

CANADA

TREATY SERIES, 1948

No. 26

AGREEMENT

BETWEEN

CANADA

AND

THE SECRETARY-GENERAL
OF THE UNITED NATIONS

CONCERNING

THE UNITED NATIONS
APPEAL FOR CHILDREN

Signed at Lake Success, N.Y., August 27, 1948.

Retroactive to December 20, 1947



OTTAWA

EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY

1949

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CANADA

TREATY SERIES, 1948

The Minister of External Affairs
to the Acting Secretary of State for External Affairs

LEGATION OF FINLAND

AGREEMENT

OTTAWA, November 17, 1948

BETWEEN

CANADA

AND

No. 2069/64

Srs.

I have the honour to acknowledge receipt of your note of November 13, 1948, reading as follows:

SUMMARY

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If your Government is agreeable to the above proposal, it is understood that the present note and Your Excellency's reply shall constitute an agreement between the two Governments which shall enter into force on the date of your reply and shall remain in force for one year, and thereafter shall remain in force subject to termination by either Government at any time on giving three months' notice."



In reply I have the honour to inform you that I am authorized by the Government to accept the proposal set forth in your note, and it is understood that your note and this reply shall constitute an agreement between our two Governments which shall enter into force on the date of this my reply and shall remain in force for one year, and thereafter shall remain in force subject to termination by either Government at any time on giving three months' notice."

OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., LL.B.
KING'S PRINTER AND CONTROLLER OF STATIONERY

1948

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AGREEMENT BETWEEN CANADA AND THE SECRETARY-GENERAL OF THE UNITED NATIONS CONCERNING THE UNITED NATIONS APPEAL FOR CHILDREN

PREAMBLE

WHEREAS, in accordance with the resolutions of the General Assembly and the Economic and Social Council of the United Nations, the Secretary-General of the United Nations has initiated and will coordinate and promote a world-wide campaign for the United Nations Appeal for Children; and

WHEREAS, the Secretary-General of the United Nations wishes to entrust to the National Council for the United Nations Appeal for Children the conduct of a campaign in Canada in behalf of the Appeal, in accordance with the provisions of a draft agreement attached hereto as Schedule "A"; and

WHEREAS, the Government of Canada endorses the purpose and character of the United Nations Appeal for Children as more particularly described in the said draft agreement, and wishes to take such action as will ensure the success of the said campaign generally and within its national territory in particular;

NOW THEREFORE, the Government of Canada and the Secretary-General of the United Nations have agreed as follows:

ARTICLE I

Name of the Appeal

The name under which the Appeal shall be conducted within the territory of Canada shall be the "Canadian Appeal for Children" (hereinafter called "the Appeal").

ARTICLE II

Conduct of the Campaign

a. The Government of Canada, in appreciation of the fact that the fullest understanding and success of the United Nations Appeal requires its conduct within each country by a national committee based upon the leading organizations representative of the broad groups of people which will be helpful in prosecuting the United Nations Appeal, endorses the establishment of the National Council for the United Nations Appeal for Children as the national committee in Canada (hereinafter called "the National Council") for the purpose of conducting the campaign in behalf of the United Nations Appeal in Canada.

b. The Government of Canada hereby accords to the National Council a status suitable to the performance of the obligations described as the responsibility of the National Council in the draft agreement hereto attached as Schedule "A".

c. The Government of Canada approves the draft agreement hereto attached as Schedule "A" and warrants that the said draft agreement is valid and lawful in all respects under the laws of the Parliament of Canada.

ARTICLE III

Disposition of Contributions

The contributions received by the National Council shall be allocated and distributed in accordance with Article VI of the draft agreement hereto attached as Schedule "A".

ARTICLE IV

Immunity from Taxation

a. All property, both real and personal, including all assets, funds and contributions to the Appeal, monetary or non-monetary, made under the said draft agreement and belonging to the National Council and all movements, storage, custody and disposals of said property in accordance with the said draft agreement shall be immune from taxes, fees, tolls, or duties imposed by the Parliament of Canada.

b. All donors in Canada to the Appeal shall be entitled to the same exemptions, immunities and credits for their monetary contributions to the Appeal as they would be entitled to under the laws of the Parliament of Canada for contributions for other charitable purposes.

ARTICLE V

Assistance to the Committee

a. The Government of Canada agrees that it will aid and assist the National Council in the performance of the obligations described as the responsibility of the National Council in the said draft agreement by:

- (1) Arranging in co-operation with the National Council of suitable observance of the day designated by the Secretary-General of the United Nations as "United Nations Appeal for Children Day".
- (2) Consulting with the National Council regarding the manner of its organization.
- (3) Consulting with the National Council regarding the depositories in which the National Council shall maintain special accounts for all monetary contributions.
- (4) Notifying the National Council of any action deemed necessary by the Government of Canada for the National Council to take for the protection of all contributions whether monetary or non-monetary.
- (5) Nominating to the National Council governmental or public auditors for regular audit of the National Council records and accounts.

b. In addition to the aid and assistance specified in sub-paragraph (a) above the Government of Canada also shall render whatever additional aid and assistance it shall deem desirable to ensure the success of the campaign in behalf of the Appeal. All aid and assistance given to the National Council by the Government of Canada in accordance with this Agreement shall be furnished at the cost of the Government and without expense or obligation to the National Council or to the Secretary-General of the United Nations.

ARTICLE VI

Period of Agreement

This Agreement shall take effect as from the 20th day of December 1947 and shall remain in force during the life of the draft agreement attached hereto as Schedule "A".

Done this 27th day of August 1948, in Lake Success, N.Y.

A. G. L. McNAUGHTON,
For the Government of Canada

TRYGVE LIE,
Secretary-General of the United Nations

SCHEDULE "A"

AGREEMENT BETWEEN THE SECRETARY-GENERAL OF THE UNITED NATIONS AND THE NATIONAL COUNCIL FOR THE UNITED NATIONS APPEAL FOR CHILDREN (IN CANADA)

PREAMBLE

WHEREAS, the Secretary-General of the United Nations, in accordance with the direction of the General Assembly expressed in Resolution 48 (8) adopted on 11 December 1946, considered the ways and means of collecting and utilizing contributions from persons, organizations, and peoples all over the world equivalent to the earnings of one day's work for the purpose of helping to meet relief needs, and the Secretary-General, in further compliance with the said resolution of the General Assembly, reported the results of his consideration to the Economic and Social Council; and

WHEREAS, the Economic and Social Council of the United Nations, by resolutions adopted on 29 March 1947 and 8 August 1947, approved and authorized the establishment and organization of the United Nations Appeal for Children; and

WHEREAS, the Economic and Social Council requested the Secretary-General to make such arrangements as may be necessary to carry forward the United Nations Appeal for Children and authorized the Secretary-General to enter into Agreements with countries; and

WHEREAS, the Secretary-General has initiated and will coordinate and promote a world-wide campaign for the United Nations Appeal for Children; and

WHEREAS, the fullest understanding and success of the United Nations Appeal for Children requires its conduct within each country by a national committee based upon the leading organizations representative of the broad groups of people which will be helpful in prosecuting the said Appeal; and

WHEREAS, such a national committee has been formed in Canada under the name of the National Council for the United Nations Appeal for Children which the National Council the Secretary-General wishes to, and hereby does, recognize as the Canadian National Committee of the United Nations Appeal for Children, which shall be responsible as herein described for the conduct of the United Nations Appeal in Canada; and

WHEREAS, the Government of Canada by virtue of Agreement with the Secretary-General of the United Nations signed on 27 August 1948, has approved the purpose and character of the United Nations Appeal for Children and has authorized the conduct of the said Appeal within its national territory by the National Council for the United Nations Appeal for Children in accordance with the terms of this Agreement;

Now THEREFORE, the Secretary-General of the United Nations and the National Council for the United Nations Appeal for Children have agreed as follows:

ARTICLE I

Name of the Appeal

The name under which the Appeal of the National Council shall be conducted during 1948 within Canada shall be the "Canadian Appeal for Children" (hereinafter called "the Appeal"). In subsequent years the name of the Appeal shall be decided by the National Council in consultation with the Secretary-General.

ARTICLE II

Purpose and character of the Appeal

- a. The Appeal is, and shall be conducted as, a part of a special world-wide appeal for non-governmental voluntary contributions to meet emergency relief needs of children, adolescents, expectant and nursing mothers, without discrimination because of race, creed, nationality, status or political belief, by way of a one day's income collection or other alternative forms of collection better adapted to Canada, with the intention that the resources amassed by the contributions are to be distributed by transfer in the main to the International Children's Emergency Fund and also by transfer to other projects of similar purpose and benefit to children, adolescents and expectant and nursing mothers.
- b. The Secretary-General, to ensure the international and unified character of the United Nations appeal, shall designate in writing to the National Council a period of time within the limits of which the Appeal shall be conducted.
- c. The Secretary-General also shall designate similarly a particular day within the broad campaign period as United Nations Appeal for Children Day. The National Council, with the co-operation of the Government of Canada, shall arrange suitable observance of this day as part of the world-wide observance of this day as part of the world-wide observance of the United Nations Appeal.

ARTICLE III

National Committee

- a. The name of the Committee shall be the National Council for the United Nations Appeal for Children (hereinafter called "the National Council").
- b. The National Council shall be organized in such manner as it shall decide after consultation with the Government of Canada, subject to the provisions of this agreement.
- c. The National Council shall include as far as possible representatives of all the leading organizations in the country which will be helpful in prosecuting the Appeal. The National Council also shall include such individuals whose membership it may consider advantageous to the Appeal.
- d. The National Council shall function solely for the Appeal, to whose purpose and character it shall adhere.
- e. The National Council, through its chairman or one other member, shall be represented in the membership of the International Advisory Committee of the United Nations Appeal for Children, which shall be organized and which shall function in accordance with the provisions of the United Nations governing the said International Advisory Committee.

ARTICLE IV

Conduct of the Appeal

- a. The National Council shall itself decide, initiate and organize the methods and machinery for the conduct of the Appeal in Canada, subject to the provisions of this Agreement.
- b. The Secretary-General shall render to the National Council any assistance it may request and which he can render either directly or through:
- (1) The staff of the Secretariat, particularly including the Director of the United Nations Appeal and his staff of technical counsel and regional representatives;
 - (2) The International Advisory Committee.

c. The National Council may accept not only monetary contributions but also may accept, after consultation with the Secretary-General, such non-monetary contributions of supplies, commodities, services and other assets as the National Council may deem suitable.

ARTICLE V

Custody of Contributions

a. The National Council shall place all monetary contributions in special accounts under its name. These special accounts shall be maintained in depositories selected by the National Council in consultation with the Government of Canada. Funds shall be withdrawn or transferred from these special accounts only in accordance with the terms of this Agreement.

b. The National Council shall safeguard and conserve all non-monetary contributions by taking all needful action, including insuring, storing and transporting such non-monetary contributions. In the case of supplies or other assets whose kind or condition requires early distribution, the National Council shall consult immediately with the Secretary-General to ensure their immediate distribution and, as far as possible, the implementation of Article VI of this Agreement.

c. The National Council shall indemnify and hold the United Nations and the Secretary-General and their or his employees and agents harmless from any loss arising out of the operations of the National Council under this Agreement. The National Council shall take out adequate insurance according to the laws of Canada or other similar protection against the risks referred to in this sub-paragraph.

ARTICLE VI

Dispositions of Contributions

a. The contributions received by the National Council, after deduction of the administrative and other costs permitted under Article VII (c), shall be transferred to the Canadian Commercial Corporation as agent for the International Children's Emergency Fund for the purchase in Canada of relief supplies, goods and incidental services as determined by the International Children's Emergency Fund, provided that the National Council in consultation with the Secretary-General of the United Nations may transfer a portion of the net proceeds in Canada to an agreed agency for the purchase in Canada of relief supplies, goods and incidental services in accordance with the purposes stated in Article II (a) of this Agreement.

b. No contributions shall be disposed of by the National Council save in accordance with the provisions of this Agreement.

ARTICLE VII

Costs of Operation

a. The costs and obligations herein assumed by the National Council shall be charged against the contributions collected by the National Council. As soon as feasible, the National Council shall prepare a budget of its projected expenditures which shall be transmitted to the Secretary-General for his information.

b. The aid furnished to the National Council and the activity in its behalf performed by the Secretary-General in accordance with Article IV (b) of this Agreement shall be at the cost of the United Nations.

c. All other costs, including all obligations, claims or other expenses of whatsoever kind or description, incurred in the conduct of the Appeal by the National Council shall be assumed by the National Council.

ARTICLE VIII

Records and Accounts

a. The National Council and its subsidiary bodies agree to keep suitable records and accounts of the collection, allocation and disposition of all contributions. The National Council shall transmit to the Secretary-General at regular intervals detailed financial reports respecting its operations and the operations of its subsidiary bodies.

b. The National Council shall make its records and accounts available for regular audit and inspection by such governmental or public auditors as shall be suggested by the Government of Canada and shall be acceptable to the National Council.

c. The National Council shall transmit to the Secretary-General at regular intervals the minutes and records of its meetings and decisions.

ARTICLE IX

Period of Agreement

a. This Agreement shall take effect as from the 20th day of December, 1947, and shall remain in force for a period of one year from the closing date of this campaign period fixed by the Secretary-General in accordance with Article II (b) and for such additional period of time as may elapse until a final settlement of all accounts relating to the operations of the National Council under this Agreement has been agreed to by the Secretary-General.

b. In the event that the National Council shall receive contributions after the expiration of this Agreement, the Committee shall transfer such contributions to the Secretary-General for disposition as closely as possible in accordance with the basic purpose of this Agreement.

ARTICLE X

Questions outside Agreement

In the event of questions arising which have not been covered by this Agreement, the parties to this Agreement will consult with each other.

Done this 27th day of August 1948, in Lake Success, N.Y.

TRYGVE LIE

Secretary-General of the United Nations

K. A. McCLOSKEY

For the National Council for the United Nations Appeal for Children (In Canada)

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