



Treaty Series No. 78 (1959)

Protocol to the Agreement

between the Government of the United Kingdom of
Great Britain and Northern Ireland and the United Nations
International Children's Emergency Fund

for the rendering of assistance in any
Territory for whose international relations
the Government of the United Kingdom
are responsible

signed at London on October 7, 1953

New York, July 7, 1959

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
November 1959*

LONDON
HER MAJESTY'S STATIONERY OFFICE
FOURPENCE NET

Cmnd. 888

PROTOCOL TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED NATIONS CHILDREN'S FUND (UNICEF) FOR THE RENDERING OF ASSISTANCE IN ANY TERRITORY FOR WHOSE INTERNATIONAL RELATIONS THE GOVERNMENT OF THE UNITED KINGDOM ARE RESPONSIBLE, SIGNED AT LONDON ON OCTOBER 7, 1953

The Government of the United Kingdom of Great Britain and Northern Ireland and the United Nations Children's Fund (hereinafter referred to as "the Fund"):

Desiring to make provision for the indemnification of the Fund and its experts, agents or employees against certain liabilities resulting from acts or omissions in the execution of Plans of Operations made pursuant to the Agreement for the provision of assistance in territories for whose international relations the Government of the United Kingdom are responsible, signed at London on October 7, 1953⁽¹⁾ (hereinafter referred to as "the Agreement");

Have agreed as follows:—

ARTICLE I

(1) In view of the fact that assistance provided pursuant to the terms of the Agreement is in the exclusive interest and for the exclusive benefit of the people and Government of each territory concerned (hereinafter referred to as "the Government"), the Government shall assume, subject to the provisions of the following paragraphs of this Article, responsibility in respect of claims resulting from the execution of Plans of Operations within the territory of the Government made pursuant to the Agreement.

(2) The Government shall accordingly indemnify and hold harmless the Fund and its experts, agents or employees against all liabilities, suits, actions, demands, damages, costs or fees on account of death or injury to persons or property resulting from anything done or omitted to be done after the entry into force of the present Protocol in the execution within the territory concerned of Plans of Operations made pursuant to the Agreement, not amounting to a wilful neglect or reckless misconduct of such experts, agents or employees.

(3) In the event of the Government making any payment in accordance with the provisions of paragraph (2) of this Article, the Government shall be entitled to exercise and enjoy the benefit of all rights and claims of the Fund against third persons.

(4) The Fund shall place at the disposal of the Government any information or other assistance required for the handling of any case to which paragraph (2) of this Article relates or for the fulfilment of the purposes of paragraph (3).

(¹) "Treaty Series No. 75 (1953)", Cmd. 8981.

ARTICLE II

(1) The present Protocol shall be regarded as an integral part of the Agreement and shall have the same duration.

(2) The present Protocol shall enter into force on the date of signature.

In witness whereof the undersigned, duly authorized thereto, have signed the present Protocol.

Done in the English language, in duplicate, at New York this seventh day of July, 1959.

PIERSON DIXON.

For the Government of the United Kingdom of Great Britain and Northern Ireland.

MAURICE PATE.

For the United Nations Children's Fund.

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