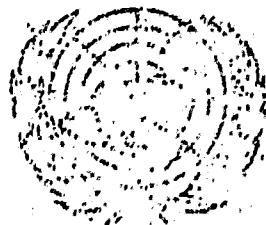


# UNITED NATIONS

## GENERAL ASSEMBLY



GENERAL

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Fifth session

Item 64 of the agenda

LONG-RANGE ACTIVITIES FOR CHILDREN  
INTERNATIONAL CHILDREN'S ENDOWMENT FUND  
Draft resolution prepared by the Secretary-General

### I. INTRODUCTORY NOTE

1. The question of appropriate international action to meet the continuing needs of children, and of co-ordination of international resources to this end, has engaged the attention of the United Nations and of the specialized agencies for a considerable time.

2. Resolutions on the subject were adopted by the Social Commission in May 1949<sup>1/</sup>, by the Executive Board of the United Nations International Children's Emergency Fund in July 1949<sup>2/</sup>, and by the Executive Board of the World Health Organization in the same month.<sup>3/</sup> A Working Party of the Administrative Committee on Co-ordination, set up as a result of these resolutions, laid a report before the fifth session of the Social Commission<sup>4/</sup>, which requested a further report from the Secretary-General. That report<sup>5/</sup> was considered by the Social Commission at its sixth session in May 1950. The report and the resolution then adopted by the Social Commission<sup>6/</sup> were placed before the eleventh session of the Economic and Social Council, together with resolutions bearing on the subject by the Food and Agriculture Organization<sup>7/</sup>, the World Health Organization<sup>8/</sup>, and the International Labour Organisation<sup>9/</sup>, relevant sections of a report by the ACC<sup>10/</sup>, a report of the Executive Board of UNICEF<sup>11/</sup> and two reports from the Secretary-General<sup>12/</sup>, one of which<sup>13/</sup>,

1/ E/CN.5/177 and Add. 1

2/ Ibid.

3/ Ibid.

4/ Ibid.

5/ E/CN.5/201

6/ E/1670 CT 4 1950

7/ E/1745

8/ E/1730

9/ E/1731

10/ E/1682

11/ E/1738

12/ E/1741, Pt. A and E/1725

13/ E/1725

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included statements by the specialized agencies having permanent responsibilities in the matter and by the Department of Social Affairs of the Secretariat of the United Nations on their programmes relating to activities for children.

3. Resolution 310 (XI) was adopted by the Economic and Social Council on 11 August 1950.

## II. DRAFT RESOLUTION SUBMITTED BY THE SECRETARY-GENERAL

4. In the penultimate paragraph of council resolution 310 (XI) it is recommended that the General Assembly "amend resolution 57 (I) to incorporate the proposals contained" in the Council resolution. Accordingly, the Secretary-General, as requested in the resolution, has prepared a draft which combines in a single resolution the provisions of Council resolution 310 (XI) and those provisions of General Assembly resolution 57 (I) which, in his opinion, would remain in effect as not inconsistent with the Council resolution. The Secretary-General has adhered as closely as possible to the texts of these resolutions except for consequential drafting changes and other changes which are necessary or useful for legal reasons. For purposes of convenience the proposed modifications to the Council's resolution have been underlined, and marginal references have been made to indicate the provisions taken from General Assembly resolution 57 (I). The reasons for the modifications (other than the purely formal changes) suggested by the Secretary-General are in the footnotes.

5. The following draft resolution is, therefore, submitted for the consideration of the General Assembly:

The General Assembly,

Having considered, in the light of General Assembly resolutions 57 (I) and 318 (IV), resolution 310 (XI) of the Economic and Social Council,

Considering that the International Children's Emergency Fund has been one of the most promising achievements of the United Nations, and that it has extended the influence of the Organization by contributing effectively to the betterment of the situation of children in the world,

Considering that the principal needs of children throughout the world which offer scope for effective international action consist of

- (a) Those of long-term character which may best be met by the provision of appropriate assistance to Governments designed to aid them in creating or expanding their permanent programmes for the benefit of children,<sup>1/</sup> and

<sup>1/</sup> The words "child welfare programmes" were changed to "programmes for the benefit of children" because the expression child welfare has different connotations in different countries.

- (b) those arising from serious emergencies which may best be alleviated by the provision of relief supplies,

Considering that the most effective long-term method of ensuring the welfare of children is by promoting the social welfare services of the community within the framework of the economic development of the resources of the community and that the United Nations and the specialized agencies are already engaged in a variety of activities for this end,

Considering that the International Children's Emergency Fund already tends towards the type of activity mentioned in sub-paragraph (a) above, and that future activities should, progressively and with due regard to all circumstances and available resources, shift emphasis from immediate to long-term objectives,

Considering it desirable to amend its resolution 57 (I) to incorporate the proposals contained in Economic and Social Council resolution 310 (XI),

Resolves that, with a view to ensuring the uninterrupted continuation and development of the activities of the International Children's Emergency Fund in accordance with article 55 of the Charter; there shall be continued a separate and distinct United Nations fund for children, which shall be known as the United Nations International Children's Endowment Fund (UNICEF) and which shall be utilized and administered exclusively<sup>1/</sup> for the purpose of (a) providing supplies, training, services and advisory assistance in support of the recipient countries' permanent programmes for children, (b) meeting relief needs in cases of serious emergencies;<sup>2/</sup>

1/ The words "separate and distinct", and "which shall be utilized and administered exclusively" have been added to the corresponding paragraph in Economic and Social Council resolution 310 (XI) in order to make it entirely clear that the fund is to be used exclusively for the humanitarian purposes stated and that it is separate and distinct from the other assets of the United Nations. In addition to clarifying the nature of the fund, this point has significance with respect to tax exemptions applicable to voluntary contributions made by individuals to the Fund.

2/ The purposes stated in this paragraph are limited to those included in the Council resolution. This is based on the assumption that the Council intended these purposes to supersede the purposes stated in paragraph 1 of resolution 57 (I). However, the Council discussion was not entirely clear on this point and there may be some question as to whether the provision regarding priorities for children of countries victims of aggression was intended to be superseded by the new paragraph. The Secretary-General, therefore, draws the attention of the General Assembly to this matter.

Concludes that:

- (1) There shall be established for these purposes a United Nations Children's Board composed of the Governments represented on the Social Commission and of other Governments not necessarily Members of the United Nations, designated by the Economic and Social Council;
- (2) In accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission, the United Nations Children's Board, with the advice of a Programme Committee of Members of the Board, which shall meet as often as necessary, shall formulate the policies, including the determination of programmes, and allocations of funds, under which the Fund shall be administered;
- (3) The United Nations Children's Board shall take all necessary steps to assure the close collaboration of the Fund with the specialized agencies, pursuant to the agreements between the United Nations and the specialized agencies, and as appropriate with non-governmental organizations having a special interest in child and family welfare, and to obtain from them the advice and technical assistance which it may require for the implementation of its programmes; the specialized agency or agencies concerned and the Secretary-General<sup>1/</sup> should each in its respective sphere of responsibility, in collaboration with the Fund, develop and give technical approval to all programmes of assistance to Governments to be presented to the Programme Committee of the Board and should provide technical personnel required in the implementation of such programmes; the Administration of the Fund shall be assisted by an advisory committee composed of representatives of the Secretary-General<sup>1/</sup> and the specialized agencies concerned, in order to co-ordinate the procedures of co-operation with these organizations and to exchange information with a view to promoting the most effective action on behalf of children;

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<sup>1/</sup> The words "United Nations" were changed to "Secretary-General". This formulation would make it clear that the Secretary-General (through the appropriate department of the Secretariat) is the organ of the United Nations entrusted with the function set out in these clauses.

G.A. res.  
57 (I)  
para. 3 (d)

( (4) The Board may designate from among its members such  
( committees as it deems advisable in the interest of effective  
( administration. The Board shall elect its own Chairman and its  
( Vice-Chairman, and shall meet whenever convened by the Chairman,  
( or upon the request of any three of its members. The first  
( meeting of the Board shall be convened by the Secretary-General  
( of the United Nations, at the earliest date feasible after the  
( effective date of this resolution. Each member of the Board  
( shall have one vote. A majority of the Board shall constitute  
( a quorum and it shall vote by a majority of the members present  
( and voting. Subject to the foregoing, the Board may establish  
( its own rules of procedure.

G.A. res.  
57 (I)  
para. 7

( (5) The Board shall make periodic reports of its operations at  
( such times and in such form as the Economic and Social Council  
shall provide.

(6) During its review of the technical assistance programme to under-developed countries the Economic and Social Council should examine the activities of the Fund with a view to ensuring proper co-ordination;

(7) The Executive Director of the Fund shall be appointed by the Secretary-General, after consultation with the United Nations Children's Board, and shall be responsible to him; the staff and facilities required for the administration of the Fund shall be provided by the Secretary-General;

G.A. res.  
57 (I)  
para. 4 (b)

( (8) The United Nations shall make no charge to the Fund on  
( account of staff and facilities, so long as these can be  
( provided from the established services of the Secretariat and  
( within the limits of the United Nations budget. If additional  
( funds are necessary, money for such purposes shall be provided  
( by the Fund.

G.A. res.  
57 (I)  
para. 4 (c)

( To the maximum extent feasible, the utilization of the  
( staff and technical assistance of specialized agencies, in  
( particular the World Health Organization, shall be requested,  
( with a view to reducing to a minimum the separate personnel  
( requirements of the Fund.

/(9) The central

(9) The central administrative expenses of the Fund shall be covered by appropriations in the regular budget of the United Nations;

(10) The operational activities of the Fund, including the costs of its field missions, shall be financed from the

( resources of the Fund; <sup>1/</sup> the Secretary-General shall not pay  
( from the funds received to finance the United Nations budget  
( any claims arising from the operational activities of the Fund,  
( but the Board is authorized to pay from the Fund claims arising  
( from its operation;

G.A. resol.  
57 (I),  
para. 5

( (11) The Secretary-General shall submit to the General Assembly  
( an annual audit of the accounts of the Fund;

G.A. resol.  
57 (I)  
para. 6

(12) The Governments of recipient countries shall be expected to contribute to the largest possible extent to the local expenses of projects assisted by the Fund, as has been done during the operation of the International Children's Emergency Fund, due regard being given to the financial ability of under-developed countries;

(13) The United Nations International Children's Endowment Fund shall consist of the assets, rights, title and interest <sup>2/</sup> of the International Children's Emergency Fund on the effective

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1/ The words "should be financed from a special account to which shall be credited all voluntary contributions from public or private sources" which were contained in clause (7) of the ECOSOC resolution were changed to "shall be financed solely from the resources of the Fund". The proposed formulation is intended to include all the resources of the Fund, such as claims and other non-monetary assets which, although they may not be deposited in a special account, could be used to finance the operational activities of the Fund.

2/ The words "rights, title and interest" were inserted after "assets" in order to ensure that the Endowment Fund becomes entitled to all the resources of the Emergency Fund, including for example, non-liquidated claims and beneficial interests. This formulation would also cover the UNRRA claims assigned to the United Nations for the account of the Emergency Fund.

Since the Endowment Fund is a continuation of the Emergency Fund and both are part of the United Nations, it would not appear to be necessary to effect a formal transfer or assignment of assets. This resolution of the General Assembly, if adopted, would be sufficient to invest the Endowment Fund with legal title to all the resources of the Emergency Fund.

/date of this

date of this resolution and of further voluntary contributions made available by Governments, voluntary agencies, individual or other sources; as from the effective date of this resolution the United Nations International Children's Endowment Fund shall be bound by the legal obligations of the International Children's Emergency Fund, and the agreements entered into by the International Children's Emergency Fund shall be applicable to the United Nations International Children's Endowment Fund;<sup>1/</sup>

(14) As from the effective date of this resolution the resolutions adopted by the General Assembly, the Economic and Social Council and other organs of the United Nations which apply to the International Children's Emergency Fund shall be applicable to the United Nations International Children's Endowment Fund in so far as they are consistent with the provisions of this resolution;<sup>2/</sup>

Substantially  
taken from  
G.A. resol.  
57 (I).  
para. 2 (a)

(15) The Fund shall be authorized to receive funds,  
( contributions or other assistance from governments, voluntary  
( agencies, individual or other sources; to make expenditures  
( and to finance or arrange for the provision of supplies,  
( material, services and technical assistance for the furtherance  
( of its purposes; to facilitate and co-ordinate activities  
( relating thereto; and, generally, to acquire, hold or transfer  
( property, and to take any other legal action necessary or useful  
( in the performance of its objects and purposes;

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<sup>1/</sup> The proposed clause is a corollary to the principle that the Endowment Fund is a continuation of the Emergency Fund. The assumption of legal obligations by the Endowment Fund would make it unnecessary to have a formal liquidation and termination of the Emergency Fund.

<sup>2/</sup> In addition to resolution 57 (I) the resolutions applicable to the Emergency Fund include among others, General Assembly resolutions: 138 (II), 157 (II), 212 (III), 214 (III), 215 (III), 229 (III), 241 (III), 302 (IV), 318 (IV), 340 (IV); Economic and Social Council resolutions 44 (IV), 79 (V), 126 (VI), 161 (VII), 206 (VIII), 207 (VIII), 254 (IX), 257 (IX), 280 (X), 281 (X), 311 (XI), 323 (XI).



G.A.  
resol.  
57 (I)  
para. 2 (b)

( (16) The Fund, in agreement with the Governments concerned,  
( shall take such measures as are deemed appropriate to ensure the  
( proper utilization and distribution of supplies or other  
( assistance which it provides. Supplies or other assistance  
( shall be made available to Governments upon the approval by  
( the Fund of the plans of operation drawn up by the Governments  
( concerned. Provision shall be made for:

( (i) The submission to the Fund of such reports on the  
( use of supplies and other assistance as the Fund may  
( from time to time require;

( (ii) Equitable and efficient dispensation or distribution  
( of all supplies or other assistance, on the basis of  
( need, without discrimination because of race, creed,  
( nationality status or political belief;

G.A. resol.  
57 (I)  
para. 2 (c)

( (17) The Fund shall not engage in activity in any country  
( except in consultation with, and with the consent of, the  
( Government concerned;

G.A.  
resol.  
57 (I)  
para. 2 (d)

( (18) The Fund shall appeal to all voluntary relief agencies to  
( continue and intensify their activities and shall take the  
( necessary measures in order to co-operate with these agencies;  
(19) In order to assure the continuity of a long-range programme  
for children, the General Assembly will review at its regular  
session the financial situation of the Fund and consider the  
advisability of increasing the amount of money available from  
voluntary contributions;  
(20) This resolution shall become effective 1 January 1951<sup>1/</sup>

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<sup>1/</sup> This paragraph retains the provision of the Economic and Social Council resolution that the effective date of the new resolution is to be 1 January 1951. However, a problem is raised by this date since the Board is to be composed of some Governments designated by the Economic and Social Council and the Council might not have an opportunity to designate these additional members by 1 January. The General Assembly may therefore wish to fix the effective date as the date of the first meeting of the Board.



Sub- ( Being aware  
stantially ( That the effective operation of the Fund is dependent upon  
taken ( the financial resources which are put at its disposal;  
from ( Therefore,  
G.A. resol. ( The General Assembly expresses the earnest hope that  
57 (I) ( Governments, voluntary agencies and private individuals will give  
Part II ( the Fund their generous support.

at the end of