

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

1968

Part One. Legal status of the United Nations and related inter-governmental organizations

Chapter II. Treaty provisions concerning the legal status of the United Nations and related inter-governmental organizations



Copyright (c) United Nations

## CONTENTS (continued)

	<i>Page</i>
9. <i>Sweden</i>	
(a) Proclamation issued in accordance with article 4, first paragraph, of the Act of 16 December 1966 (No. 664) on immunities and privileges . . . . .	18
(b) Proclamation issued in accordance with article 4, first paragraph, of the Act of 16 December 1966 (No. 664) on immunities and privileges . . . . .	18
10. <i>Trinidad and Tobago</i>	
Investment Disputes Awards (Enforcement) Act, 1968 . . . . .	19
11. <i>United Kingdom</i>	
(a) International Organisations Act, 1968 . . . . .	20
(b) The Inter-Governmental Maritime Consultative Organization (Immunities and Privileges) Order 1968 . . . . .	28

### CHAPTER II. TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

#### A. TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS

1. <i>Convention on the Privileges and Immunities of the United Nations. Approved by the General Assembly of the United Nations on 13 February 1946 . . . . .</i>	34
2. <i>Agreements relating to meetings and installations</i>	
(a) Agreement between the United Nations and Iran regarding arrangements for the International Conference on Human Rights to be held in Teheran from 22 April to 13 May 1968. Signed at Teheran on 15 February 1968 . . . . .	34
(b) Agreement between the United Nations and the United Kingdom of Great Britain and Northern Ireland relating to the seminar on freedom of association to be held in London from 18 June to 1 July 1968. Signed at New York on 8 and 12 March 1968 . . . . .	36
(c) Agreement between the United Nations and the Republic of the Congo regarding arrangements for the sub-regional meeting on energy in Central Africa. Signed at Brazzaville on 13 March 1968 . . . . .	37
(d) Agreement between the United Nations and Tunisia regarding arrangements for the Seminar on the management of public enterprises. Signed in Tunis on 18 March 1968 . . . . .	38
(e) Agreement between the United Nations and Niger concerning arrangements for the Regional Meeting on Youth Employment and National Development to be held at Niamey from 21 to 30 May 1968. Signed at Niamey on 7 May 1968 . . . . .	38
(f) Agreement between the United Nations and India relating to the seminar on the question of elimination of all forms of racial discrimination, to take place at New Delhi from 27 August to 9 September 1968. Signed at New York on 16 and 22 July 1968 . . . . .	38
(g) Agreement between the United Nations and Ghana regarding the arrangements for the United Nations Seminar on the civil and political education of women to be held in Accra. Signed at Accra on 10 Sep-	

## CONTENTS (continued)

	<i>Page</i>
tember 1968 and at the United Nations Headquarters on 19 September 1968 . . . . .	39
(h) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on the Exploration and Peaceful Uses of Outer Space. Signed at Vienna on 25 May 1968 . . . . .	40
(i) Agreement between the United Nations and Austria regarding the arrangements for the sixth session of the Governing Council of the United Nations Development Programme. Signed at Vienna on 25 May 1968 . . . . .	41
(j) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on Road Traffic. Signed at Vienna on 24 September 1968 . . . . .	41
(k) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on the Law of Treaties. Signed at Vienna on 12 March 1968 . . . . .	41
(l) Agreement between the United Nations and the United Arab Republic relating to the continuation and extension of the Regional Centre for Demographic Research and Training established at Cairo by the Agreement between the above parties signed in New York on 8 February 1963. Signed at Cairo on 14 November 1968. . . . .	41
(m) Exchange of notes constituting an agreement between the United Nations and Italy for the establishment of the United Nations Social Defence Research Institute in Rome. Rome, 15 January 1968 . . . . .	42
3. <i>Agreements relating to the United Nations Children's Fund: revised model agreement concerning the activities of UNICEF</i>	
(a) Agreements between UNICEF and the Governments of Venezuela, Barbados and Syria concerning the activities of UNICEF. Signed respectively at Caracas on 25 October 1967, at Bridgetown on 30 May 1968 and at Damascus on 22 April 1968 . . . . .	43
(b) Basic agreement between UNICEF and Botswana concerning the activities of UNICEF. Signed at Kampala on 24 May 1968 and at Gaborone on 25 June 1968 . . . . .	43
4. <i>Agreements relating to technical assistance: revised standard agreement concerning technical assistance</i>	
Agreement between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU, IMCO and UNIDO, and Australia for the provision of technical assistance to the Territory of Papua and the Trust Territory of New Guinea (with exchange of letters). Signed at New York on 21 May 1968 . . . . .	44
5. <i>Agreements relating to operational assistance: standard agreement on operational assistance</i>	
(a) Standard agreement on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU and IMCO, and Jordan. Signed at Amman on 3 March 1968 . . . . .	47

## CONTENTS (continued)

	<i>Page</i>
(b) Standard agreements on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU, IMCO and UNIDO, and the Governments of Malaysia and Sierra Leone. Signed respectively at Kuala Lumpur on 10 May 1968 and at Freetown on 29 May 1968 . . . . .	47
(c) Standard agreement on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU and IMCO, and Nigeria. Signed at Lagos on 20 April 1968 . . .	47
6. <i>Exchange of letters constituting a provisional agreement between the United Nations Relief and Works Agency for Palestine Refugees in the Near East and Israel, concerning assistance to Palestine refugees. Jerusalem, 14 June 1967 . . . . .</i>	47
7. <i>Memorandum of understanding between the United Nations and Nigeria on the carrying out of studies for economic co-operation in Africa. Signed at Lagos on 2 July 1968 . . . . .</i>	49
B. TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF INTER-GOVERNMENTAL ORGANIZATIONS RELATED TO THE UNITED NATIONS	
1. <i>Convention on the Privileges and Immunities of the Specialized Agencies. Approved by the General Assembly of the United Nations on 21 November 1947 . . . . .</i>	50
2. <i>United Nations Educational, Scientific and Cultural Organization</i>	
(a) Agreement relating to a UNESCO Mission . . . . .	51
(b) Agreements relating to conferences, seminars and other meetings . . .	52
(c) Agreements relating to technical assistance . . . . .	54
(d) Agreement relating to operational assistance . . . . .	55
3. <i>World Health Organization . . . . .</i>	56
4. <i>Inter-Governmental Maritime Consultative Organization . . . . .</i>	56
(a) Agreement between the Inter-Governmental Maritime Consultative Organization and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the Headquarters of the Organization. Signed at London on 28 November 1968 . . . . .	56
(b) Resolution C.37 (XX) adopted by the Council on 16 May 1968: Revised text of Annex XII to the Convention on the Privileges and Immunities of the Specialized Agencies. . . . .	66
5. <i>International Atomic Energy Agency</i>	
Agreement on the Privileges and Immunities of the IAEA. Approved by the Board of Governors of the Agency on 1 July 1959 . . . . .	67

## Chapter II

### TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

#### A. Treaty provisions concerning the legal status of the United Nations

##### 1. CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS. <sup>1</sup> APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 13 FEBRUARY 1946

The following States acceded to the Convention on the Privileges and Immunities of The United Nations in 1966: <sup>2</sup>

<i>State</i>	<i>Date of receipt of instrument of accession</i>
Guinea . . . . .	10 January 1968
Mali . . . . .	28 March 1968
Malta . . . . .	27 June 1968( <i>d</i> ) <sup>3</sup>

This brought up to 99 the number of States parties to the Convention.

##### 2. AGREEMENTS RELATING TO MEETINGS AND INSTALLATIONS

- (a) Agreement between the United Nations and Iran regarding arrangements for the International Conference on Human Rights to be held in Teheran from 22 April to 13 May 1968. <sup>4</sup> Signed at Teheran on 15 February 1968

#### X. *Privileges and immunities*

(a) The Convention on the Privileges and Immunities of the United Nations, to which Iran is a party, shall be applicable with respect to the Conference. In particular, the Govern-

<sup>1</sup> United Nations, *Treaty Series*, vol. 1, p. 15.

<sup>2</sup> The Convention is in force with regard to each State which deposited an instrument of accession with the Secretary-General of the United Nations as from the date of its deposit.

<sup>3</sup> The symbol (*d*) immediately following the date appearing opposite the name of a State denotes a declaration by that State recognizing itself bound, as from the date of its independence, by the Convention, the application of which had been extended to its territory by a State then responsible for the conduct of its foreign relations. The date shown is the date of receipt by the Secretary-General of the notification to that effect.

<sup>4</sup> Came into force on the date of signature.

ment will accord representatives attending the Conference and all officials of the United Nations connected with the Conference the privileges and immunities set forth in articles IV and V of the said Convention.

(b) Representatives of States non-members of the United Nations attending the Conference shall enjoy the same privileges and immunities as are accorded to representatives of States Members of the Organizations.

(c) Representatives of the specialized agencies and of inter-governmental organizations invited to the Conference shall enjoy the same privileges and immunities as are accorded to officials of comparable rank of the United Nations.

(d) The area referred to under Sections I [on conference rooms], II [on auxiliary facilities and services in the meeting area], III [on offices], V [on documents area and equipment] and VI [on information service] above shall be deemed to constitute United Nations premises, access to which shall be under the authority and control of the United Nations.

(e) The Iranian Government and authorities shall impose no impediment to transit to and from the Conference of the following categories of persons attending the Conference: representatives of Governments and their immediate families; representatives of specialized agencies and intergovernmental organizations and their immediate families; officials of the United Nations and their immediate families; observers of non-governmental organizations who may be invited to attend the Conference; representatives of the press or of radio, television, film or other information agencies accredited by the United Nations at its discretion after consultation with the Government; and other persons officially invited to the Conference by the United Nations. Any visa required for such persons shall be granted promptly and without charge.

(f) The Government shall allow the importation, duty free, of all equipment and shall waive import duties and taxes with respect to supplies necessary for the Conference. It shall issue without delay to the United Nations any necessary import and export permits.

(g) The Government shall issue to the United Nations an import permit for the limited supplies needed by the United Nations for official requirements and entertainment schedule of the Conference.

...

### XIII. *Liability for claims*

The Government shall be responsible for dealing with any actions, claims or other demands arising out of (a) injury or damage to person or property in the premises or other areas made available in connexion with the Conference, (b) injury or damage to person or property caused by, or incurred in using, the transportation referred to in article VII [on transportation], (c) the employment for the Conference of the personnel referred to in article VIII [on local personnel], and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

...

### XIV. *Settlement of disputes*

Any dispute between the United Nations and the Government concerning the interpretation or application of this Agreement which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one to be named by the Government, and the third to be chosen by the first two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice. However,

any dispute which involves a question of principle concerning the Convention on the Privileges and Immunities of the United Nations shall be dealt with in accordance with the procedure prescribed in Section 30 of that Convention.

- (b) Agreement between the United Nations and the United Kingdom of Great Britain and Northern Ireland relating to the seminar on freedom of association to be held in London from 18 June to 1 July 1968.<sup>5</sup> Signed at New York on 8 and 12 March 1968

#### Article V

##### *Facilities, privileges and immunities*

1. The Convention on the Privileges and Immunities of the United Nations shall be applicable in respect of the seminar. Accordingly, officials of the United Nations performing functions in connexion with the seminar shall enjoy the privileges and immunities provided under articles V and VII of the said Convention.

2. Officials of the specialized agencies attending the seminar in pursuance of subparagraph (c) of article II of this Agreement [on participation in the seminar] shall be accorded the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies.

3. For the purposes of this seminar, and in order to ensure to all participants in the seminar, as listed in article II of this Agreement, the effective and independent exercise of their functions in the United Kingdom in connexion with the seminar, those persons invited by the Secretary-General to participate in the seminar under subparagraphs (a), (b) and (d) of article II of this Agreement shall be designated by him as experts on mission for the United Nations and shall be accorded the treatment provided in article VI of the Convention on the Privileges and Immunities of the United Nations.

4. All persons enumerated in article II of this Agreement and all persons performing functions in connexion with the seminar who are not nationals of the United Kingdom shall be immune from immigration restrictions and alien registration. They shall be granted facilities for speedy travel. No charge shall be made for the issue, where required, of visas, entry or exit permits.

#### Article VI

##### *Liability*

The Government shall be responsible for dealing with any actions, claims or other demands arising out of:

(a) injury or damage to person or property in the conference area referred to in subparagraphs 3 (a) and (b) of article IV [on co-operation of the Government in the seminar];

(b) injury or damage to person or property caused or incurred in using transportation referred to in subparagraph 3 (i) of article IV;

(c) the employment for the conference of the personnel referred to in subparagraphs 3 (c), (d), (e), (f) and (g) of article IV;

and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

<sup>5</sup> Came into force on 12 March 1968.

- (c) Agreement between the United Nations and the Republic of the Congo regarding arrangements for the sub-regional meeting on energy in Central Africa. <sup>6</sup> Signed at Brazzaville on 13 March 1968

I. *Premises, equipment, utilities and stationery supplies*

...

(5) The Government agrees to indemnify and hold harmless the United Nations and its personnel from any and all actions, causes of action, claims or other demands arising out of damage to the premises in the conference area or of injuries to persons using such premises or of damage to furniture or equipment provided by the Government.

...

III. *Transportation*

... The Government agrees to indemnify and hold harmless the United Nations and its personnel from any and all actions, causes of actions, claims or other demands arising out of any personal injury or damage to property sustained in the course of the travel referred to in this article...

...

V. *Local personnel*

...

(4) The Government agrees to indemnify and hold harmless the United Nations from any and all actions, causes of actions or demands arising out of the employment for the United Nations of the personnel referred to in this section.

...

VII. *Privileges and immunities*

(1) The Convention on the Privileges and Immunities of the United Nations shall be fully applicable with respect to the meeting. Accordingly, officials of the United Nations performing functions in connexion with the work of the meeting shall enjoy the privileges and immunities provided in articles V and VII of the said Convention.

(2) Officials of the specialized agencies performing functions in connexion with the work of the meeting shall enjoy the privileges and immunities provided under the Convention on the Privileges and Immunities of the Specialized Agencies.

(3) Without prejudice to the provisions of the preceding paragraphs, all participants and all persons performing functions in connexion with the meeting shall enjoy such privileges and immunities, facilities and hospitality as are necessary for the independent exercise of their functions in connexion with the meeting.

(4) Representatives of Member States and associate members of the United Nations Economic Commission for Africa, and representatives or observers of other States Members of the United Nations shall enjoy the privileges and immunities provided in article IV of the Convention on the Privileges and Immunities of the United Nations.

(5) All participants and all persons performing functions in connexion with the meeting who are not nationals of the Congo shall have the right of entry into and exit from the country. They shall be granted all facilities for speedy travel. Visas, where required, shall be granted promptly and free of charge.

(6) The area defined in article I [concerning premises, equipment, utilities and stationery supplies] shall be deemed to constitute United Nations premises. Access to the conference rooms and offices shall be under the control and authority of the United Nations.

<sup>6</sup> Came into force on the date of signature.



- (d) Agreement between the United Nations and Tunisia regarding arrangements for the Seminar on the management of public enterprises. <sup>7</sup> Signed in Tunis on 18 March 1968

This agreement contains articles similar to articles I (5), III, V (4) and VII in (c) above.

- (e) Agreement between the United Nations and Niger concerning arrangements for the Regional Meeting on Youth Employment and National Development to be held at Niamey from 21 to 30 May 1968. <sup>8</sup> Signed at Niamey on 7 May 1968

This agreement contains articles similar to articles I (5), III, V (4) and VII of the agreement mentioned under (c) above.

- (f) Agreement between the United Nations and India relating to the seminar on the question of elimination of all forms of racial discrimination, to take place at New Delhi from 27 August to 9 September 1968. <sup>9</sup> Signed at New York on 16 and 22 July 1968

#### Article IV

##### *Co-operation of the Government in the seminar*

1. The Government shall act as host to the seminar.
2. The Government shall nominate officials as liaison officer and assistant liaison officers between the United Nations and the Government, who shall be responsible for making the necessary arrangements concerning the contributions of the Government described in paragraph 3 below.
3. The Government shall provide and defray the costs of:
  - (a) Appropriate premises for the holding of the Seminar;
  - (b) Appropriate premises for the offices, and for the other working areas, of the bureau and secretariat of the seminar, the liaison officer, assistant liaison officers and the local personnel mentioned below;
  - ...
  - (f) An information officer to assist in liaison with local press, radio and film media;
  - (g) The local administrative personnel required for the proper conduct of the seminar, including reproduction and distribution of working papers and other seminar documents, the personnel to include a document officer, a conference officer, information-reception clerks, mimeograph operators, collators, messengers and security personnel, as appropriate; the services of the secretary-stenographers, copy-typists, mimeograph operators and collators shall be available one week in advance of the seminar;
  - (h) Simultaneous interpretation and amplification equipment as well as tape recorders and tapes, and technicians to operate them, for the conference room; languages used will be English, French, Russian and Spanish;
  - ...

---

<sup>7</sup> Came into force on the date of signature.

<sup>8</sup> Came into force on the date of signature.

<sup>9</sup> Came into force on 22 July 1968.

(j) Customs clearance and transportation between port of entry and New Delhi, for documentation and supplies for the seminar;

(k) Local transportation for participants and staff provided by the United Nations between their hotels and the site of the seminar and for other seminar purposes.

## Article V

### *Facilities, privileges and immunities*

1. The Convention on the Privileges and Immunities of the United Nations shall be applicable in respect of the seminar. Accordingly, officials of the United Nations performing functions in connexion with the seminar shall enjoy the privileges and immunities provided under articles V and VII of the said Convention.

2. Officials of the specialized agencies attending the seminar in pursuance of paragraph (d) of article II [on participation in the seminar] of this Agreement shall be accorded the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies.

3. Without prejudice to the provisions of the Convention on the Privileges and Immunities of the United Nations, all participants and all persons performing functions in connexion with the seminar shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the seminar.

4. All persons enumerated in articles II and III 2 (c) (i), (ii) and (iii) [on language staff] of this Agreement and all persons performing functions in connexion with the seminar who are not nationals of India shall have the right of entry into and exit from India. They shall be granted facilities for speedy travel. Visas, entry and exit permits, where required, shall be granted free of charge.

## Article VI

### *Liability*

The Government shall be responsible for dealing with any actions, claims or other demands arising out of (a) injury or damage to person or property in the premises referred to in article IV 3 (a) and (b) above; (b) injury or damage to person or property caused or incurred in using transportation referred to in Article IV 3 (j) and (k); (c) the employment for the conference of the personnel referred to in Article IV 2 and 3 (f), (g), (h) and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands except when it is agreed by the parties hereto that such damage or injury is caused by the gross negligence or wilful misconduct of United Nations personnel.

(g) Agreement between the United Nations and Ghana regarding the arrangements for the United Nations Seminar on the civil and political education of women to be held in Accra.<sup>10</sup> Signed at Accra on 10 September 1968 and at the United Nations Headquarters on 19 September 1968

This agreement contains articles similar to articles IV, V and VI in (f) above; with the omission of the words "except when it is agreed by the parties that such damage or injury

<sup>10</sup> Came into force on 19 September 1968.

is caused by the gross negligence or wilful misconduct of United Nations personnel", at the end of article VI.

- (h) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on the Exploration and Peaceful Uses of Outer Space.<sup>11</sup> Signed at Vienna on 25 May 1968

#### VI. *Liability*

The Government shall be responsible for dealing with any actions, claims or other demands arising out of (a) injury or damage to person or property in the premises referred to in section I above [on premises, equipment, utilities and stationery supplies]; (b) injury or damage to person or property caused by, or incurred in using, the transportation referred to in section II above [on transportation and accomodation]; (c) the employment for the Conference of the personnel referred to in section IV above [on local personnel], and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

#### VII. *Privileges and immunities*

(1) The Convention on Privileges and Immunities of the United Nations, to which the Republic of Austria is a party, shall be applicable with respect to this Conference.

(2) Representatives of Member States attending the Conference and officials of the United Nations concerned with the Conference shall be accorded the same privileges and immunities provided for in sections 23, 27 and 28 respectively of the Agreement between the United Nations and the Republic of Austria regarding the Headquarters of UNIDO, dated 13 April 1967.

(3) Representatives of States non-members of the United Nations attending the Conference shall enjoy the same privileges and immunities as are accorded to representatives of States Members of the United Nations.

(4) Observers of the specialized agencies and other inter-governmental organizations invited to the Conference shall enjoy the same privileges and immunities as are accorded to officials of comparable rank of the United Nations.

(5) The Austrian authorities shall impose no impediment to transit to and from the Conference of the following categories of persons attending the Conference: representatives of Governments and their immediate families; observers of specialized agencies and inter-governmental organizations and their immediate families; officials and experts of the United Nations and their immediate families; observers of non-governmental organizations having consultative status with the Economic and Social Council of the United Nations; representatives of the press or of other information media accredited by the United Nations at its discretion after consultation with the Government; and other persons invited to the Conference by the United Nations on official business. Any visa required for such persons shall be granted promptly and without charge.

(6) The area designated under section I shall be deemed to constitute United Nations premises, and access to these premises shall be under the control and authority of the United Nations.

<sup>11</sup> Came into force on the date of signature.

- (i) Agreement between the United Nations and Austria regarding the arrangements for the sixth session of the Governing Council of the United Nations Development Programme.<sup>12</sup> Signed at Vienna on 25 May 1968

This agreement contains articles similar to articles VI and VII in (h) above.

- (j) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on Road Traffic.<sup>13</sup> Signed at Vienna on 24 September 1968

This agreement contains articles similar to articles VI and VII in (h) above.

- (k) Agreement between the United Nations and Austria regarding the arrangements for the United Nations Conference on the Law of Treaties.<sup>14</sup> Signed at Vienna on 12 March 1968

This agreement contains articles similar to articles VI and VII in (h) above except that article VII (1) reads as follows:

“(1) The provisions relating to privileges and immunities in the Agreement between the United Nations and the Republic of Austria regarding the Headquarters of the UNIDO shall be applicable with regard to the Conference. The Convention on the Privileges and Immunities of the United Nations is hereby not affected.”

- (l) Agreement between the United Nations and the United Arab Republic relating to the continuation and extension of the Regional Centre for Demographic Research and Training established at Cairo by the Agreement between the above parties signed in New York on 8 February 1963.<sup>15</sup> Signed at Cairo on 14 November 1968

#### Article VI

##### *Co-operation of the Government*

...

3. It shall be responsibility of the Government to deal with any claims which may be brought by third parties residing within its territory against the United Nations and its personnel, and [the Government] shall hold the United Nations or its personnel harmless in case of any such claims or liabilities resulting from operations under this Agreement, except where it is agreed by the parties that such claims or liabilities arise from gross negligence or the wilful misconduct of such personnel.

#### Article VII

##### *Facilities, privileges and immunities*

1. Scientific apparatus, equipment and educational materials, articles and provisions (such as calculating machines, books, films, etc.) procured for the Centre shall be

<sup>12</sup> Came into force on the date of signature.

<sup>13</sup> Came into force on the date of signature.

<sup>14</sup> Came into force on the date of signature.

<sup>15</sup> Provisionnally came into force on 14 November 1968.

imported without restrictions or prohibitions and shall be exempt from Customs duties and other duties or taxes. It is understood, however, that such articles and goods shall not be sold, or traded in the United Arab Republic, except under conditions agreed to with the Government.

2. Officials of the United Nations performing functions in connexion with the Centre shall enjoy the privileges and immunities provided under articles V and VII of the Convention on Privileges and Immunities of the United Nations, and the members of the Governing Council and of the Advisory Committee designated by the Executive Secretary of the Economic Commission for Africa, who are not otherwise officials of the organizations, shall enjoy the privileges and immunities under article VI of the Convention.

3. Without prejudice to the foregoing provision, the Government undertakes to accord all members of the Governing Council and of the Advisory Committee such facilities and courtesies as are necessary for the exercise of their functions in connexion with the Centre

4. All holders of United Nations fellowships at the Centre, who are not nationals of the United Arab Republic, shall have right of entry into and exit from the United Arab Republic, and of sojourn there for the period necessary for their training. They shall be granted facilities for speedy travel; visas, where required, shall be granted promptly and free of charge.

(m) Exchange of notes constituting an agreement between the United Nations and Italy for the establishment of the United Nations Social Defence Research Institute in Rome.<sup>16</sup> Rome, 15 January 1968

I

15 January 1968

Sir,

I have the honour to refer to the consultations that have taken place during the past several months between the representatives of the Government of the Italian Republic and the representatives of the United Nations concerning the establishment at Rome of a United Nations Social Defence Research Institute...

It is understood that the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946, to which the Italian Republic is a party, shall be applicable to the Institute...

P.P. SPINELLI  
*Under-Secretary-General*

Mr. Casto CARUSO  
*Secretary-General*  
*Ministry of Foreign Affairs*  
*Palazzo della Farnesina*  
*Rome*

II

15 January 1968

Sir,

In your letter of 15 January 1968 you stated the following:

[See letter I]

I have the honour to confirm that the Italian Government is in accord with the fore-

<sup>16</sup> Came into force on 6 May 1968.

going and agrees that your letter ... and this reply shall constitute an agreement between the Italian Government and the United Nations.

...

Casto CARUSO  
*Secretary-General*  
*Ministry of Foreign Affairs*

Mr. P.P. SPINELLI  
*Under-Secretary-General*  
*United Nations*  
*Geneva*

3. AGREEMENTS RELATING TO THE UNITED NATIONS CHILDREN'S  
FUND: REVISED MODEL AGREEMENT CONCERNING THE ACTIVI-  
TIES OF UNICEF <sup>17</sup>

Article VI

*Claims against UNICEF*

[See *Juridical Yearbook*, 1965, pp. 31 and 32]

Article VII

*Privileges and immunities*

[See *Juridical Yearbook*, 1965, p. 32]

- (a) Agreements between UNICEF and the Governments of Venezuela, Barbados and Syria concerning the activities of UNICEF. <sup>18</sup> Signed respectively at Caracas on 25 October 1967, at Bridgetown on 30 May 1968 and at Damascus on 22 April 1968

These agreements contain articles similar to articles VI and VII of the revised model agreement.

- (b) Basic agreement between UNICEF and Botswana concerning the activities of UNICEF. <sup>19</sup> Signed at Kampala on 24 May 1968 and at Gaborone on 25 June 1968

This agreement contains articles similar to articles VI and VII of the revised model agreement, except that article VI, paragraph 2, reads as follows:

"2. The Government shall accordingly be responsible for dealing with any claims, within the territory of Botswana, which may be brought by third parties against UNICEF or its experts, agents or employees and shall defend and hold harmless UNICEF and its experts, agents and employees in case of any claims or liabilities resulting from

<sup>17</sup> Revised January 1968.

<sup>18</sup> Came into force respectively on 8 November 1968, 30 May 1968 and 22 April 1968.

<sup>19</sup> Came into force on 25 June 1968.

the execution of Plans of Operations made pursuant to this Agreement, except where it is agreed by the Government and UNICEF that such claims or liabilities arise from the gross negligence or wilful misconduct of such experts, agents or employees.”

---

4. AGREEMENTS RELATING TO TECHNICAL ASSISTANCE: REVISED STANDARD AGREEMENT CONCERNING TECHNICAL ASSISTANCE<sup>20</sup>

Article I

*Furnishing of technical assistance*

...

6. [See *Juridical Yearbook*, 1967, p. 73.]

Article V

*Facilities, privileges and immunities*

[See *Juridical Yearbook*, 1963, pp. 27 and 28]

Agreement between the United Nations, The ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU, IMCO, and UNIDO, and Australia for the provision of technical assistance to the Territory of Papua and the Trust Territory of New Guinea (with exchange of letters <sup>21</sup>). Signed at New York on 21 May 1968

Article I

*Furnishing of technical assistance*

...

6. The Government shall be responsible for dealing with any claims resulting from operations in the Territories under this Agreement which may be brought by third parties against the Organizations jointly or separately and their experts, agents and employees and shall hold harmless the Organizations and their experts, agents and employees in case of any claims or liabilities resulting from such operations, except where it is agreed by the Government and the Administrator of the United Nations Development Programme and the Organization concerned that such claims or liabilities arise from the gross negligence or wilful misconduct of such experts, agents or employees.

Article V

*Facilities, privileges and immunities*

1. The Government shall in the Territories apply:

(a) to the United Nations and its organs including the UNDP, its property, funds and assets, and to its officials, including technical assistance experts, the Convention on the Privileges and Immunities of the United Nations and

(b) to the Specialized Agencies, their property, funds and assets and to their officials, including technical assistance experts, the Convention on the Privileges and Immunities

---

<sup>20</sup> Revised May 1966.

<sup>21</sup> Came into force on the date of signature.

of the Specialized Agencies, in regard to which the positions of the Government and of the Organizations have been placed on record in letters exchanged on the day of signature of this Agreement.

2. Until such time as the Government becomes a party to the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, the Government shall give full and sympathetic consideration to any proposal for granting suitable privileges and immunities in the Territories to that Agency, its property, funds and assets, and to its officials and experts, either by amendment of this Agreement or otherwise.

3. The Government shall take all practicable measures to facilitate the activities of the Organizations under this Agreement and to assist experts and other officials of the Organizations in obtaining such services and facilities as may be required to carry on these activities. When carrying out their responsibilities under this Agreement the Organizations, their experts and other officials shall have the benefit of the most favourable legal rate of conversion of currency.

This agreement is accompanied by the following exchange of letters:

## I

### *Letter from the Permanent Representative of Australia to the United Nations*

21st May 1968

Sir,

I have the honour to refer to the Agreement signed today between the Government of Australia and the Organizations participating in the technical assistance sector of the United Nations Development Programme for the furnishing of technical assistance to the Territory of Papua and the Trust Territory of New Guinea. In this connection I should like to convey to you the following observations of the Government of Australia concerning this Agreement:

...  
(c) It will not be possible for the Government to give full effect to article IV, section II, of the Convention on the Privileges and Immunities of the Specialized Agencies, which requires each State party to the Convention to grant specialised agencies in its territory, treatment not less favourable than that accorded by the Government of that State to any other Government in the matter of priorities, rates and taxes on telecommunications.

(d) With regard to paragraph 1 (b) of article V, the Government understands that if a Specialised Agency wishes to import into the Territories any goods the importation of which is ordinarily prohibited or restricted by the laws in force in the Territories, it shall consult with the Government and give full and sympathetic consideration to representations made by the Government. This understanding does not affect such obligations as have been assumed by the Government of Australia with respect to the Conventions on the Privileges and Immunities of the United Nations and of the Specialised Agencies.

...

If the foregoing observations are acceptable to the Organizations participating in the technical assistance sector of the United Nations Development Programme, I have the honour to suggest that the present letter, together with your reply in that sense, shall be regarded as placing on record the positions on this matter of the Government of Australia and of the



Organizations participating in the technical assistance sector of the United Nations Development Programme.

Accept, Sir, the assurances of my highest consideration.

Patrick SHAW  
*Permanent Representative*

Mr. Paul G. HOFFMAN,  
*Administrator,*  
*United Nations Development Programme*  
*New York, N.Y.*

II

*Letter from the Administrator of the United Nations  
Development Programme*

21 May 1968

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

[See letter I]

The Organizations participating in the technical assistance sector of the United Nations Development Programme take note of the observations expressed by your Government as set out in the letter quoted above, and agree that your letter, together with this reply, shall be regarded as placing on record the positions on this matter of the Government of Australia and of the Organizations participating in the technical assistance sector of the United Nations Development Programme. With respect to Article V of the Agreement I confirm that technical assistance experts are officials of the United Nations or of the Specialized Agencies.

Accept, Sir, the assurance of my highest consideration.

Paul G. HOFFMAN  
*Administrator*  
*United Nations Development Programme*

5. AGREEMENTS RELATING TO OPERATIONAL ASSISTANCE: STANDARD AGREEMENT ON OPERATIONAL ASSISTANCE<sup>22</sup>

Article II

*Functions of the officers*

...

3. [See *Juridical Yearbook*, 1965, p. 37]

Article IV

*Obligations of the Government*

...

5. [See *Juridical Yearbook*, 1965, pp. 37 and 38]

6. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Officers or against the organizations and their agents and employees, and shall hold the Officers, the organizations and their agents and employees harmless in any case of any claims or liabilities resulting from operations under this Agree-

<sup>22</sup> UNDP, *Field Manual*, Edition II (1 May 1966), section IX-C.

ment, except where it is agreed by the Government, the Administrator of the United Nations Development Programme when appropriate, and the Organization concerned that such claims or liabilities arise from gross negligence or wilful misconduct of officers or the agent or employees of the organization concerned.

...

- (a) Standard agreement on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU and IMCO, and Jordan. <sup>23</sup> Signed at Amman on 3 March 1968

This agreement contains articles similar to articles II and IV 5 and 6 of the model standard agreement.

- (b) Standard agreements on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU, IMCO and UNIDO, and the Governments of Malaysia and Sierra Leone. <sup>24</sup> Signed respectively at Kuala Lumpur on 10 May 1968 and at Freetown on 29 May 1968

These agreements contain articles similar to articles II and IV 5 and 6 of the model standard agreement.

- (c) Standard agreement on operational assistance between the United Nations, the ILO, FAO, UNESCO, ICAO, WHO, ITU, WMO, IAEA, UPU and IMCO, and Nigeria. <sup>25</sup> Signed at Lagos on 20 April 1968

This agreement contains articles similar to articles II 3 and IV 5 and 6 of the model standard agreement, with the addition, at the end of paragraph 5 of article IV, of the words "within the first three months after arrival, such period being extended to six months in exceptional cases having regard to the place of shipment".

6. EXCHANGE OF LETTERS CONSTITUTING A PROVISIONAL AGREEMENT BETWEEN THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST AND ISRAEL CONCERNING ASSISTANCE TO PALESTINE REFUGEES. <sup>26</sup> JERUSALEM, 14 JUNE 1967

I

MINISTRY FOR FOREIGN AFFAIRS  
JERUSALEM, ISRAEL

14 June 1967

Dear Commissioner-General,

I wish to refer to the conversations I have had with you and your colleagues within the last two days, and to confirm our agreement that, at the request of the Israel Government,

<sup>23</sup> Came into force on the date of signature.

<sup>24</sup> Came into force on the respective dates of signature.

<sup>25</sup> Came into force on the date of signature.

<sup>26</sup> Came into force on 14 June 1967.

UNRWA would continue its assistance to the Palestine refugees, with the full co-operation of the Israel authorities, in the West Bank and Gaza Strip areas.

For its part, the Israel Government will facilitate the task of UNRWA to the best of its ability, subject only to regulations or arrangements which may be necessitated by considerations of military security. On this understanding, we are prepared to agree in principle:

- (a) To ensure the protection and security of the personnel, installations and property of UNRWA;
- (b) To permit the free movement of UNRWA vehicles into, within and out of Israel and the areas in question;
- (c) To permit the international staff of the Agency to move in, out and within Israel and the areas in question; they will be provided with identity documents and any other passes which might be required;
- (d) To permit the local staff of the Agency to move within the areas in question under arrangements made or to be made with the military authorities;
- (e) To provide radio, telecommunications and landing facilities;
- (f) Pending a further supplementary agreement, to maintain the previously existing financial arrangements with the governmental authorities then responsible for the areas in question, concerning—
  - (i) exemptions from Customs duties, taxes and charges on importation of supplies, goods and equipment;
  - (ii) provision free of charge of warehousing, labour for offloading and handling, and transport by rail or road in the areas under our control;
  - (iii) such other costs to the Agency as were previously met by the governmental authorities concerned.
- (g) To recognize that the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, to which Israel is a party, shall govern the relations between the Government and UNRWA in all that concerns UNRWA's functions.

The present letter and your acceptance in writing will be considered by the Government of Israel and by UNRWA as a provisional agreement which will remain in force until replaced or cancelled.

I have the honour to be,

Michael COMAY  
*Political Adviser to the Foreign Minister  
and Ambassador-at-Large*

Dr. Lawrence MICHELMORE  
*Commissioner-General  
United Nations Relief and Works Agency*

## II

UNITED NATIONS RELIEF AND WORKS AGENCY  
FOR PALESTINE REFUGEES IN THE NEAR EAST

14 June 1967

Your Excellency,

I refer to your letter of to-day's date, and wish to confirm that UNRWA is willing to continue its assistance to the Palestine refugees in the West Bank and Gaza Strip areas on

the basis proposed in your letter. This will be subject to such further supplementary agreements as may be required, and to detailed arrangements which UNRWA representatives will make with the authorities in the two areas concerned.

Naturally, this co-operation implies no commitment or position by UNRWA with regard to the status of any of the areas in question or of any instrument relating to them, but is concerned solely with the continuation of its humanitarian task.

As I explained in our conversation, the facilities enumerated in paras. (a) to (g) of your letter are essential if the Agency is to operate effectively. For this reason I expect that such restrictions as may for the time being be placed on the full use of those facilities will be removed as soon as considerations of military security permit this.

I agree that your letter and this reply constitute a provisional agreement between UNRWA and the Government of Israel, to remain in force until replaced or cancelled. UNRWA's agreement is subject to any relevant instructions or resolutions emanating from the United Nations.

I have the honour to be,

Yours faithfully,

Lawrence MICHELMORE  
*Commissioner-General*

His Excellency Michael COMAY  
*Political Adviser to the Foreign Minister  
of Israel and Ambassador-at-Large*

## 7. MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED NATIONS AND NIGERIA ON THE CARRYING OUT OF STUDIES FOR ECONOMIC CO-OPERATION IN WEST AFRICA.<sup>27</sup> SIGNED AT LAGOS ON 2 JULY 1968

### I. *The main features of the project*

...

3. ... The UN team will be based in Nigeria in particular at the premises of the Nigerian Institute of Social and Economic Research, Ibadan. While in Nigeria the members of the team will be accorded all the rights, immunities and privileges which are usually accorded to UN officials and experts assigned to work with the Federal Government of Nigeria.

...

<sup>27</sup> Came into force on the date of signature.

**B. Treaty provisions concerning the Legal Status of inter-governmental organizations related to the United Nations**

**1. CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES. <sup>28</sup> APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 21 NOVEMBER 1947**

In 1968, the following States acceded to the Convention, or, if already parties, undertook by a subsequent notification to apply the provisions of the Convention, in respect of the specialized agencies indicated below: <sup>29 30</sup>

<i>State</i>		<i>Date of receipt of instrument of accession or notification</i>	<i>Specialized Agencies</i>
Bulgaria <sup>31</sup>	Accession	13 June 1968	WHO, ICAO, ILO, FAO, UNESCO, UPU, ITU, WMO, IMCO
	Notification	2 December 1968	IMCO—Revised text of Annex XII <sup>32</sup>
Guinea	Notification	29 March 1968	WHO, ICAO, ILO, FAO, UNESCO, Bank, Fund, UPU, ITU, IMCO, IFC, IDA
Ireland	Notification	10 May 1968	IMCO—Revised text of Annex XII <sup>32</sup>
Madagascar	Notification	19 November 1968	IMCO—Revised text of Annex XII <sup>32</sup>
Mali	Accession	24 June 1968	WHO, ICAO, ILO, FAO, UNESCO, Bank, Fund, UPU, ITU, WMO

<sup>28</sup> United Nations, *Treaty Series*, vol. 33, p. 261.

<sup>29</sup> The Convention is in force with regard to each State which deposited an instrument of accession and in respect of specialized agencies indicated therein or in a subsequent notification as from the date of deposit of such instrument or receipt of such notification.

<sup>30</sup> The Government of the United Kingdom of Great Britain and Northern Ireland has notified the Secretary-General that it is unable to accept the reservations to this Convention formulated by the Byelorussian SSR, Czechoslovakia, the Ukrainian SSR and the USSR (see *Juridical Yearbook*, 1966, pp. 51-52), by Hungary (see *Juridical Yearbook*, 1967, p. 79) and by Bulgaria (see footnote 31 below), because in its view they are not of the kind which intending parties to the Convention have the right to make.

<sup>31</sup> With the following reservation:

“The People’s Republic of Bulgaria will consider itself bound by the provisions of sections 24 and 32 of the Convention only if, before a dispute arising out of the interpretation or application of the Convention is referred to the International Court of Justice, the parties involved in the dispute have, for each individual case, given their consent thereto. This reservation applies only to section 32 which provides that the opinion of the International Court of Justice shall be considered as decisive.”

<sup>32</sup> See p. 28 of this *Yearbook*.

Malta	Notification of succession	27 June 1968	WHO, ICAO, ILO, FAO, UNESCO, UPU, ITU, WMO, IMCO
	Notification	27 June 1968	Bank, IDA
	Notification	21 October 1968	FAO—Second revised text of Annex II, <sup>33</sup> WHO—Third revised text of Annex VII, IMCO—Revised text of Annex XII <sup>32</sup>
Niger	Accession	15 May 1968	WHO, ICAO, ILO, FAO, UNESCO, Bank, Fund, UPU, ITU, WMO, IDA
Norway	Notification	1 October 1968	IMCO—Revised text of Annex XII <sup>32</sup>
Sweden	Notification	13 September 1968	IMCO—Revised text of Annex XII <sup>32</sup>
United Kingdom of Great Britain and Northern Ireland	Notification	28 November 1968	IMCO—Revised text of Annex XII <sup>32</sup>

As of 31 December 1968, 67 States were parties to the Convention.

## 2. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

- (a) Agreement relating to a UNESCO mission—Exchange of letters between the Imperial Ethiopian Government and UNESCO on the subject of the privileges, immunities and facilities to be accorded to the UNESCO Chief of Mission. Signed at Paris on 3 May 1968 and at Addis Ababa on 1 July 1968

“1. The UNESCO Chief of Mission shall enjoy in respect of himself, his spouse, and minor children such privileges, immunities and facilities as are granted in accordance with international law and practice to diplomatic representatives of comparable rank, it being understood that these privileges, immunities and facilities are granted solely in the interests of UNESCO, and not for the personal benefit of the individuals themselves.

“2. It is understood that the privileges, immunities and facilities would in no way reduce any privileges, immunities or facilities enjoyed by the persons mentioned above in virtue of any other instrument to which the Imperial Ethiopian Government is or may become a party.

<sup>33</sup> See *Juridical Yearbook*, 1965, p. 43.

“3. Acting on behalf of the Organization, the UNESCO Chief of Mission shall have, in particular, the right to purchase or to import, free of duties and taxes and of any import prohibition or restriction, any articles for the official use of the mission and, under the same conditions, any articles for exhibitions organised by UNESCO in Ethiopia.

“4. Without prejudice to what is said in the previous paragraphs, the Imperial Ethiopian Government shall apply to UNESCO and to the international staff belonging to the office of the Chief of Mission the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies, although Ethiopia has not adhered to that Convention.”

(b) Agreements relating to conferences, seminars and other meetings

- (i) Agreement between the Swiss Government and UNESCO concerning the meeting of experts on study programmes for engineers (Lausanne, May-June 1968). Signed at Paris on 31 January 1968 and at Berne on 15 February 1968

“Accordingly, I should be obliged if, as is customary, you would kindly confirm that, in pursuance of the decision of the Federal Council dated 11 July 1947, your Government will apply to UNESCO on the occasion of this meeting, by analogy, the Agreement on the privileges and immunities of the United Nations concluded between the Swiss Federal Council and the Secretary-General of the United Nations on 19 April 1946 and will grant all the necessary privileges, immunities and facilities, it being understood in particular that no restriction shall be imposed upon the rights of entry into, sojourn in and departure from the territory of the Swiss Confederation of any persons, without distinction as to nationality, invited to participate in the work of the meeting in an official capacity.”<sup>34</sup>

- (ii) Agreement between the Government of the Argentine Republic and the United Nations Educational, Scientific and Cultural Organization concerning the regional seminar for documentary film and television producers in Latin America (Buenos Aires, 23 September-11 October 1968). Signed at Paris on 21 February 1968 and 1 April 1968.

*Privileges and immunities*

The Government of the Argentine Republic shall apply, in all matters relating to the seminar, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies and of Annex IV thereof, relating to UNESCO, to which Argentina has been a party since 10 October 1963. In particular, it shall guarantee that no restriction shall be imposed upon the rights of entry into, sojourn in and departure from the territory of any persons, without distinction as to nationality, participating in the seminar in an official capacity.

The Government of Argentina shall facilitate the temporary importation duty-free of the films to be shown during the seminar, whether selected for this purpose by UNESCO or sent or brought in by participants in the seminar, and undertakes to simplify and expedite Customs formalities in respect of such films upon both entry and exit. Furthermore, when such films are shown for the purposes of the seminar, it shall exempt them from the administrative provisions governing film censorship.

<sup>34</sup> In accordance with the terms of the letter from the Director-General of UNESCO, the Swiss Government signified its agreement to the proposals quoted above by signing the said letter and returning it to UNESCO.

- (iii) Agreement between the Government of Canada and UNESCO concerning the Round Table on the Cultural Value of Film, Radio and Television in Contemporary Society and the Meeting of Experts on Educational Research in Relation to Curriculum and Teachers Training. Signed at Paris on 24 April 1968 and 26 April 1968

“The Canadian Government will apply in respect of these meetings that provision of the Privileges and Immunities (International Organizations) Act which incorporates the text of the Convention on the Privileges and Immunities of the United Nations, which in all essential points is similar to the Convention on the Privileges and Immunities of the Specialized Agencies. The Canadian Government takes note of the objections raised by the Director-General of UNESCO to the reservation made by Canada to the Convention on the Privileges and Immunities of the Specialized Agencies.

As to prospective participants in these meetings who, under Canadian legislation and regulations, require visas for entry into Canada, the Canadian Government undertakes to facilitate to the greatest extent possible the issuance of such visas in accordance with Canadian law, which does not exclude persons on the basis of nationality from entry into Canada. The Canadian Government also undertakes to accord to all prospective participants every facility necessary to the performance of their functions in connection with attendance at these meetings.

Should any person entitled to attend these meetings, under UNESCO regulations and rules, or by a decision of the appropriate authorities of UNESCO, be prevented from attending these meetings, by reason of the refusal or inability of the Government of Canada to issue any visa applied for within a reasonable period of time before these meetings, the Government of Canada recognizes that the Director-General reserves the right to cancel, adjourn or interrupt the holding of these meetings in Canada, and to hold such meetings at another location outside Canada.”

- (iv) Letter of arrangement between the Government of the United Kingdom of Great Britain and Northern Ireland and UNESCO concerning the Eighth Meeting of the Bureau and the Consultative Council of the Intergovernmental Oceanographic Commission (IOC) (London, 10-13 June 1968). Signed at Paris on 8 February 1968 and at London on 4 April 1968

*Privileges and immunities*

The Government of the United Kingdom shall apply in respect of this Meeting the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies and Annex IV thereto relating to UNESCO, to which it has been a party since 16 August 1949, it being understood, in particular, that no restriction shall be placed upon the right of entry into, sojourn in and departure from its territory of any persons entitled to attend this meeting, without distinction of nationality.

- (v) Agreements containing a provision similar to that under paragraph (iv) above were also concluded between UNESCO and the Governments of Algeria, Bulgaria, Brazil, Ceylon, Costa Rica, Cuba, Ecuador, the Federal Republic of Germany, Guatemala, India, Italy, Japan, Kenya, Lebanon, Malaysia, Nigeria, Pakistan, Senegal, Singapore, Spain, Sweden, the United Arab Republic, Upper Volta, Uruguay, the USSR and Venezuela, in connexion with meetings on their respective territories.



(c) Agreements relating to technical assistance

- (i) Plan of Operation—Secondary boarding school for girls at Sfax, Tunisia—between UNESCO and the Government of Tunisia. Signed at Paris on 17 June 1968

Article VII

1. The Government shall apply to UNESCO, its property, funds, assets and its officials and experts, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies, and Annex IV thereof. Moreover, it is understood that no restriction shall be imposed on the rights of entry into, sojourn in, and departure from Tunisian territory of UNESCO officials, experts and other persons performing services on its behalf in connection with this project, without distinction of nationality.

2. The Government undertakes not to impose any taxes, fees or levies upon the equipment or materials or for the supplies and services necessary for the erection of the school's facilities.

3. Neither the Government nor its instrumentalities shall impose any commercial bank charges on transfer of funds by or to the account of UNESCO.

4. The Government shall take any measures which may be necessary to exempt UNESCO and its personnel and other persons performing services on its behalf from regulations or other legal provisions which may interfere with operations under this Plan of Operation and shall grant them such other facilities as may be necessary for the speedy and efficient execution of the project. It shall, in particular, grant them the following rights and facilities:

- (a) the prompt issuance without cost, of necessary visas, licences or permits;
- (b) the issuance of a vehicle for the proper inspection of the site, access to the sites of work and all necessary rights of way;
- (c) free movement, whether within or to and from the country, to the extent necessary for proper execution of the project;
- (d) the most favourable legal rate of exchange;
- (e) any permits necessary for the importation of equipment, materials and supplies in connection with this Plan of Operation and for their subsequent exportation.
- (f) the Government shall arrange the insurance of the equipment for the school from the port of entry to the project site.

5. The Government shall be responsible for dealing with any claims, which may be brought by third parties against UNESCO, its property and its personnel or other persons performing services on behalf of UNESCO and shall hold harmless UNESCO, its property, personnel and such persons in case of any claims or liabilities resulting from operations under this Plan of Operation, except where it is agreed by UNESCO and the Government that such claims or liabilities arise from the gross negligence or wilful misconduct of such personnel or persons.

- (ii) Agreement between UNESCO and the Government of the Republic of Chile concerning the Pilot Project for access of women to technical careers. Signed at Paris on 2 May 1968 and at Santiago on 5 August 1968

VII — *Other conditions*

7.1 The Government shall apply to the Organization, its property, funds and assets, officials and experts, the provisions of the Convention on the Privileges and Immunities of

the Specialized Agencies and Annex IV thereof. Moreover, it is understood that no restriction shall be placed on the right of entry into, sojourn upon, or departure from the territory of the Government of Chile of any person requested by UNESCO to perform services in connection with the activities of the project without distinction of nationality.

7.2 The Government shall be responsible for dealing with any claims which may be brought by third parties against UNESCO, its property, funds or assets or against its personnel or other persons performing services on its behalf, and shall hold UNESCO harmless in case of any claims or liabilities resulting from activities under this Agreement, except where it is agreed by the Government and the Director-General of UNESCO that such claims or liabilities arise from the gross negligence or wilful misconduct of such personnel or persons.

(d) Agreement relating to operational assistance—Agreement between UNESCO and the Government of Iran concerning the provision of administrative officers to perform operational, executive or managerial functions. Signed at Paris on 16 December 1968

## Article II

### *Functions of the Officers*

...

3. The Parties hereto recognize that a special international status attaches to the Officers made available to the Government under this Agreement, and that the assistance provided hereunder is in furtherance of the purposes of UNESCO. Accordingly the Officers shall not be required to perform functions incompatible with such special international status, or with the purposes of UNESCO, and any contract entered into by the Government and the Officer shall embody a specific provision to this effect.

## Article IV

### *Obligations of the Government*

...

5. The Government recognizes that the Officers shall:

(a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(b) be exempt from taxation on the stipends, emoluments and allowances paid to them by UNESCO;

(c) be immune from national service obligations;

(d) be immune, together with their spouses and relatives dependent upon them, from immigration restrictions and alien registration;

(e) be accorded the same privileges in respect of currency or exchange facilities as are accorded to the officials of comparable rank forming part of diplomatic missions to the Government;

(f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as diplomatic envoys;

(g) have the right to import free of duty their furniture and effects at the time of first taking up their posts in the country.

6. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Officers or against UNESCO and its agents and employees, and shall hold the Officers, UNESCO and its agents and employees harmless in any

case of any claims or liabilities resulting from operations under this Agreement, except where it is agreed by the Government, the Administrator of the United Nations Development Programme where appropriate, and UNESCO that such claims or liabilities arise from gross negligence or wilful misconduct of Officers or the agents or employees of UNESCO.

...

### 3. WORLD HEALTH ORGANIZATION

Basic agreement between WHO and Guyana for the provision of technical advisory assistance. <sup>35</sup> Signed at Georgetown on 14 June and at Washington on 3 July 1968

#### Article I

##### *Furnishing of technical advisory assistance*

...

6. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Organization and its advisers, agents and employees and shall hold harmless the Organization and its advisers, agents and employees in case of any claims or liabilities resulting from operations under this Agreement, except where it is agreed by the Government and the Organization that such claims or liabilities arise from the gross negligence or willful misconduct of such advisers, agents or employees.

...

#### Article V

##### *Facilities, privileges and immunities*

1. The Government, insofar as it is not already bound to do so, shall apply to the Organization, its staff, funds, properties and assets the appropriate provisions of the Convention on the Privileges and Immunities of the Specialized Agencies.

2. Staff of the Organization, including advisers engaged by it as members of the staff assigned to carry out the purposes of this Agreement, shall be deemed to be officials within the meaning of the above Convention. This Convention shall also apply to any WHO representative appointed to Guyana who shall be afforded the treatment provided for under Section 21 of the said Convention.

### 4. INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

(a) Agreement between the Inter-Governmental Maritime Consultative Organization and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the Headquarters of the Organization. <sup>36</sup> Signed at London on 28 November 1968

The Government of the United Kingdom of Great Britain and Northern Ireland and the Inter-Governmental Maritime Consultative Organization:

<sup>35</sup> Entered into force on 3 July 1968.

<sup>36</sup> Came into force on the date of signature.

*Considering* that the United Kingdom undertook on 4 November, 1959 to apply to the Organization the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations including its Annex XII;

*Considering* that the Assembly of the Organization by its Resolution A.56 (III), adopted on 23 October, 1963, has envisaged the conclusion of a supplemental agreement or agreements based on accepted principles established in similar agreements concerning the United Nations, the Specialized Agencies and the International Atomic Energy Agency, to ensure that the Organization's legal status in the United Kingdom should be defined and the content of certain privileges, concessions and courtesies as well as the measures for their implementation should be formulated in detail;

Have agreed as follows:

## PART I

### *Definitions and interpretation*

#### Article 1

In this Agreement:

(a) "the IMCO Convention" means the Convention on the Inter-Governmental Maritime Consultative Organization opened for signature at Geneva on 6 March, 1948<sup>37</sup>

(b) "the Convention" means the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations adopted by the General Assembly of the United Nations on 21 November, 1947, including its Annex XII; the text of which was received by the Secretary-General of the United Nations on 12 February, 1959, and any subsequent revision of that Annex approved by the Organization and acceded to by the United Kingdom;<sup>38</sup>

(c) "Organization" means the Inter-Governmental Maritime Consultative Organization;

(d) "Government" means the Government of the United Kingdom of Great Britain and Northern Ireland;

(e) "Secretary-General" means the Secretary-General of the Organization and, during his absence from duty, the Deputy Secretary-General and, in the absence of both, any other official specially designated to act on his behalf;

(f) "appropriate authorities" means the national, regional or local authorities of the United Kingdom, as the context may require, in accordance with the laws, regulations and customs of the United Kingdom;

(g) "law of the United Kingdom" includes Acts of Parliament, Orders in Council and all subordinate legislation;

(h) "emoluments" means all sums in respect of employment by the Organization paid to, vested in or accruing to an official's benefit in any form whatsoever;

(i) "Headquarters of the Organization" means the headquarters referred to in Article 44 (a) of the IMCO Convention;

(j) "premises of the Organization" means land, buildings and parts of buildings normally occupied by the Organization for the fulfilment of its official functions;

(k) "Member" means a Member of the Organization as defined in the IMCO Convention;

<sup>37</sup> United Nations, *Treaty Series*, vol. 289, p. 48.

<sup>38</sup> See p. 51 of this *Yearbook*.

(l) “representatives of Members” means heads of delegations of Members, participating in meetings convened by the Organization;

(m) “members of delegations” means representatives, alternates, advisers, technical experts and secretaries of delegations, participating in meetings convened by the Organization;

(n) “meetings convened by the Organization” means sessions of the Assembly, Council, and Maritime Safety Committee, and conferences or other gatherings convened by the Organization including those of any committee, sub-committee, group of experts or other subordinate body established by any of these bodies;

(o) “officials” means the Secretary-General, and persons in the categories specified under Article VI, Section 18, of the Convention, with the exception of those recruited locally and assigned to hourly rates;

(p) “senior officials” means all officials designated by the Secretary-General as possessing a rank equivalent to that of a diplomatic agent and recognised as such by the Government.

## Article 2

(1) This Agreement shall be interpreted in the light of its primary objective of enabling the Organization at its Headquarters in the United Kingdom fully and efficiently to discharge its responsibilities and fulfil its purposes and functions.

(2) To the extent that they deal with the same subject matter, this Agreement and the Convention or any treaty conferring immunities and privileges upon the Organization shall be complementary, but in cases of adjustment of the provisions of the Convention or the grant of privileges and immunities not previously accorded, the present Agreement shall be interpreted in the light of the Parties’ intention to supplement the Convention in accordance with its Article X, Section 39.

## PART II

### *Premises of the Organisation*

## Article 3

(1) For the purpose of Article III of the Convention, but not as a condition of its application, the location of the premises and the archives of the Organization shall be made known to the appropriate authorities by the Secretary-General who shall also inform the appropriate authorities of any change in the location or extent of such premises or archives and of any temporary occupation of premises for the fulfilment of its official functions. Where premises are temporarily used or occupied by the Organization for the fulfilment of its official functions, these premises shall, with the agreement of the appropriate authorities, be accorded the status of premises of the Organization.

(2) The Government undertake to assist the Organization in the acquisition of premises by gift, purchase or lease or the hire of premises at such time as they may be needed.

(3) The inviolability conferred by Article III, Section 6, of the Convention extends to all archives, correspondence, documents, manuscripts, photographs, films and recordings belonging to or held by the Organization and to all information contained therein.

(4) The immunity conferred by Article III, Section 5, of the Convention extends to the means of transport of the Organization. Means of transport which the Organization hires or borrows shall be immune from search, requisition, confiscation or expropriation. The Organization shall identify as such means of transport being used for official purposes.

(5) The Government shall do their utmost to ensure that the premises shall be supplied with necessary public services, including electricity, water, sewerage, gas, post, telephone, telegraph, drainage, collection of refuse and fire protection and that such public services shall be supplied on reasonable terms. In case of any interruption or threatened interruption to any such services, the Government shall consider the needs of the Organization as being of equal importance with those of diplomatic missions and shall accordingly take all reasonable steps to ensure that the Organization is not prejudiced.

(6) Any preferential rates or tariffs which may be granted to diplomatic missions in the United Kingdom for supplies of the services mentioned in paragraph (5) of this Article shall, subject to paragraph (2) of Article 8 of this Agreement, also be accorded to the Organization.

#### Article 4

The Organization shall be entitled to display its flag and emblem, or the flag and emblem of the United Nations, on the premises and means of transport of the Organization and of the Secretary-General.

#### Article 5

The Government are under a special duty to take all appropriate steps to protect the premises of the Organization against any intrusion or damage and to prevent any disturbance of the peace of the Organization or impairment of its dignity.

#### Article 6

(1) The premises of the Organization shall be under the control and authority of the Organization which may establish any regulations necessary for the execution of its functions therein.

(2) Except as otherwise provided in this Agreement, or in the Convention, the law of the United Kingdom shall apply within the premises of the Organization, provided that the Organization may establish any regulations necessary for the execution of its functions including rules of international administrative law and the terms of contracts of employment governed by that law. These regulations shall be operative within the premises of the Organization, and no law of the United Kingdom which is inconsistent shall be enforceable within those premises. Any dispute between the Organization and the Government as to whether a regulation of the former is authorised by this paragraph or as to whether a law of the United Kingdom is inconsistent with any regulation authorised by this paragraph shall be promptly settled as provided in Article 17 of this Agreement.

(3) No official of the Government or person exercising any public authority, whether administrative, judicial, military or police, shall enter the premises of the Organization except with the express consent of and under conditions approved by the Secretary-General. No service or execution of any legal process whatsoever, irrespective of whether the Organization is named as defendant, or any ancillary act such as the seizure of private property, shall take place within the premises of the Organization except with the express consent of and under conditions approved by the Secretary-General.

(4) Without prejudice to the terms of this Agreement, the Organization shall not permit the premises of the Organization to become a refuge from justice for persons who are avoiding arrest or service of legal process under the law of the United Kingdom or against whom an order of extradition or deportation has been issued by the appropriate authorities.

(5) Nothing in this Agreement shall prevent the reasonable application by the appropriate authorities of measures for the protection of the premises of the Organization against fire.

### PART III

#### *Access and communications*

##### Article 7

(1) The appropriate authorities shall impose no impediment to the transit to and from the premises of the Organization of persons having official business at those premises.

(2) The Government undertake to authorise the entry into the United Kingdom without delay and without charge for visas of the following persons for the term of their business with the Organization:

- (a) representatives of Members;
- (b) members of delegations;
- (c) officials designated by Members to represent them in accordance with Article 36 of the IMCO Convention;
- (d) officials as defined in Article 1 (o) of this Agreement;
- (e) officials of the United Nations and its organs, the Specialized Agencies and the International Atomic Energy Agency;
- (f) experts referred to in Annex XII to the Convention;
- (g) members of the families of the above-mentioned persons forming part of their respective households; and
- (h) persons invited to the Headquarters of the Organization at the direction of the Assembly or the Council.

(3) The provisions of the preceding paragraphs shall be applicable irrespective of the relations existing between the Governments of the persons referred to and the Government of the United Kingdom and are without prejudice to any special immunities to which such persons may be entitled. They shall not prevent the requirement of reasonable evidence to establish that persons claiming the aforementioned rights come within the classes described, nor the reasonable application of international quarantine and public health regulations.

(4) The Secretary-General shall as far as possible inform the Government in advance of their arrival in the United Kingdom of the names of persons within the categories set out in paragraph (2) of this Article to assist the Government to implement the provisions of this Article and of Article 14 as well as of Article V of the Convention.

##### Article 8

(1) The Government shall permit and protect unrestricted communication on the part of the Organization for all official purposes. The Organization may employ all appropriate means of communication, including couriers and messages in code or cypher. However, the Organization may install and use a wireless transmitter only with the consent of the appropriate authorities. Subject to these qualifications the Organization may employ the United Nations telecommunications network in accordance with limitations prescribed by the International Telecommunication Convention.

(2) The Organization is recognised to enjoy the treatment provided in Article IV, Section 11, of the Convention in respect of its official communications to the extent that such

treatment is compatible with any other international conventions, regulations and arrangements to which the Government are a party.

(3) Sealed bags containing documents or articles intended for official use and bearing external marks of their character shall in particular be accorded the immunity of Article III of the Convention and shall not be detained.

(4) A courier shall be provided with an official document indicating his status and the number of packages constituting the sealed bag. The appropriate authorities shall assist him in the performance of his functions, in which he shall enjoy personal inviolability and shall not be liable to any form of arrest and detention.

(5) A sealed bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a courier. The Organization may send an official who shall be considered to be a courier to take possession of the bag directly from the captain of the aircraft.

## PART IV

### *Financial*

#### Article 9

(1) Without prejudice to the exemptions accorded by Article III, Sections 9 and 10, of the Convention and without any limitation of these exemptions, the Organization shall be exempt from:

(a) income tax and surtax;

(b) capital gains tax;

(c) corporation tax;

(d) selective employment tax;

(e) purchase tax on articles for the official use of the Organization;

(f) municipal rates levied on the premises of the Organization except the proportion which, as in the case of diplomatic missions, represents payment for specific services rendered;

(g) Customs duty on hydrocarbon oils for the official use of the Organization; and

(h) excise duty on spirits of United Kingdom origin purchased in the United Kingdom for the purpose of official entertainment.

(2) The exemption conferred by Article III, Section 9 (b), of the Convention extends to customs duties and any taxes or charges imposed upon or by reason of importation and the procedures in connexion therewith excepting charges for storage, cartage and similar services; the certification by the Organization that any import or export is for its official use shall be accepted as conclusive.

(3) The exemptions provided for in paragraph (1) (e) of this Article and in Article III, Section 10, of the Convention shall be accorded by way of a refund of the tax element in the price paid by the Organization for purchases for its official use. In this connexion, the purchases envisaged are those made on a recurring basis or involving considerable quantities of goods, commodities or materials, or those involving considerable expenditure such as the furnishing of the premises of the Organization or the principal residences of the Secretary-General or the Deputy Secretary-General or the Secretary of the Maritime Safety Committee. The municipal rates referred to in paragraph (1) (f) of this Article shall in the first instance



be paid by the appropriate authorities and the proportion which represents payment for specific services rendered shall be recovered by them from the Organization.

(4) The exemption provided for in paragraph (1) (*h*) of this Article shall be accorded to the extent that such exemption is accorded to diplomatic missions and by way of a refund of the duty element included in the price of the spirits. A certificate by the Secretary-General that any purchase is for the purpose of official entertainment shall be accepted as conclusive.

(5) In the event of the introduction of taxes other than those referred to in this Article, the Government and the Organization shall determine the applicability of the Convention to such taxes.

## Article 10

(1) The Secretary-General, the Deputy Secretary-General and the Secretary of the Maritime Safety Committee shall be exempt from income tax and surtax on their emoluments as defined in Article 1 (*h*) of this Agreement. The Secretary-General, the Deputy Secretary-General and the Secretary of the Maritime Safety Committee and members of their families forming part of their respective households, provided that, without prejudice to Annex XII of the Convention as accepted by the United Kingdom, they are not citizens of the United Kingdom and Colonies nor permanently resident in the United Kingdom, shall be exempt from:

- (a) tax on income arising outside the United Kingdom;
- (b) capital gains tax other than that imposed on immovable property (not occupied by them as a principal residence) in the United Kingdom or investments in commercial undertakings in the United Kingdom;
- (c) that proportion of municipal rates levied on property occupied by them as a principal residence which does not represent payment for specific services rendered;
- (d) purchase tax on motor cars of United Kingdom manufacture;
- (e) any tax, fee or duty in respect of dogs and game;
- (f) customs duty in respect of hydrocarbon oils.

The Secretary-General, provided that he is not a citizen of the United Kingdom and Colonies, nor permanently resident in the United Kingdom, shall be exempt from purchase tax to the extent that such exemption is accorded to the head of a diplomatic mission on fine quality goods of United Kingdom manufacture purchased on a substantial scale for the furnishing of his principal residence.

(2) All senior officials shall be exempt from income tax and surtax on their emoluments. Provided that they are not citizens of the United Kingdom and Colonies and are not permanently resident in the United Kingdom, senior officials shall be exempt from the taxes listed in sub-paragraphs (*a*) to (*f*) of paragraph (1) of this Article.

(3) All officials shall be exempt from income tax and surtax on their emoluments. Provided that they are not citizens of the United Kingdom and Colonies and are not permanently resident in the United Kingdom, officials shall be exempt from the taxes listed in sub-paragraphs (*d*) (provided the car is ordered within a reasonable period of first entry of the official) and (*e*) of paragraph (1) of this Article.

(4) The municipal rates referred to in paragraph (1) (*c*) of this Article shall in the first instance be paid by the appropriate authorities and the proportion which represents payment for specific services rendered shall be recovered by them through the channels of the Organization. The exemption provided for in paragraph (1) (*d*) of this Article shall be accorded to the extent and by procedures applicable to diplomatic agents.

## Article 11

(1) Officials shall, with respect to services rendered for the Organization, if they are not citizens of the United Kingdom and Colonies or permanently resident in the United Kingdom, be exempt from the provisions of any social security scheme established by the law of the United Kingdom.

(2) The exemptions provided for in this Article shall not preclude voluntary participation in any social security scheme in the United Kingdom, provided that such participation is permitted by the law.

## Article 12

(1) Provided that they are not citizens of the United Kingdom and Colonies nor permanently resident in the United Kingdom, the Secretary-General, the Deputy Secretary-General and the Secretary of the Maritime Safety Committee shall be exempt from all Customs duties, purchase tax and similar charges or levies (excepting charges for storage, cartage and similar services) imposed upon or by reason of the importation of articles (including motor cars) for their personal use or the use of members of their families forming part of their households or for their establishment.

(2) Provided that they are neither citizens of the United Kingdom and Colonies nor permanently resident in the United Kingdom, senior officials shall be accorded the exemption described in paragraph (1) of this Article.

(3) Officials and members of their families forming part of their respective households shall be exempt from all Customs duties, purchase tax and similar charges or levies (excepting charges for storage, cartage and similar services) imposed upon or by reason of the importation of articles (including one motor car each) in their ownership or possession or already ordered by them and intended for their personal use or for their establishment at the time of first taking up their post in the United Kingdom. Such articles shall normally be imported within a reasonable period of first entry of such persons into the United Kingdom. Officials (other than citizens of the United Kingdom and Colonies or permanent residents of the United Kingdom) who are entitled to import a motor car under this concession but do not do so shall be given relief from purchase tax on a motor car of United Kingdom manufacture (to the extent that such relief is given to members of the administrative and technical staff of diplomatic missions) provided the car is ordered within a reasonable period of first entry of the official. Relief from purchase tax and Customs duties on the purchase or import of a replacement car will be allowed in cases where the appropriate authorities are satisfied that this is justified by the condition of the car being replaced.

## Article 13

(1) In implementation of the financial provisions of Article III, Section 7, of the Convention, the Organization shall be treated as non-resident for the purposes of the Exchange Control Act 1947, and may accordingly hold its funds in the form of gold or in any currency and in any country. Any of the gold or currency or bank balances held in the United Kingdom may be freely transferred within the United Kingdom or to any other country. The Organization shall not require exchange control consent to use its funds for the purposes of investments either in the United Kingdom or elsewhere, and may also borrow funds freely from countries outside the Scheduled Territories (Sterling Area).

(2) In accordance with Article V, Section 13 (e), of the Convention a representative of a Member of the Organization shall be entitled to the treatment in matters of exchange control which is accorded to a diplomatic agent in the United Kingdom of the State which

he represents. Where diplomatic relations with such a State do not exist or have been broken off, the treatment shall be no less than that accorded to a diplomatic agent of any third State inside or outside the Scheduled Territories, as appropriate.

(3) In accordance with Article VI, Section 19 (*d*), of the Convention, an official of the Organization shall be permitted by the appropriate authorities to receive and hold his official emoluments in an account denominated in any currency and shall in addition be accorded the treatment in matters of exchange control which is accorded to a diplomatic agent in the United Kingdom of the State in which he was resident for exchange control purposes when appointed an official. Where diplomatic relations with such a State do not exist or have been broken off, the treatment shall be no less than that accorded to a diplomatic agent of any third State inside or outside the Scheduled Territories, as appropriate.

(4) The Government shall not levy estate duty, or capital gains tax (on a deemed disposal of property by the deceased on the occasion of death), on or in respect of movable property of senior officials and members of their families forming part of their households, provided that in either case they were not citizens of the United Kingdom and Colonies or permanent residents of the United Kingdom at the time of death and provided that the presence of the property in the United Kingdom was due solely to the presence of the deceased as a senior official of the Organization or as a member of the family of a senior official. The Government shall impose no impediment to the repatriation of the movable property of a deceased senior official or member of his family with the exceptions of property whose export was prohibited at the time of death.

## PART V

### *Identification*

#### Article 14

(1) Any official of the Organization who presents a valid United Nations laissez-passer issued in accordance with Article VIII, Section 26, of the Convention and identifying him as an official of the Organization shall, subject to paragraph (3) of Article 7 of this Agreement, be immune from United Kingdom immigration restrictions and requirements and from alien registration. Members of the family forming part of the official's household who travel with him and present satisfactory evidence of identity shall be similarly treated. No such official shall require a visa for entry into the United Kingdom.

(2) Officials who do not present a United Nations laissez-passer shall not be exempt from the laws and regulations of the Government regarding passports and visas. They shall however, subject to paragraph (3) of Article 7 of this Agreement, be immune from immigration restrictions and requirements and from alien registration provided that:

(a) they produce a valid travel document, or

(b) they produce evidence of their official capacity issued either by their government or by the Organization, or the appropriate authorities are notified of their arrival.

(3) The persons described in paragraph (2) of Article 7 of this Agreement shall, subject to paragraph (3) of that Article, be immune from immigration restrictions and requirements and from alien registration provided that:

(a) they produce a valid travel document, and

(b) they produce evidence of their official capacity issued either by their government or by the Organization, or the appropriate authorities are notified of their arrival.

## Article 15

(1) The Secretary-General shall from time to time send to the Government a list of all officials, indicating in each case the appropriate staff category as defined in Article 1 of this Agreement and whether the individual is a citizen of the United Kingdom and Colonies or permanently resident in the United Kingdom. The Secretary-General may inform the Government of the appointment of officials individually for addition to the list.

(2) The Government shall issue to all officials on notification of their appointment, a card bearing the photograph of the holder and identifying him as an official. This card shall be accepted by the appropriate authorities as evidence of identity and appointment.

## PART VI

### *General provisions*

## Article 16

At the request either of the Government or of the Organization consultations shall take place respecting the implementation, modification or extension of this Agreement. Any understanding, modification or extension may be given effect by an Exchange of Notes between a duly authorised representative of the Government and the Secretary-General.

## Article 17

Any dispute between the Government and the Organization concerning the interpretation or application of this Agreement or any question affecting the relations between the Government and the Organization which is not settled by negotiation or by some other agreed method shall be referred for final decision to a panel of three arbitrators. One of these arbitrators shall be chosen by Her Majesty's Secretary of State, one shall be chosen by the Secretary-General and the third, who shall be the Chairman of the Tribunal, shall be chosen by the first two arbitrators. Should the first two arbitrators fail to agree upon the third within one year of their own appointment, the third arbitrator, at the request of the Government or of the Organization shall be chosen by the President of the International Court of Justice.

## Article 18

(1) This Agreement shall enter into force on signature.

(2) This Agreement may be terminated by agreement between the Government and the Organization. In the event of the Headquarters of the Organization being moved from the territory of the United Kingdom by a decision of the Assembly in accordance with Article 44 (b) of the IMCO Convention, this Agreement shall, after the period reasonably required for such transfer and for the disposal of the property of the Organization in the United Kingdom, cease to be in force.

In witness whereof the respective representatives have signed this Agreement.

Done in duplicate at London this 28th day of November, 1968.

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

FRED MULLEY

For the Inter-Governmental Maritime Consultative Organization:

COLIN GOAD

(b) Resolution C.37 (XX) adopted by the Council on 16 May 1968: Revised text of Annex XII to the Convention on the Privileges and Immunities of the Specialized Agencies

THE COUNCIL,

ACTING in accordance with Article 27 of the Convention on the Inter-Governmental Maritime Consultative Organization,

APPROVES the amendment of paragraph 1 of Annex XII to the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations by the addition, after the words "of the Organization" of a comma and the words "to the Deputy Secretary-General",

ACCEPTS the standard clauses of the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21 November 1947 as modified by the following revised Annex XII applicable to the Inter-Governmental Maritime Consultative Organization:

CONVENTION ON PRIVILEGES AND IMMUNITIES  
ANNEX XII

1. The privileges and immunities, exemptions and facilities referred to in Article VI, Section 21 of the standard clauses shall be accorded to the Secretary-General of the Organization, to the Deputy Secretary-General and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply Article VI, Section 21 of the standard clauses to any person who is its national.

2. (a) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connexion with service on such committees or missions;

(i) immunity from personal arrest or seizure of their personal baggage;

(ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue not with standing that the persons concerned are no longer serving on committees of or employed on missions for the Organization;

(iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;

(iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization;

(v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Inter-Governmental Maritime Consultative Organization.

In connexion with Section 2 (a) (iv) and (v) above, the principle contained in the last sentence of Section 12 of the standard clauses shall be applicable.

(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its

opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

INVITES the Secretary-General to transmit the above text of revised Annex XII to the Secretary-General of the United Nations in conformity with Section 38 of the aforementioned Convention.<sup>39</sup>

## 5. INTERNATIONAL ATOMIC ENERGY AGENCY

Agreement on the Privileges and Immunities of the IAEA.<sup>40</sup> Approved by the Board of Governors of the Agency on 1 July 1959

### (a) *Deposit of instruments of acceptance*

The following States accepted the Agreement on the Privileges and Immunities of the IAEA in 1968:<sup>41</sup>

<i>State</i>	<i>Date of Deposit of Instrument of Acceptance</i>
Czechoslovakia <sup>42</sup>	7 February 1968
Bolivia	10 April 1968
Bulgaria <sup>43</sup>	17 June 1968

This brought up to 31 the number of States parties to this Agreement.

### (b) *Incorporation of the Agreement by reference in other agreement*

- (i) Part V, Section 25 of the Agreement between the International Atomic Energy Agency, the Government of the Republic of Korea and the Government of the United States of America for the Application of Safeguards (INFCIRC/111); entered into force on 5 January 1968.

<sup>39</sup> The text of the revised Annex XII was transmitted to the Secretary-General of the United Nations on 9 July 1968.

<sup>40</sup> United Nations, *Treaty Series*, vol. 374, p. 147.

<sup>41</sup> The agreement comes into force as between the Agency and the accepting States on the date of deposit of instruments of acceptance.

<sup>42</sup> With the following reservation:

“... the Czechoslovak Socialist Republic does not consider itself bound by the provisions of Sections 26 and 34 of the Agreement which call for the obligatory jurisdiction of the International Court of Justice for differences arising out of the interpretation or application of the Agreement; as to the jurisdiction of the International Court of Justice for such differences the Czechoslovak Socialist Republic holds the view that in order to be able to refer a certain difference for decision to the International Court of Justice an approval of all parties concerned in the difference is necessary in each individual case. This reservation also relates to the provisions of Section 34 according to which the parties should accept the opinion of the International Court of Justice as decisive.”

<sup>43</sup> With the following reservation:

“The People’s Republic of Bulgaria does not consider itself bound by the provisions of sections 26 and 34 of the Agreement. The People’s Republic of Bulgaria considers that a dispute on the interpretation and application of the Agreement may be referred to the International Court of Justice only after the parties to the dispute have given their consent in respect of each individual case. This reservation applies equally to section 34, which states that the opinion of the Court shall be accepted as decisive by the parties.”

- (ii) Article VIII, Section 20 of the Agreement between the International Atomic Energy Agency and the Government of Italy concerning the establishment of an International Centre for Theoretical Physics at Trieste (INFCIRC/51); entered into force on 5 February 1968.
- (iii) Part V, Section 25 of the Agreement between the International Atomic Energy Agency, the Government of the Kingdom of Denmark and the Government of the United States of America for the Application of Safeguards (INFCIRC/112); entered into force on 29 February 1968.
- (iv) Part V, Section 25 of the Agreement between the International Atomic Energy Agency, the Government of the Republic of Venezuela and the Government of the United States of America for the Application of Safeguards (INFCIRC/122); entered into force on 27 March 1968.
- (v) Article VI, Section 9 of the Agreement between the International Atomic Energy Agency and the Government of Pakistan for Assistance by the Agency to Pakistan in connection with the Establishment of a Nuclear Power Reactor Project (INFCIRC/116, II); entered into force on 17 June 1968.
- (vi) Part VI, Section 25 of the Agreement between the International Atomic Energy Agency, the Government of Japan and the Government of the United States of America for the Application of Safeguards by the Agency to the Bilateral Agreement between these Governments concerning Civil Uses of Atomic Energy (INFCIRC/119); entered into force on 10 July 1968.
- (vii) Part V, Section 25 of the Agreement between the International Atomic Energy Agency, the Government of the Republic of the Philippines and the Government of The United States of America for the Application of Safeguards (INFCIRC/120); entered into force on 19 July 1968.
- (viii) Part VII, Section 22 of the Agreement between the International Atomic Energy Agency and Mexico for the Application of Safeguards under the Treaty for the Prohibition of Nuclear Weapons in Latin America (INFCIRC/118); entered into force on 6 September 1968.
- (ix) Section 26 of the Agreement between the International Atomic Energy Agency, The Government of Japan and the Government of the United Kingdom of Great Britain and Northern Ireland for the Application of Agency Safeguards in Respect of the Agreement between those Governments for Co-operation in the Peaceful Uses of Atomic Energy (INFCIRC/125); entered into force on 15 October 1968.
- (x) Part V, Section 23 of the Agreement between the International Atomic Energy Agency, the Government of the United States of America and the Government of the United States of Brazil for the Application of Safeguards (INFCIRC/110); entered into force on 31 October 1968.