration;

(c) For child health purposes generally, giving high priority to the children of countries victims of aggression.

2. (a) The Fund shall consist of any assets made available by UNRRA or any voluntary contributions made available by Governments, voluntary agencies, individual or other sources. It shall be authorized to receive funds, contributions or other assistance from any of the foregoing sources; to make expenditures and to finance or arrange for the provision of supplies, material, services and technical assistance for the furtherance of the foregoing purposes; to facilitate and co-ordinate activities relating thereto; and, generally, to acquire, hold or transfer property, and to take any other legal action necessary or useful in the performance of its objects and purposes;

(b) The Fund, in agreement with the Governments concerned, shall take such measures as are deemed appropriate to ensure the proper utilization and distribution of supplies or other assistance which it provides. Supplies or other assistance shall be made available to Governments upon approval by the Fund of the plans of operation drawn up by the Governments concerned. Provisions shall be made for:

(i) The submission to the Fund of such reports on the use of supplies and other assistance as the Fund may from time to time require;

(ii) Equitable and efficient dispensation or distribution of all supplies or other assistance, on the basis of need, without discrimination because of race, creed, nationality status or political belief;

(c) The Fund shall not engage in activity in any country except in consultation with, and with the consent of, the Government concerned;

(d) The Fund shall appeal to all voluntary relief agencies to continue and intensify their activities and shall take the necessary measures in order to co-operate with these agencies.

3. (a) The Fund shall be administered by an Executive Director under policies, including the determination of programmes and allocation of funds, established by an Executive Board in accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission;

(b) The Secretary-General of the United Nations shall appoint the Executive Director, in consultation with the Executive Board;

(c) The Executive Board shall be composed of representatives of the following Governments:

Argentina, Australia, Brazil, Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Czechoslovakia, Denmark, Ecuador, France, Greece, Iraq, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia.

The Economic and Social Council, on the recommendation of the Executive Board, may designate other Governments as members of the Board. Membership may be changed by the General Assembly, on the recommendation of the Economic and Social Council, at any time after the first three years of the Fund's existence. The Board may, as occasions arise, invite representatives of specialized agencies for consultation on matters within their competence;

(d) The Board may designate from among its members such committees as it deems advisable in the interest of effective administration.

The Board shall elect its own Chairman and its Vice-Chairmen, and shall meet whenever convened by the Chairman, or upon the request of any three of its members. The first meeting of the Board shall be convened by the Secretary-General of the United Nations, at the earliest date feasible after the adoption of this resolution. Each member of the Board shall have one vote. A majority of the Board shall constitute a quorum and it shall vote by a majority of the members present and voting. Subject to the foregoing, the Board may establish its own rules of procedure.

4. (a) Staff and facilities required for the administration of the Fund shall be provided to the Board by the Secretary-General. The Fund may also utilize such staff, equipment and records as may be made available by the United Nations Relief and Rehabilitation Administration during the period of its existence;

(b) The United Nations shall make no charge to the Fund on account of staff and facilities, so long as these can be provided from the established services of the Secretariat and within the limits of



the United Nations budget. If additional funds are necessary, money for such purposes shall be provided by the Fund;

(c) To the maximum extent feasible, the utilization of the staff and technical assistance of specialized agencies, in particular the World Health Organization or its Interim Commission, shall be requested, with a view to reducing to a minimum the separate personnel requirements of the Fund.

5. The Secretary-General shall not pay from the funds received to finance the United Nations budget any claims arising from the operation of the Fund, but the Executive Board is authorized to pay from the Fund, claims arising from its operation.

6. The Secretary-General shall submit to the General Assembly an annual audit of the accounts of the Fund.

7. The Executive Board shall make periodic reports of its operations at such times and in such form as the Economic and Social Council shall provide.

8. A report shall be submitted to the fourth session of the Economic and Social Council containing a recommended programme and estimate of expenses incurred and to be incurred for the Fund for 1947 which shall be subject to the approval of the Council.

9. The activities of the Fund shall be reviewed by the General Assembly at its second session upon the basis of a special report from the Economic and Social Council.

II. The effective operation of the Fund is dependent upon the financial resources which are put at its disposal;

*Therefore,*

*The General Assembly expresses the earnest hope that Governments, voluntary agencies and private individuals will give the Fund their generous support.*

*Fifty-sixth plenary meeting,  
11 December 1946.*

De Engelse tekst van de eveneens in de preambule genoemde resolutie 417 (V) van 1 December 1950 is afgedrukt in uitgave no. 25 van het Ministerie van Buitenlandse Zaken (April 1951, bl. 180; vgl. United Nations Treaty Series deel 65, bl. 4/21).

Het in artikel VIII genoemde Verdrag nopens de voorrechten en immuniteiten van de Verenigde Naties is gedateerd 13 Februari 1946 en is bij Koninklijk besluit van 31 Mei 1948 in *Stb.* I 224 bekendgemaakt.

Uitgegeven de zeven en twintigste Mei 1953.

*De Minister van Buitenlandse Zaken,*

J. W. BEYEN.