



REFERENCE:

21 November 2017

Dear Mr. Kapadia,

Re: Use of the name of the United Nations in name and website of non-governmental organization “Fund the UN”.

This refers to your e-mail message, dated 4 November 2017, to representatives of this Office, by which you provided an update about the status of the non-governmental organization “Fund the UN” (the “NGO”) and the creation of the NGO’s website, through which donations may be accepted in support of various Funds and Programmes of the United Nations. This also relates to previous discussions held between you and representatives of this Office, including most recently this past August. Further, by your e-mail message, dated 19 November 2017, you informed the United Nations that the NGO intends to start applying for grants to fund the “Fund the UN” project.

We understand that you are in the process of completing or have now completed all required formalities for the establishment of the NGO, including filing for the “501(c)3” status with the Internal Revenue Service. We also note that the NGO’s website (www.fundtheun.org) is available to the public and provides information on how to make financial contributions to the national committees of the Funds and Programmes of the United Nations in connection with current humanitarian crises. We have reviewed the website and are of the opinion that both the name of the NGO, as well as the information contained on the website are such, that potential donors would not be misguided into believing that the NGO is part of, associated with or otherwise endorsed by the United Nations. As such, we have no objections to the use of the abbreviated version of the name of the United Nations in the name and website of the NGO.

However, we would be grateful if an “About FundtheUN” sub-page was added on the website, clarifying that the website is independently developed by the NGO, which is a legal entity separate from and not directly affiliated with, endorsed by or otherwise related to the United Nations, which bears no responsibility or liability for the activities of the NGO.

With respect to the logo of the NGO, we have noted that an olive branch from the United Nations emblem is used, together with the name “Fund The UN” placed to the right of the olive branch. We note that the above-described logo resembles the logo of the United Nations Foundation, Inc. which also uses an olive branch from the United Nations, together with the name “United Nations Foundation” placed to the right of the olive branch. The resemblance of the two logos could create the misleading impression that “Fund The UN” is related to or a part of the United Nations Foundation. In light of the above, unless the UN Foundation has not objected to the design of the NGO’s logo, described above, we recommend that you liaise with the UN Foundation in order that your organization does not raise infringement concerns. In addition, your organization may wish to consider revising its logo so that it does not include any element of the United Nations emblem, such as the olive branches.

Mr. Amit Kapadia
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With respect to the submission of grant applications, as you will appreciate, since such applications concern the activities of the NGO, the United Nations is not in a position to review or provide assistance to your organization in connection with the preparation of such applications. Further, the United Nations should not be identified as a partner or co-applicant in grant applications submitted by your organization, as such applications are not official activities of the United Nations. Should your organization require factual information concerning the UN's humanitarian assistance operations, you may wish to approach the Department of Public Information or the Office for the Coordination of Humanitarian Affairs in the first instance.

We appreciate your support of the efforts of the United Nations in providing humanitarian assistance to those in need, in accordance with its mandate. In this connection, we understand that the funds of the NGO would be donated to the national committees of the United Nations Funds and Programmes, such as national committees for UNICEF. In case the NGO wishes to make a contribution directly to the United Nations, OLA would be available to support the substantive office concerned (e.g., OCHA) in reviewing and negotiating an appropriate form of contribution agreement with your organization.

Thank you for having consulted with the Office of Legal Affairs on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Pozenel", written over a circular stamp or seal.

Jay Pozenel,

Director

General Legal Division
Office of Legal Affairs