

No. 1075

**UNITED NATIONS, FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS, INTERNATIONAL CIVIL AVIATION
ORGANIZATION, INTERNATIONAL LABOUR ORGANISATION,
UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
ORGANIZATION, WORLD HEALTH ORGANIZATION**

**and
BURMA**

**Basic Agreement for the provision of technical assistance. Signed
at New York, on 5 March 1951**

*Official texts: English and French.
Registered ex officio on 5 March 1951.*

**ORGANISATION DES NATIONS UNIES, ORGANISATION DES
NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE,
ORGANISATION DE L'AVIATION CIVILE INTERNATIONALE,
ORGANISATION INTERNATIONALE DU TRAVAIL, ORGANISA-
TION DES NATIONS UNIES POUR L'ÉDUCATION, LA SCIENCE
ET LA CULTURE, ORGANISATION MONDIALE DE LA SANTÉ**

**et
BIRMANIE**

**Accord de base relatif à la fourniture d'une assistance technique.
Signé à New-York, le 5 mars 1951**

*Textes officiels français et anglais.
Enregistré d'office le 5 mars 1951.*

No. 1075. BASIC AGREEMENT¹ BETWEEN THE UNITED NATIONS, THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, THE INTERNATIONAL LABOUR ORGANISATION, THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, THE WORLD HEALTH ORGANIZATION AND THE GOVERNMENT OF THE UNION OF BURMA FOR THE PROVISION OF TECHNICAL ASSISTANCE. SIGNED AT NEW YORK, ON 5 MARCH 1951

The United Nations, the Food and Agriculture Organization of the United Nations, the International Civil Aviation Organization, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization (hereinafter referred to as "the Organisations"), being represented on the Technical Assistance Board, and the Government of the Union of Burma (hereinafter referred to as "the Government");

Considering the recommendations of the Economic and Social Council of the United Nations, as set out in resolution 222 (IX) of 15 August 1949;² and

Desiring to give effect to resolution number 304 (IV)³ of the General Assembly of the United Nations on an expanded programme of technical assistance for economic development of under-developed countries, which approved the observations and guiding principles set out in Annex I⁴ to part "A" of that resolution, and the arrangements made by the Council for the administration of the programme;

Considering that the Government has requested technical assistance from the Organisations;

¹ Came into force on 5 March 1951, as from the date of signature, in accordance with article V.

² United Nations, document E/1553.

³ United Nations, document A/1251.

⁴ United Nations, *Treaty Series*, Vol. 76, p. 132.

Considering further that the Organisations and the Government desire that their mutual responsibilities shall be fulfilled in a spirit of friendly cooperation;

Have agreed as follows:

Article I

1. The Organisations shall, subject to the provisions of the present Agreement (hereinafter referred to as "the Basic Agreement"), and, so far as relevant, in accordance with the "Observations on and Guiding Principles of an Expanded Programme of Technical Assistance for Economic Development", set out in Annex I to Part A of resolution 222 A (IX) of the Economic and Social Council of the United Nations (a copy of which is annexed hereto,¹) render such technical assistance to the Government as shall be set out in Supplementary Agreements to be made pursuant to the Basic Agreement (hereinafter referred to as "the Supplementary Agreements"), between the Government and the Organisations.

2. The Organisations shall consult with the Government in connexion with the appointment of any experts under any Supplementary Agreement.

3. Such experts shall be responsible to and shall work under the supervision and direction of the Organisations, except that in so far as an expert is required to perform executive functions or to give instruction, he shall be responsible to the Department of the Government immediately concerned.

4. Such experts shall, in the course of their work, make every effort to instruct any technical staff of the Government which may be associated with them, in the methods, techniques and practices of their work and in the principles upon which these are based, and the Government shall, wherever practicable, provide local technical staff to the experts for this purpose.

5. The Organisations shall, in connexion with any fellowships and scholarships awarded to nominees of the Government provide such fellowships and scholarships in accordance with the administrative and other arrangements which have been drawn up by the Organisations for their programme.

6. The Organisations shall retain title to any technical equipment or supplies which may be furnished under any of the Supplementary Agreements until such time as title is transferred, on terms and conditions to be agreed upon between the Organisations and the Government.

7. The Organisations may, as part of the technical assistance furnished under any of the Supplementary Agreements, make arrangements for the carrying out of laboratory or other tests, experiments or research outside the country.

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

Article II

The Government shall, in receiving such technical assistance as shall be set out in the Supplementary Agreements, comply with those provisions of Annex I to Part A of the Economic and Social Council resolution No. 222 (IX) which are set out under the heading of "Participation of Requesting Governments".

Article III

1. The Organisations shall, in respect of the technical assistance provided under any of the Supplementary Agreements, defray those costs which are payable outside of the country, or such proportions thereof as may be specified in any of the Supplementary Agreement regarding:

- (a) the salaries of the experts;
- (b) subsistence and travel of the experts to and from their place of recruitment and the place of entry into the country;
- (c) any other necessary travel expenses of the experts outside of the country;
- (d) insurance of the experts;
- (e) purchase and transportation to the country of any equipment or supplies which may be provided by the Organisations for the implementation of any technical assistance;
- (f) any other expenses incurred outside of the country and necessary for the provisions of technical assistance.

2. The Government shall assume responsibility for such part of the costs incidental to the furnishing of technical assistance as can be paid for in local currency, to the extent specified in any of the Supplementary Agreements.

3. For the purpose of meeting its obligations under paragraph 2 above, the Government shall establish, maintain and place at the disposal of the resident technical assistance representative or such other person as shall be designated by the Organisations, a local currency fund or funds in such amounts and under such procedures as may be specified in any of the Supplementary Agreements. Any unused balances shall be returned to the Government after due rendering of accounts, upon final departure of the technical assistance personnel from the country.

4. The Government shall, in addition to its obligations under this article, provide for the personnel, at its own expense, after consultation with the resident technical assistance representative, when appointed, or such other person as may be designated and referred to in paragraph 3 above:

- (a) adequate office facilities, office supplies and equipment;
- (b) necessary local secretarial, interpreter-translator, or other assistance;
- (c) any other necessary facilities, mutually agreed upon.

5. In appropriate cases, the Government shall provide such land, labour, equipment, or property as may be required, to be determined as the need arises, in agreement with the Organisations.

Article IV

1. The Government undertakes, in so far as it is not already legally bound to do so, to apply to the Organisations, their property, funds and assets, and to the personnel, all the relevant provisions of the Convention on the Privileges and Immunities of the United Nations¹ and the Convention on the Privileges and Immunities of the Specialized Agencies.²

2. For the purposes of this Agreement the personnel shall be considered as "officials" within the meaning of both the Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies, except that any such personnel who are engaged as consultants shall be considered as "experts on missions" within the meaning of the Convention on the Privileges and Immunities of the United Nations.

Article V

1. The Basic Agreement shall enter into force upon signature.

2. The Basic Agreement and any of the Supplementary Agreements made pursuant hereto may be modified by agreement between the Organisations and the Government, each of which shall give full and sympathetic consideration to any request by the other for such modification.

3. The Basic Agreement may be terminated by either party upon written notice to the other, and shall terminate sixty days after receipt of such notice. Termination of the Basic Agreement shall be deemed to constitute termination of the Supplementary Agreements.

¹ 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.

² United Nations, *Treaty Series*, Vol. 33, p. 261; Vol. 43, p. 342; Vol. 46, p. 355; Vol. 51, p. 330; Vol. 71, p. 316; Vol. 76, p. 274, and Vol. 79, p. 326.

IN WITNESS WHEREOF the undersigned, duly appointed representatives of the Organisations and the Government respectively, have on behalf of the Parties, signed the present Agreement at New York this 5th day of March 1951 in two copies, both in English and French, text of the two languages being authentic.

(Signed) S. LALL

Acting Chairman of the Technical Assistance Board

For the Government of the Union of Burma:

(Signed) J. BARRINGTON

Ambassador of Burma to the United States
