

No. 3445

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

**Protocol additional to the Agreement signed on 6 November
1947 concerning the activities of UNICEF in Italy.
Signed at New York, on 28 May 1956**

Official texts: English and Italian.

Registered ex officio on 28 May 1956.

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

**Protocole additionnel à l'Accord signé le 6 novembre 1947
concernant les activités du FISE en Italie. Signé à
New-York, le 28 mai 1956**

Textes officiels anglais et italien.

Enregistré d'office le 28 mai 1956.

N^o 3445. PROTOCOL¹ ADDITIONAL TO THE AGREEMENT BETWEEN THE UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND AND THE GOVERNMENT OF ITALY SIGNED ON 6 NOVEMBER 1947² CONCERNING THE ACTIVITIES OF UNICEF IN ITALY. SIGNED AT NEW YORK, ON 28 MAY 1956

WHEREAS, the General Assembly of the United Nations, by Resolution 802 (VIII) adopted on 6 October 1953³, reaffirmed the pertinent provisions of resolutions 57 (I)⁴ and 417 (V)⁵, but without reference to any time limit contained in those resolutions;

WHEREAS, in this same resolution, the name of the United Nations International Children's Emergency Fund was changed to the United Nations Children's Fund (hereinafter referred to as the Fund);

WHEREAS, the Government of Italy (hereinafter referred to as the Government) has expressed the wish to obtain assistance from the Fund in respect of the Trust Territory of Somaliland under Italian Administration.

WHEREAS, an Agreement was concluded on 6 November 1947² between the Government and the Fund in respect of the Fund's programmes of assistance to Italy;

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

1. Subject to the provisions of paragraphs 2 to 7 below the terms and conditions of the Agreement between the Government and the Fund signed on 6 November 1947 shall be extended to the Trust Territory of Somaliland.
2. *Article I* shall be replaced by the following :

PLAN 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

¹ Came into force on 28 May 1956 by signature.

² United Nations, *Treaty Series*, Vol. 68, p. 240.

³ United Nations, *Official Records of the General Assembly, Eighth Session, Supplement No. 17* (A/2630, p. 53).

⁴ United Nations, *Resolutions adopted by the General Assembly during the Second Part of the First Session* (A/64/Add. 1, p. 90).

⁵ United Nations, *Official Records of the General Assembly, Fifth Session, Supplement No. 20* (A/1775, p. 40).

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 agreeable plan of operations. Approved plans may be amended, should circumstances so require, in any manner agreed between the Government and the Fund. The present Agreement shall then apply to such plan as amended. ”

3. The following insertion shall be made in *paragraph A of Article II* after the words “ . . . for whom these supplies are intended ” : . . . “ or, in the case of capital goods, until transfer of title or during the period of the loan, as may be provided for in the approved plan ”.

4. In *paragraph A of article V*, second sentence, the words from “ To this end ” to “ cooperation ” shall be replaced by the following : “ To this end, the Fund shall provide duly authorized officers to visit periodically or to be stationed in the Trust Territory of Somaliland for consultation and cooperation . . . ”.

5. *Paragraph B of article V* shall be replaced by the following : “ The Fund and the Government agree that, for the above purposes, and on the basis of mutual consultation, the Fund may retain an office in the Trust Territory of Somaliland through which its officers may be reached and through which it would conduct its principal business.”

6. *Article VII* shall be replaced by the following :

“ A. The Government shall grant to the Fund and its personnel in the Trust Territory of Somaliland the privileges and immunities contained in the Convention on Privileges and Immunities adopted by the General Assembly of the United Nations on 13 February 1946.¹

“ B. The Government shall assume full responsibility in respect of any claim asserted against the Fund, its employees and agents, arising in the Trust Territory of Somaliland, provided such claim arises from the Assistance which has been given or may be given by the Fund according to the terms of the Government's request. The Government shall defend, at its own cost, the Fund, its employees and agents with respect to any such claim. In the event that the Government makes any payment under

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; Vol. 70, p. 266; Vol. 173, p. 369; Vol. 177, p. 324; Vol. 180, p. 296; Vol. 202, p. 320; Vol. 214, p. 348; Vol. 230, p. 427, and Vol. 231, p. 347.

the terms of this paragraph, the Government shall be entitled to exercise all the rights, claims and interest which the Fund could have exercised against third parties. This paragraph shall not apply with respect to any claim against the Fund for injuries incurred by a staff member of the Fund.”

7. The second and third sentences of *article IX* shall be replaced by the following :

“ 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 the Trust Territory of Somaliland.

“ 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. The Programme Committee will invite a representative of Italy to present his views to it, in writing and in person, if he so desires.”

DONE in the English and Italian languages, both texts being equally valid.

For the Government of Italy :

(Signed) Alberico A. CASARDI
Ambassador

Permanent Representative a. i. to the
United Nations

For the United Nations
Children's Fund :
(Signed) Maurice PATE
Executive Director

Signed at New York
28 May 1956
