

No. 1447

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**UNITED NATIONS**  
**and**  
**BOLIVIA**

**Agreement (with annex) for the provision of technical assistance. Signed at La Paz, on 1 October 1951**

*Official texts: English and Spanish.*

*Registered ex officio on 1 October 1951.*

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**ORGANISATION DES NATIONS UNIES**  
**et**  
**BOLIVIE**

**Accord (avec annexe) relatif à la fourniture d'une assistance technique. Signé à La Paz, le 1<sup>er</sup> octobre 1951**

*Textes officiels anglais et espagnol.*

*Enregistré d'office le 1<sup>er</sup> octobre 1951.*

No. 1447. AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF BOLIVIA FOR THE PROVISION OF TECHNICAL ASSISTANCE. SIGNED AT LA PAZ, ON 1 OCTOBER 1951

The United Nations and the Government of the Republic of Bolivia, animated with the desire to conclude an Agreement for Technical Assistance, have designated their Representatives as follows :

The United Nations, Dr. Carter Goodrich, Chairman of the United Nations Mission for Technical Assistance to Bolivia;

His Excellency the President of the Honorable Military Junta, his Minister of State in the Department of Foreign Affairs, Colonel Tomás Antonio Suárez Castedo,

Who, after exhibiting their Full Powers found to be in good order and due form, have agreed on the following :

TECHNICAL ASSISTANCE AGREEMENT BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF BOLIVIA

PREAMBLE

*Considering* that one of the objectives laid down in the Preamble to the Charter of the United Nations is “ to promote social progress and better standards of life in larger freedom ”;

*Considering* that Chapter IX of the Charter, under the title “ International Economic and Social Co-operation ”, lays down principles for co-operation to this end;

*Considering* the Resolutions of the General Assembly and the recommendations of the Economic and Social Council, as formulated in its Resolution 222 (IX),<sup>2</sup> which lays down as a primary objective to help under-developed countries “ to strengthen their national economies through the development of their industries and agriculture, with a view to promoting their economic and political independence in the spirit of the Charter of the United Nations, and to ensure the attainment of higher levels of economic and social welfare for their entire population ”;

<sup>1</sup> Came into force on 1 October 1951, as from the date of signature, in accordance with article XXIII.

<sup>2</sup> United Nations, document E/1553.

*Considering* that the Government of Bolivia, in application of these principles of international co-operation, requested technical assistance from the United Nations, and that a Mission visited Bolivia in 1950 to aid the Republic in drawing up a programme of economic and social development; and that the Government of Bolivia has had under consideration the recommendations contained in the Final Report of the United Nations Technical Assistance Mission, submitted by Dr. Hugh L. Keenleyside as Head of the Mission, and has, by letter dated 27 July 1951 from Colonel Tomás Antonio Suárez, Minister of Foreign Affairs, to Mr. Trygve Lie, Secretary-General of the United Nations, expressed its acceptance in principle of the said recommendations;

*Considering* that the said Report embodies recommendations designed to form the basis for a comprehensive development programme, directed solely towards "increasing the welfare and happiness of the Bolivian people";

*Considering* that the said recommendations include measures for the achievement of a stable and efficient administration as the essential preliminary step towards making economic development possible; for the more effective and better balanced utilization of Bolivia's mineral, agricultural and other natural resources; for the making of surveys, the organization of research and statistical services, and the drawing up of well planned development programmes; for encouraging and promoting the investment of domestic and foreign capital in enterprises calculated to contribute to Bolivian economic development; for the achievement of monetary stability; for encouraging savings; for the improvement of policies and practices in regard to budgeting, taxation and tax collection; for the improvement of means of transport; for the provision of adequate electric power; for appropriate industrial development; and, as a factor of fundamental importance to the whole programme, for social welfare and protective labour legislation and its enforcement;

*Considering* that, for the purpose of strengthening the public administrative services with a view to making possible the execution of the said programme, the Government has decided to request the co-operation of the United Nations in the selection of a specific number of administrative assistants;

*Considering* that the United Nations is prepared to co-operate with the Government in recruiting such assistants and to contribute towards their remuneration;

*Considering* that the Report also makes recommendations as to the provision by the United Nations of technical experts in various fields, as well as to the technical training of Bolivian nationals;

The Contracting Parties (hereinafter referred to respectively as the United Nations and the Government) have concluded the present Agreement, for the purposes therein specified, the several articles and provisions of which are as follows :

### *Article I*

The Contracting Parties accept the essential principles of the Report of the United Nations Technical Assistance Mission as forming the basis for an organic programme for the economic and social development of Bolivia to which the United Nations undertakes to contribute, and which the Government undertakes to carry out, in conformity with the terms of the present Agreement.

### *Article II*

The execution of this Agreement shall be subject to the principles established in Annex I to Resolution 222 A (IX)<sup>1</sup> dated 15 August 1949, of the Economic and Social Council of the United Nations concerning the Expanded Programme of Technical Assistance for the Economic Development of Under-Developed Countries.

### *Article III*

The Government requests the services of administrative assistants and technical experts for the following purposes :

#### *Public Finance*

An administrative assistant responsible for the administrative reorganization of the Ministry of Finance.

Two taxation experts, responsible for reorganizing the systems of legislation and collection.

An administrative assistant for the Office of the Director-General of the Budget, responsible for establishing standards of budgetary practice.

An administrative assistant for the Office of the Controller-General of the Republic, responsible for its reorganization.

#### *Banking and Monetary System*

An administrative assistant for the Central Bank of Bolivia, responsible for formulating and putting into practice a policy of stabilization of the monetary and exchange systems, in consultation with experts of the International Monetary Fund.

An expert responsible for the organization and the temporary administration of the projected Development Bank.

#### *Production and Economic Affairs*

An administrative assistant responsible for reorganizing the Ministry of Agriculture and Supply.

An administrative assistant responsible for organizing the new Ministry of Mines, Petroleum and Economic Affairs.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 76, p. 132.

Three mining experts responsible respectively for :

- (a) studying the methods of mineral production and its diversification;
- (b) establishing a system of analysis and review of the costs of production; and
- (c) studying the possibility of establishing smelters in the country.

Two petroleum experts, responsible respectively for :

- (a) formulating and putting into effect, in co-operation with the Bolivian National Petroleum Board, a policy for the expansion of oil production; and
- (b) formulating a system of analysis and review of the costs of oil production and planning the improvement of the methods of distribution of the products of the industry.

An expert responsible for planning and putting into practice a programme of electric power development.

#### *Labour, Social Welfare and Social Security*

An administrative assistant for the Ministry of Labour and Social Welfare, responsible for its administrative reorganization.

An administrative assistant responsible for directing the application of Social Security and for organizing the various technical and administrative services required.

#### *Public Works and Transport*

An administrative assistant for the Ministry of Public Works and Transport, responsible for its reorganization and for formulating and putting into practice a comprehensive plan of public works and transport.

Three experts responsible respectively for :

- (a) the improvement of the railroad systems;
- (b) the planning of a comprehensive road transport policy; and
- (c) improving the air transport services with due regard to the construction and improvement of landing fields and meteorological services.

#### *Public Administration*

An administrative assistant responsible for establishing standards for the reorganization and the increased technical competence of the public administration in general and for improving the quality of the personnel in the Bolivian public service.

An expert responsible for establishing the essential procedures and the system of merit selection required for the improvement of the public service.

*Article IV*

The Government will request the International Labour Organisation and the Food and Agriculture Organization of the United Nations to supply the experts necessary for carrying out the recommendations of the Report of the Technical Assistance Mission in the fields of Labour, Social Welfare, Social Security and Social Insurance, and Agriculture, respectively.

*Article V*

The United Nations will furnish the Government with the names and qualifications of an adequate number of candidates, for the posts of administrative assistants enumerated in Article III above, and from these the Government will select and appoint to suitable posts in the public service of Bolivia administrative assistants who shall serve under the instructions of the Government as its employees in accordance with contracts of employment to be concluded between them and the Government. These candidates shall be persons of proved administrative and technical experience, great competence and unquestionable integrity, and selected from various countries.

*Article VI*

The functions to be performed by the administrative assistants shall be those determined by the Government in Supreme Decree No. 2752, in Articles V, VI, VII and VIII thereof inclusive, which form a part of the present Agreement and are accordingly set out in Annex I hereof.

*Article VII*

The administrative assistants shall hold contracts which shall normally run for a period of three to five years. If for any reason any administrative assistant should prove unsatisfactory to the Government, he may be relieved of his functions, after consultation with the United Nations, in accordance with the terms of his employment contract.

*Article VIII*

The United Nations undertakes to provide the Government with the services of the experts enumerated in Article III above. Their terms of employment shall be in conformity with the provisions of the Basic Agreement for the Provision of Technical Assistance,<sup>1</sup> signed concurrently with the present Agreement, and of the Supplementary Agreements to be concluded hereafter between the Government on the one hand and the United Nations and the interested specialized agencies participating in the technical assistance programme on the other.

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<sup>1</sup> See p. 249 of this volume.

*Article IX*

The Government will appoint a Bolivian citizen as Co-ordinator-General of the Technical Assistance Programme, who will be responsible for co-ordinating its projects, plans and measures, for harmonizing the work of the administrative assistants and the experts, and for establishing the necessary lines of relationship with the Government. The Co-ordinator-General shall be an official of outstanding capacity and experience, and shall serve during the life of the present Agreement.

*Article X*

In consultation with the Government, the Secretary-General of the United Nations will appoint a person of high competence to represent him in relation to the programme of technical assistance to Bolivia. This Special Representative shall advise and assist the Secretary-General in obtaining qualified candidates for posts as administrative assistant and in the selection of experts. It will be his duty to keep himself fully informed on the development of the programme in Bolivia and to report from time to time to the Secretary-General on the progress made in the execution of the terms of the present Agreement. In the course of his duties, he will be available for consultation with the President of the Republic and the various Ministers. He will present his observations and suggestions to the President of the Republic and to the Secretary-General of the United Nations, and will make proposals to the Co-ordinator-General and to the administrative assistants for the more effective execution of the technical assistance programme.

*Article XI*

The administrative assistants and technical experts concerned will assist in the preparation, when appropriate, of specific projects for submission to international credit and finance organizations such as the International Bank for Reconstruction and Development, the International Monetary Fund, as well as to the appropriate credit institutions of States Members of the United Nations with a view to obtaining the resources necessary for the execution of such projects for the economic development of Bolivia, contemplating the diversification of its production, the full utilization of its natural resources, and the stabilization of its currency and exchange.

*Article XII*

The Government shall set aside a fund in Bolivian currency, for the payment to the administrative assistants whom it employs, of salaries equivalent to those paid to Bolivian nationals performing services ranking with those of an *Oficial Mayor*.

*Article XIII*

In order that the Government may obtain the services of administrative assistants possessing the highest qualifications, the United Nations agrees to hold available, for the use of this programme during the life of the present Agreement, a fund which shall accumulate at the rate of \$200,000 per annum, subject to the continued authorization of expenditures for the technical assistance programme, by the Economic and Social Council and the General Assembly and in accordance with the financial regulations of the United Nations. This sum shall be used primarily to complement the emoluments paid to the administrative assistants by the Governments in accordance with the preceding Article, and may be used to cover the supplemental costs of their recruitment.

*Article XIV*

In accordance with the instructions of the Government, the United Nations, from the funds held available under the preceding Article, shall draw on behalf of the Government to the order of each administrative assistant the periodic supplemental salary payments due him under the preceding Article in accordance with his terms of employment.

*Article XV*

Any liabilities or obligations towards an administrative assistant including accrued emoluments, costs of repatriation, or terminal indemnities, met by the United Nations as a result of termination of his contract by the Government in any manner not provided for in that contract, may be deducted by the United Nations from the fund provided in Article XIII above.

*Article XVI*

The United Nations will set aside for use during the life of the present Agreement, subject to the budgetary provisions and financial regulations of the United Nations, an amount of \$150,000 to assist the Government to obtain technical equipment or supplies having particular importance for the advancement of the technical assistance programme.

*Article XVII*

The United Nations will likewise make available such amounts as may be necessary for the provision of thirty fellowships in countries or institutions which, in the particular fields of study required by the programme of economic and social development, have achieved an advanced level of technical competence.



*Article XVIII*

In order to obtain the services of persons of the highest qualifications to serve as administrative assistants the Government shall furnish them with contracts of employment in which shall be included all provisions intended to govern their legal rights and duties as members of the Bolivian public administration. These shall include salary, duration, method and notice of termination, benefits, leave, home leave, and arbitration of any differences arising under the employment contract. Nothing in the conditions of employment shall be intended to affect the nationality or citizenship of the administrative assistants.

*Article XIX*

The terms of the contracts of employment, and the arrangements for all payments to be made in accordance with Article XIV above, shall be determined by the Government in agreement with the United Nations.

*Article XX*

The contracts of employment shall provide for such privileges and immunities as are necessary for the adequate exercise of the functions of the administrative assistants in Bolivia. In particular, no tax shall be imposed on any payments made under Article XIII above.

*Article XXI*

It is understood that the conclusion and the full discharge of the contract of employment is an essential element of the undertakings exchanged between the Parties to the present Agreement.

*Article XXII*

The Special Representative of the United Nations shall enjoy in Bolivia the privileges and immunities accorded by the Government to diplomatic envoys accredited to it. The United Nations in general, its property and assets, and any staff of the United Nations who may be assigned to serve in Bolivia, shall enjoy the privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations,<sup>1</sup> to which Bolivia is a party.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 1, pp. 15 and 263; Vol. 4, p. 461; Vol. 5, p. 413; Vol. 6, p. 433; Vol. 7, p. 353; Vol. 9, p. 398; Vol. 11, p. 406; Vol. 12, p. 416; Vol. 14, p. 490; Vol. 15, p. 442; Vol. 18, p. 382; Vol. 26, p. 396; Vol. 42, p. 354; Vol. 43, p. 335; Vol. 45, p. 318; Vol. 66, p. 346, and Vol. 70, p. 266.

*Article XXIII*

This Agreement shall enter into force on the day on which it is signed. It shall remain in effect for a period of five years or, in the event that either Party shall give notice in writing to the other of its intention to terminate the Agreement, until three months from the date of such notice.

*Article XXIV*

If, during the life of this Agreement, either Party should consider that it should be amended, it will so notify the other Party in writing, and the two Parties shall thereupon consult with a view to agreeing upon the amendment.

*Article XXV*

Any dispute between the Parties concerning the interpretation or application of this Agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one to be named by the President of Bolivia, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

*Article XXVI*

Agreements or arrangements supplemental to this Agreement may be concluded between the Parties and may remain in force independently of the life of this Agreement for such periods as may be determined in each such supplemental agreement or arrangement. Such supplemental agreements may be concluded between the Parties to this Agreement or between the Government and any or all of the organizations participating in the United Nations Technical Assistance Programme.

IN WITNESS WHEREOF, the undersigned, being duly authorized by the Government of Bolivia and the United Nations respectively, have signed the present documents, in duplicate in the English and Spanish languages, both texts authentic, in the city of La Paz (Bolivia), on the first day of October of the year one thousand nine hundred and fifty-one.

For the Bolivian Government :  
(Signed) SUÁREZ CASTEDO

For the United Nations :  
(Signed) Carter GOODRICH

## ANNEX I

ARTICLES V, VI, VII AND VIII OF THE SUPREME DECREE No. 2752 OF  
1 OCTOBER 1951

## FUNCTIONS OF THE ADMINISTRATIVE ASSISTANTS

*Article V*

The administrative assistants assigned to the respective Ministries and other units shall have the following functions :

- (a) To have direct access at all times to the Minister or Chief of the unit in which they serve;
- (b) To participate in all recommendations and determinations concerning appointments, transfers, promotions, demotions and retirement of all senior personnel within the unit in which they serve;
- (c) To direct the administrative and technical training of the personnel in the unit to which they have been assigned;
- (d) To advise the Minister or chief of the unit in which they serve in regard to organizational and operational changes and to participate in the carrying out of these changes;
- (e) To co-operate and to advise the Minister or chief of the unit in which they serve in supervising the activities of the unit;
- (f) To participate and to collaborate in the preparation of the budgetary estimates of the Ministry or the unit in which they serve for submission to the Director-General of the Budget;
- (g) To examine the items of contemplated expenditures before they are made and where necessary to inform the Minister or chief of the unit in which they serve of the undesirability of any expenditures;
- (h) To have access to the Co-ordinator-General of the Technical Assistance Programme and to the Representative of the United Nations.

*Article VI*

The administrative assistant of the Directorate-General of the Budget shall have the following functions :

- (a) To work in co-operation with the Director-General of the Budget, in the preparation of the national budget and in the review of the departmental budgets, with a view to their consideration of the budget by the Supreme Government and approval by the National Congress;
- (b) To supervise surveys of the activities of the various Ministries and other units in order to determine the various items of the budget;
- (c) To indicate the forms, procedures and schedules according to which the estimates of income and expenditure will be submitted to the Directorate-General of the Budget by the various units;

- (d) To recommend changes in form of the budgets with a view to their simplification and their more effective use as a tool of fiscal control;
- (e) To formulate, in co-operation with the Director-General of the Budget, the rules by which the items of appropriation will be periodically allotted, encumbered or withheld. These rules shall be submitted for approval to the President of the Republic;
- (f) In accordance with such rules, to supervise the periodic allotment, encumbering or withholding of funds;
- (g) Upon the order of the President or with the consent of the Director General of the Budget, to attend Cabinet meetings involving the budget;
- (h) To exercise, with reference to the Directorate-General of the Budget, the general functions assigned to administrative assistants.

#### *Article VII*

The administrative assistant to the Office of the Controller-General shall have the following functions :

- (a) To work in co-operation with the Controller-General for the purpose of assisting him in the better supervision of the expenditures of all the units subject to his control;
- (b) To review, and to recommend modifications in, the system of general and special accounts, including the system of accounting for revenues as well as expenditures;
- (c) To review and recommend rules, procedures and forms for the making of payments;
- (d) To suggest and establish, in co-operation with the Controller-General, measures for insuring the correct expenditure of funds derived from foreign and domestic loans;
- (e) To examine, before payment is made, any voucher he may request to examine and if necessary to ask for the suspension of its processing until it has been considered personally and jointly by the Controller-General and himself;
- (f) To exercise, with reference to the Office of the Controller-General, the general functions assigned to administrative assistants.

#### *Article VIII*

The administrative assistant for Public Administration shall have the following functions :

- (a) To plan and to bring into operation new forms of governmental and administrative organization in accordance with the developing needs and new possibilities of the Republic;
- (b) To survey the work performed by public employees as a basis for recommendations to the Ministries or other units and to the Director-General of the Budget concerning the appropriate personnel establishment for each unit;

- (c) To propose rules for appointment, promotion, transfer, demotion, retirement, and discipline of the personnel in the public service. These rules shall be submitted for approval to the President of the Republic;
- (d) To establish a classification of the public service, including salary scales;
- (e) To plan and to bring into operation the system of merit selection and competitive examination for the members of the public service;
- (f) To establish a system of personnel records for the members of the public service;
- (g) To plan and to bring into operation provisions for the social protection of public personnel;
- (h) To co-operate with the competent authorities in processing the applications for fellowships and scholarships granted by the United Nations and the specialized agencies;
- (i) To recommend the courses of study which shall constitute prerequisites for appointments to positions in the public service;
- (j) To plan and to bring into operation a system of in-service training;
- (k) To exercise, with reference to the area of his activities, the general functions assigned to the administrative assistants.

(Signed) SUÁREZ CASTEDO  
Carter GOODRICH