

Extract from:

UNITED NATIONS JURIDICAL YEARBOOK

1986

Part One. Legal status of the United Nations and related intergovernmental
organizations

Chapter II. Treaty provisions concerning the legal status of the United Nations and
related intergovernmental organizations



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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.¹ APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 13 FEBRUARY 1946

The following State became party to the Convention on the Privileges and Immunities of the United Nations in 1986:²

State	Date of receipt of instrument of succession
Saint Lucia	27 August 1986

This brought up to 121 the number of States parties to the Convention.³

2. AGREEMENTS RELATING TO INSTALLATIONS AND MEETINGS

- (a) Agreement between the United Nations and the Government of the People's Republic of the Congo on the establishment of a United Nations Information Centre for the People's Republic of the Congo.⁴ Signed at New York on 20 June 1983

The Government of the People's Republic of the Congo and the Secretary-General of the United Nations,

Considering that the Government of the People's Republic of the Congo (hereinafter referred to as "the Government") and the Secretary-General of the United Nations (hereinafter referred to as "the Secretary-General") have agreed to establish in Brazzaville, the People's Republic of the Congo, a United Nations Information Centre (hereinafter referred to as "the Centre") under the terms of paragraph 1 of resolution 37/94 B of the General Assembly, of 10 December 1982.

Considering that the Government undertakes to assist the United Nations in securing all the necessary facilities for its functioning under the terms of paragraph 3 of resolution 1405 (XIV) of the General Assembly, of 1 December 1959,

by which the Secretary-General is requested to enlist the cooperation of the Member States concerned in providing all possible facilities for the establishment of such new centres and in assisting actively in efforts to promote wider public understanding of the aims and activities of the United Nations;

Considering 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 (hereinafter referred to as "the Convention"), applies to the field offices of the Department of Public Information which are hence an integral part of the Secretariat of the United Nations;

Considering that it is desirable to conclude an agreement to regulate questions arising as a result of the establishment of the United Nations

Information Centre in Brazzaville,
Have agreed as follows:

Article I

ESTABLISHMENT OF THE CENTRE

Section 1

A United Nations Information Centre will be established in Brazzaville, the People's Republic of the Congo, to carry out the functions assigned to it by the Secretary-General, within the framework of the Department of Public Information.

Article II

STATUS OF THE UNITED NATIONS INFORMATION CENTRE

Section 2

The premises of the Centre and the residence of the Director shall be inviolable.

Section 3

The appropriate Congolese authorities shall exercise due diligence to ensure the security and protection of the premises of the Centre and its staff.

Section 4

The appropriate Congolese authorities shall exercise their respective powers to ensure that the Centre shall be supplied with the necessary public services and that such public services shall be supplied on equitable terms. The Centre shall enjoy privileged treatment for the use of telephone, radio-telegraph and mail communication facilities in the same conditions that are normally accorded and extended to diplomatic missions.

Article III

FACILITIES AND SERVICES

Section 5

The Government and the United Nations shall equally share the cost of renting, furnishing and maintaining the premises of the Information Centre.

Article IV
OFFICIALS OF THE CENTRE

Section 6

Officials of the Centre, except those who are locally recruited staff in the General Service or related categories, shall enjoy, within and with respect to the Congo, the following privileges and immunities:

(a) Immunity from legal processes of any kind in respect of words spoken or written, and of acts performed by them in their official capacity; such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the United Nations;

(b) Exemption from taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the United Nations for services past or present or in connection with their service with the Centre;

(c) Exemption from any form of taxation on income derived by them from sources outside the Congo;

(d) Exemption, with respect to themselves, their spouses, their dependants, relatives and other members of their households from immigration restrictions and alien registration;

(e) Immunity from national service obligations;

(f) The same privileges in respect of exchange facilities as are accorded to officials of comparable ranks forming part of diplomatic missions. In particular, United Nations Officials shall have the right, at the termination of their assignment to the Congo, to take out of the Congo through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought into the Congo as well as any other funds for the lawful possession of which they can show good cause;

(g) The same protection and repatriation facilities with respect to themselves, their spouses, their dependants, relatives and other members of their households as are accorded in time of international crisis to diplomatic envoys; and

(h) The right to import for personal use, free of duty and other levies, prohibitions and restrictions on imports:

— Their furniture and effects in one or more separate shipments, during the first six months from their date of arrival, including motor vehicles, according to the Congolese legislation applicable to diplomatic representatives accredited to the People's Republic of the Congo;

— Reasonable quantities of certain articles for personal use or consumption and not for gift or sale, exclusively for the officials of the Centre with diplomatic status.

Section 7

In addition to the privileges and immunities specified in section 6, the Director of the Centre shall enjoy, in respect of himself, his spouse, his dependent relatives and other members of his household, the privileges and immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. He shall for this purpose be incorporated by the Ministry of Foreign Affairs and Cooperation of the People's Republic of the Congo into the Diplomatic List.

Section 8

Officials of the Centre who are locally recruited staff in the General Service or related categories shall enjoy only, within and with respect to the Congo, the privileges and immunities referred to in subparagraphs (a), (b) and (e) of section 6 of this Agreement. These officials will also enjoy the other privileges and immunities to which they are entitled in conformity with article VII of the Convention.

Section 9

The privileges and immunities for which provision is made in this Agreement are granted solely for the purposes of carrying out effectively the aims and purposes of the United Nations. The Secretary-General may waive the immunity of any staff member whenever in his opinion such immunity would impede the course of justice and can be waived without prejudice to the interests of his Office.

Article V

GENERAL PROVISIONS

Section 10

The provisions of the Convention on Privileges and Immunities of the United Nations, to which the Congo adhered on 15 October 1962, shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the Convention. In so far as any provision of this Agreement and any provision of the Convention relate to the same subject-matter, the two provisions shall, where possible, be treated as complementary, so that both provisions shall be applicable and neither shall restrict the effect of the other.

Section 11

This Agreement shall be construed in the light of its primary purpose of enabling the United Nations Information Centre in the Congo fully and efficiently to discharge its responsibilities and fulfil its purposes.

Section 12

Consultation with respect to modifications of this Agreement shall be entered into at the request of either party; any such modifications shall be by mutual consent.

Section 13

This Agreement shall cease to be in force:

—by mutual consent of both parties; or

—if the Centre is removed from the Congolese territory, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations Information Centre in the Congo and the disposal of its property therein.

...

- (b) Agreement between the United Nations and the Government of Spain concerning technical cooperation.⁵ Signed at Madrid on 19 April 1985

Article III

1. Experts and consultants shall, for the duration of their assignment to the Centre [United Nations Centre for Human Settlements], have the status of international civil servants, and be subject to the Regulations and Rules of the United Nations applicable to technical assistance project personnel, as set forth in letters of appointment to be issued to them by the Centre.

2. Experts and consultants shall not, while retaining that status, be placed at the headquarters of the Centre in any established post.

- (c) Agreement between the United Nations and the Government of Turkey regarding arrangements for the ninth session of the Commission on Human Settlements of the United Nations⁶ [to be held at Istanbul from 5 to 16 May 1986]. Signed at Nairobi on 16 April 1986

Article X

LIABILITY

The Government shall be responsible for dealing with any actions, claims or other demands against the United Nations arising out of: (a) injury or damage to person or property in the premises referred to in article III above; (b) injury or damage to person or property caused by, on incurred in using, the transport services referred to in article VI above; (c) the employment for the Session of the personnel by the Government to perform functions in connection with the Session. The Government shall indemnify and hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands, except where such injury or damage was caused by the gross negligence or wilful misconduct of United Nations personnel.

Article XI

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations on 13 February 1946, to which the Government acceded on 22 August 1950, shall be applicable to the Session.

2. Representatives of States and of the United Nations Council for Namibia participating in the Session shall enjoy the privileges and immunities accorded under article IV of the Convention.

3. Officials of the United Nations performing official duties at the Session shall enjoy the privileges and immunities provided by article V and article VII of the Convention and experts on mission for the United Nations in connection with the Session shall enjoy the privileges and immunities provided under article VI of the Convention.

4. The representatives or observers referred to in article II (d) and (f) shall enjoy immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity in connection with the Session.

5. Representatives or officials of the specialized agencies or the International Atomic Energy Agency participating in the Session shall enjoy the

privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, respectively.

6. Without prejudice to the preceding paragraphs of this article, the persons referred to therein shall enjoy the necessary privileges, immunities and facilities in connection with their participation in the Session.

7. The Government undertakes to ensure that local personnel assigned to the United Nations to perform functions in connection with the Session shall be able to do so without let or hindrance and without impediment to the independent exercise of their functions under the authority of the United Nations.

8. The Government shall impose no impediment to transit to and from the Session of any person whose presence at the Session is authorized by the United Nations and of any member of their immediate families. Any entry or exist visa required for such persons shall be granted immediately on application and without charge.

9. The Conference premises shall be inviolable for the duration of the Session, including the preparatory stage and the winding up, and access thereto shall be under the control and authority of the United Nations.

10. The participants in the Session, representatives of information media and officials of the secretariat of the Session shall have the right to take out of Turkey at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into Turkey in connection with the Session at the United Nations operation rate of exchange.

Article XII

IMPORT DUTIES AND TAX

1. The Government shall allow the temporary importation tax- and duty-free of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes on supplies necessary for the Session.

2. The Government hereby waives import and export permits for the supplies needed for the Session and certified by the United Nations to be required for official use at the Session.

(d) Exchange of letters constituting an agreement between the United Nations and the Government of France concerning the United Nations Symposium on the Economics of Small Renewable Energy Systems for Developing Countries⁷ [to be held at Sophia Antipolis, France, from 31 May to 6 June 1986]. New York, 13 and 20 February 1986⁸

I

LETTER FROM THE UNITED NATIONS

13 February 1986

I refer to our letter of 3 June 1985 and to the exchange of letters between the Permanent Mission of France to the United Nations and the United Nations Department of Technical Cooperation for Development concerning the Symposium on the Economics of Small Renewable Energy Systems for Developing Countries, to be held in May-June 1986 at Sophia Antipolis under the auspices

of the Department of Technical Cooperation for Development in cooperation with the French Government.

The purpose of this letter is to seek the agreement of the French Government to the following provisions:

6. The Convention on the Privileges and Immunities of the United Nations will apply to the Symposium. Persons invited to the Symposium by the United Nations will be treated by it as experts on mission and will enjoy the privileges and immunities provided for under article VI of the Convention. United Nations staff members participating in or performing duties at the Symposium will enjoy the privileges and immunities provided for under articles V and VII of the Convention.

7. All participants and all persons assigned to the Symposium will have the right to enter and leave France without any impediment to their travel to or from the venue for the Symposium. Any entrance and exit visas that may be needed will be issued free of charge and as quickly as possible, in accordance with the relevant regulations (Memorandum of Understanding attached).

If the foregoing provisions are acceptable to you, I have the honour to propose that this letter and your reply shall constitute an agreement between the United Nations and the Government concerning the organization of the Symposium.

(Signed) Nicky BEREDJICK

Director

Natural Resources and Energy Division

Department of Technical Cooperation for Development

MEMORANDUM OF UNDERSTANDING

In negotiating article 7 of the agreement between the United Nations and France concerning the organization of a Symposium on the Economics of Small Renewable Energy Systems at Sophia Antipolis, the two parties have agreed as follows:

The United Nations undertakes to provide the French authorities as soon as possible with a list of persons invited to the Symposium and of all other persons assigned to it. It will make every effort to ensure that applications for visas are submitted at least four weeks before the beginning of the Symposium.

Visas shall be issued as quickly as possible. The provisions of article 7 do not preclude France from denying entry to a person on serious grounds relating to public security, but not on grounds relating to the nationality, religion, occupation or political affiliation of the person concerned.

II

LETTER FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS

20 February 1986

I refer to the letter of 13 February addressed to this Mission by Mr. Beredjick, Director of the Natural Resources and Energy Division, which reads as follows:

[See letter I]

My Government agrees with these provisions and your letter and this reply will constitute an agreement between my Government and the United Nations.

It will enter into force on the date of my reply.

(Signed) Claude de KEMOULARIA

- (e) Exchange of letters constituting an agreement between the United Nations and the Government of Japan concerning the arrangements for the Second Congress of Local Authorities in Asia and the Pacific⁹ [to be held at Nagoya from 21 to 27 July 1987]. Bangkok, 23 April 1986

I

LETTER FROM THE UNITED NATIONS

23 April 1986

I have the honour to refer to the Second Congress of Local Authorities in Asia and the Pacific (hereinafter referred to as "the Congress"), which the United Nations Economic and Social Commission for Asia and the Pacific (hereinafter referred to as "ESCAP") plans to convene. ESCAP has been looking for a suitable Japanese local authority willing to host the Congress. In this context, ESCAP has been corresponding through the Japanese Embassy at Bangkok with the City of Nagoya (hereinafter referred to as "the City"), exploring the possibility of organizing the Congress jointly.

I am pleased to inform you that ESCAP and the City have now decided to undertake the necessary preparations for organizing the Congress jointly and, to this end, separate letters will be exchanged between ESCAP and the City in respect of arrangements concerning the administration and organization of the Congress. A final draft copy of our letter to be addressed to the City is enclosed for your information and records. In accordance with the letter, an Organizing Committee for the Congress is expected to be established soon, which is expected to include a member representing your Government.

Besides administrative and organizational matters relating to the Congress which will be handled by ESCAP and the City, the questions between ESCAP and the Government of Japan (hereinafter referred to as "the Government"), including the privileges and immunities of the participants, can be resolved only with your kind cooperation and support. In this connection, I have the honour to propose the following arrangements:

1. The selection of the participants in the Congress will be decided by consensus in the Organizing Committee.
2. The provisions of the Convention on the Privileges and Immunities of the United Nations will be applicable in respect of the Congress.
3. The Government will accord all participants in the Congress any other facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Congress.
4. The Government will facilitate the entry into or exit from Japan of all participants invited jointly by the City and ESCAP. Visas and entry permits, where required, will be granted as speedily as possible and free of charge.

5. With regard to insurance coverage or other measures for the participants, the necessary provision will be made in the relevant section of the letter to be exchanged between ESCAP and the City.

I should be grateful if you let me know at your earliest convenience whether your Government has any objection to the foregoing.

(Signed) S. A. M. S. KIBRIA
Executive Secretary
of the United Nations Economic and Social Commission
for Asia and the Pacific

II

LETTER FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO ESCAP

23 April 1986

I have the honour to acknowledge receipt of your letter, IN/HS/P.26 dated 23 April 1986, concerning the arrangements for the Second Congress of Local Authorities in Asia and the Pacific between the Government of Japan and ESCAP.

I have further the honour to inform you that the Government of Japan has no objection to those arrangements.

(Signed) Shintaro YAMASHITA
Minister and
Permanent Representative of Japan
to ESCAP

- (f) Exchange of letters constituting an agreement between the United Nations and the Government of the Polish People's Republic on the establishment of a United Nations Information Centre in Warsaw, Poland.¹⁰ New York, 25 April 1986

I

LETTER FROM THE UNITED NATIONS

25 April 1986

I have the honour to refer to the preliminary understanding reached in May 1985 between the representatives of the United Nations Department of Public Information (hereinafter referred to as the United Nations) and the representatives of the Ministry of Foreign Affairs of the Polish People's Republic (hereinafter referred to as the Government) concerning the establishment of a United Nations Information Centre in Warsaw, Poland.

I have the honour to set out in paragraphs 1 to 9 below the basic conditions under which the United Nations and the Government shall execute this agreement.

(1) A United Nations Information Centre shall be established in the city of Warsaw, Poland, to carry out the functions assigned to it by the Secretary-General, within the framework of the Department of Public Information;

(2) The appropriate Polish authorities shall exercise due diligence to ensure the security and protection of the premises of the Centre and its staff;

(3) The appropriate Polish authorities shall ensure that all necessary public services are provided to the Centre on equitable terms;

(4) The Government shall bear the cost of three locally recruited posts as well as two thirds of the operational costs in running the Centre. The United Nations shall bear the cost of three locally recruited posts as well as one third of the operational costs in running the Centre;

(5) The Government shall apply to the United Nations, its premises, property, funds and assets and to its officials the provisions of the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly on 13 February 1946 and acceded to by Poland on 8 January 1948. In particular, the premises of the Centre shall be inviolable in accordance with article II, section 3, of the Convention, and officials of the United Nations shall enjoy the privileges and immunities provided under articles V and VII of the Convention;

(6a) The Director of the Centre shall also—subject to the provisions of article 38, paragraph 1, of the Vienna Convention of 18 April 1961 on Diplomatic Relations—enjoy in respect of himself, his spouse and his relatives dependent on him, the privileges and immunities, exemptions and facilities normally accorded to diplomatic representatives of comparable rank;

(6b) Until further agreement is reached between the United Nations and the Government, however, the operation of the Centre shall be entrusted to an officer-in-charge who shall be a locally recruited United Nations staff member;

(7) The privileges and immunities for which provision is made in this Agreement are granted solely for the purpose of carrying out effectively the aims and purposes of the United Nations. The Secretary-General may waive the immunity of any staff member whenever, in his opinion, such immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations;

...
I have the honour to propose that this letter and your reply in that sense should be regarded as constituting an Agreement placing on record the understandings of the parties in that matter.

(Signed) Yasushi AKASHI
Under-Secretary-General for Public Information

II

LETTER FROM THE PERMANENT REPRESENTATIVE OF THE POLISH PEOPLE'S REPUBLIC

25 April 1986

I have the honour to acknowledge the receipt of your letter of 25 April 1986, which reads as follows:

[See letter I]

I have the honour to confirm that the foregoing is acceptable to the Government of Poland and that your letter and this reply constitute an Agreement between the Government of Poland and the United Nations which shall enter into force on the date of this reply.

(Signed) Dr. Eugeniusz NOWORYTA
Ambassador

- (g) Agreement between the United Nations and the Government of the People's Republic of Benin regarding the establishment of a United Nations Information Centre in Benin.^{11,12} Signed at New York on 21 May 1986

The Government of the People's Republic of Benin and the Secretary-General of the United Nations,

Considering that the Government of the People's Republic of Benin (hereinafter referred to as "the Government") and the Secretary-General of the United Nations (hereinafter referred to as "the Secretary-General") have agreed to establish a United Nations Information Centre in Cotonou, People's Republic of Benin (hereinafter referred to as "the Centre"), in accordance with the provisions of paragraph 14 of General Assembly resolution 39/98 A of 14 December 1984,

Considering that the Government undertakes to assist the Secretary-General in securing all the necessary facilities for the Centre's functioning under the terms of paragraph 3 of General Assembly resolution 1405 (XIV) of 1 December 1959, by which the Secretary-General is requested to enlist the cooperation of the Member States concerned in providing all possible facilities for the establishment of new centres and in assisting actively in efforts to promote wider public understanding of the aims and activities of the United Nations,

Considering 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 (hereinafter referred to as "the Convention") applies to the field offices of the Department of Public Information, which are an integral part of the Secretariat of the United Nations,

Considering that it is desirable to conclude an agreement to regulate questions arising as a result of the establishment of a United Nations Information Centre in Cotonou,

Have agreed as follows:

Chapter I

ESTABLISHMENT OF THE CENTRE

Article 1

An Information Centre shall be established in Cotonou, People's Republic of Benin.

Article 2

The Centre shall carry out the functions assigned to it by the Secretary-General within the framework of the activities of the Department of Public Information.

Chapter II

STATUS OF THE CENTRE

Article 3

The Centre shall be a field office of the Department of Public Information of the Secretariat of the United Nations.

Article 4

The Centre shall have the status of a diplomatic mission.

Article 5

The premises of the Centre and the residence of the Director shall be inviolable.

Article 6

The appropriate Beninese authorities shall ensure the security and protection of the premises of the Centre and its staff.

Chapter III

FACILITIES AND SERVICES

Article 7

The appropriate Beninese authorities shall exercise their respective powers to ensure that the Centre is supplied with the necessary public services on equitable terms. The Centre shall enjoy the same treatment for the use of telephone, radio-telegraph and mail communication facilities as that normally accorded and extended to diplomatic missions.

...

Chapter IV

STAFF OF THE CENTRE

Article 9

The staff of the Centre shall consist of:

- (a) The Director of the Centre;
- (b) United Nations officials assigned to the Centre;
- (c) Locally recruited Beninese officials at the same level;
- (d) Locally recruited staff in the General Service or related categories.

Chapter V

IMMUNITIES AND PRIVILEGES GRANTED TO THE STAFF OF THE CENTRE

Article 10

The staff in the categories referred to in subparagraphs (a) and (b) of article 9 shall enjoy, within and with respect to the People's Republic of Benin, the following privileges and immunities:

(a) Immunity from legal process of any kind in respect of words spoken or written, and of all acts performed by them in their official capacity; such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the United Nations;

(b) Exemption from any form of taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the United Nations for services past or present;

(c) Exemption from any form of taxation on income derived by them from sources outside the People's Republic of Benin;

(d) Exemption, with respect to themselves, their spouses and their dependent family members from immigration restrictions and alien registration;

(e) Immunity from national service obligations;

(f) The same privileges in respect of exchange facilities as are accorded to officials of comparable rank forming part of diplomatic missions. In particular, United Nations officials shall have the right, at the termination of their assignment to the People's Republic of Benin, to take out of the People's Republic of

Benin, through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought into Benin as well as any other funds for the lawful possession of which they can show good cause;

(g) The same protection and repatriation facilities with respect to themselves, their spouses, their dependent family members and other members of their households as are accorded in time of international crisis to diplomatic envoys;

(h) The right to import for personal use, free of duty and other levies (with the exception of taxes levied for services rendered), prohibitions and restrictions on imports:

—Their furniture and effects in one or more separate shipments within a period of six months from the date of their arrival in Benin, including motor vehicles, according to the Beninese legislation applicable to diplomatic representatives accredited in the People's Republic of Benin;

—Reasonable quantities of certain articles for personal use or consumption and not for gift or sale, exclusively for the officials of the Centre who have diplomatic status.

Article 11

In addition to the privileges and immunities specified in article 10, the staff in the categories referred to in subparagraphs (a) and (b) of article 9 shall enjoy, in respect of themselves, their spouses and their dependent family members, the privileges and immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. They shall for this purpose be included in the list of members of the diplomatic corps prepared by the Ministry of Foreign Affairs and Cooperation of the People's Republic of Benin.

Article 12

The staff referred to in subparagraphs (c) and (d) of article 9 shall enjoy, within and with respect to the People's Republic of Benin, only the privileges and immunities referred to in subparagraphs (a), (b), (c), and (e) of article 10 of this Agreement.

The officials also shall enjoy such other privileges and immunities as they may be entitled to under article VII of the Convention.

Article 13

The privileges and immunities in this Agreement are granted solely for the purpose of carrying out effectively the aims and purposes of the United Nations. The Secretary-General may waive the immunity of any staff member whenever in his opinion such immunity may be waived without prejudice to the interests of the United Nations.

Chapter VI

GENERAL PROVISIONS

Article 14

The provisions of the Convention on the Privileges and Immunities of the United Nations shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the Convention. To the extent that any provision of this Agreement and any provision of the Convention may relate to the same question, these two provisions shall, where possible, be treated

as complementary, so that both provisions shall be applicable and neither shall restrict the effect of the other.

...

- (h) Agreement between the United Nations and the Government of Colombia on a United Nations meeting of experts on regional cooperation in space science and technology and its applications¹³ [to be held at Cartagena from 16 to 20 June 1986]. Signed at United Nations Headquarters in New York on 11 June 1986

Article V

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly on 13 February 1946 shall be applicable in respect of the Meeting.

2. Participants attending the Meeting in pursuance of paragraphs 1 (a) and (c) of article II of this Agreement shall enjoy the privileges and immunities accorded to experts on mission under article VI of the Convention on the Privileges and Immunities of the United Nations.

3. Officials of the United Nations participating in or performing functions in connection with the Meeting shall enjoy the privileges and immunities provided under articles V and VII of the Convention.

4. Representatives of the specialized agencies participating in the Meeting shall enjoy the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies.

5. The personnel provided by the Government under article IV, paragraph 3, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Meeting.

6. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connection with the Meeting and all those invited to the Meeting shall enjoy such privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Meeting.

7. All participants and persons performing functions in connection with the Meeting shall have the right of unimpeded entry into and exit from Colombia. Visas shall be granted free of charge and as speedily as possible. When applications are made four weeks before the opening of the Meeting, visas shall be granted not later than two weeks before the opening of the Meeting. If the applications are not made at least two and a half weeks before the opening of the Meeting, visas shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Meeting are delivered at the airport of arrival to the participants who were unable to obtain them prior to their arrival.

8. The participants in the Meeting, referred to in article II above, and officials of the United Nations responsible for the organization of the Meeting and experts on mission for the United Nations in connection with the Meeting shall have the right to take out of Colombia at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into Colom-

bia in connection with the Meeting at the United Nations official rate prevailing when the funds were brought in.

9. The Government shall allow the temporary importation tax- and duty-free of all equipment and shall waive import duties and taxes on supplies necessary for the Meeting. It shall issue without delay any necessary import and export permits for this purpose.

Article VI

LIABILITY

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

- (i) Injury to persons or damage of property in the premises referred to in paragraphs 3 (a) and (b) of article IV above;
- (ii) Injury or damage to persons or property occurring during use of the transportation referred to in paragraphs 3 (j) of article IV;
- (iii) The employment for the Meeting of the personnel referred to in paragraphs 2, and 3 (d), (e), (h) and (j) of article IV.

2. The Government shall hold the United Nations and its personnel harmless in respect of any action, claim and other demand.

- (i) Agreement between the United Nations and the Government of the Democratic Socialist Republic of Sri Lanka on the United Nations Regional Meeting of Experts on Space Technology Applications in the Indian Ocean Region¹⁴ [to be held at Colombo from 15 to 19 September 1986]. Signed at United Nations Headquarters in New York on 14 August 1986

Article V

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, shall be applicable in respect of the Meeting.

2. Participants attending the Meeting in pursuance of paragraphs 1 (a) and (c) of article II of this Agreement shall enjoy the privileges and immunities accorded to experts on mission under article VI of the Convention on the Privileges and Immunities of the United Nations.

3. Officials of the United Nations participating in or performing functions in connection with the Meeting shall enjoy the privileges and immunities provided under articles V and VII of the Convention.

4. Representatives of the specialized agencies participating in the Meeting shall enjoy the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies.

5. Representatives referred to in article II, paragraph 1 (e), shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation.

6. The personnel provided by the Government under article II, paragraph 3, above, shall enjoy immunity from legal process in respect of words spoken or

written and any act performed by them in their official capacity in connection with the Meeting.

7. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connection with the Meeting and all those invited to the Meeting shall enjoy such privileges, immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Meeting.

8. All participants and all persons performing functions in connection with the Meeting shall have the right of unimpeded entry into and exit from Sri Lanka. Visas and entry permits, where required, shall be granted free of charge and expeditiously. Arrangements will also be made to ensure that visas for the duration of the Meeting are delivered at the airport of arrival to the participants who were unable to obtain them prior to their travel.

9. The participants in the Meeting, referred to in article II above, and officials responsible for the organization of the Meeting and experts on mission for the United Nations in connection with the Meeting shall have the right to take out of Sri Lanka at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into Sri Lanka in connection with the Meeting at the official rate prevailing on the date of repatriation.

10. The Government shall allow the temporary importation tax- and duty-free of all equipment and shall waive import duties and taxes on supplies necessary for the Meeting. It shall issue without delay any necessary import and export permits for this purpose.

Article VI

LIABILITY

1. The Government shall indemnify the United Nations or its officials in respect of any actions, claims or other demands arising out of:

- (i) Injury to person or damage to or loss of property in the premises referred to in paragraph 4 (a), (b) and (k) of article IV above;
 - (ii) Injury to person or damage to or loss of property caused by or incurred in using the transport services referred to in paragraph 4 (i) and (j) of article IV;
 - (iii) The employment for the Meeting of the personnel provided by the Government under article IV.
- (j) Letter of Agreement between the United Nations and the Government of Bahrain concerning the establishment of a sub-office of the United Nations Development Programme in Manama, State of Bahrain.¹⁵ Signed at New York and Manama on 27 August and 7 September 1986, respectively

On behalf of the United Nations Development Programme, I have the honour to propose to you, following consultations with your Government and the Governments of the Sultanate of Oman, the State of Qatar and the United Arab Emirates, arrangements for the establishment of a sub-office of the United Nations Development Programme in Manama, State of Bahrain.

The arrangements would give effect to the resolutions and decisions governing assistance provided by the United Nations Development Programme, and

in particular to resolution 222 A (IX) of the Economic and Social Council, as amended, and to resolutions 1240 (XIII), 2029 (XX) and 2688 (XXV) of the General Assembly.

The arrangements proposed are as follows:

(1) A sub-office of the United Nations Development Programme will be established in Manama, State of Bahrain, headed by a Deputy Regional Representative who will serve under the aegis of the Regional Representative of the United Nations Development Programme for Saudi Arabia and the Gulf Area residing in Riyadh, Saudi Arabia, with coverage responsibilities extending to the Sultanate of Oman, the State of Qatar and the United Arab Emirates in addition to the State of Bahrain.

(2) In order to assure the proper functioning of the sub-office of the United Nations Development Programme in the State of Bahrain, the Administrator may appoint such staff as he deems appropriate to assist the Deputy Regional Representative.

...

(6) The Deputy Regional Representative and the UNDP office staff, being officials of the United Nations within the meaning of the Convention on the Privileges and Immunities of the United Nations, shall be entitled to the appropriate privileges, immunities and facilities under article V of the Agreement signed on 27 May 1972 by the Minister for Foreign Affairs of the State of Bahrain on behalf of the Government, and on 6 July 1972 by the Administrator of the United Nations Development Programme on behalf of the participating organizations.

...

I shall appreciate your signifying agreement with the above arrangements by signature and return to me of this letter.

(k) Agreement between the United Nations and the Government of Ecuador on the third United Nations/World Meteorological Organization/Food and Agriculture Organization of the United Nations/European Space Agency International Training Course on Remote Sensing Applications to Operational Agro-meteorology and Hydrology [to be held at Quito from 21 October to 7 November 1986]. Signed at United Nations Headquarters in New York on 15 September 1986¹⁶

Article V

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, shall be applicable in respect of the Course.

2. Participants attending the Course in pursuance of paragraphs 1 (a) and (c) of article II of this Agreement shall enjoy the privileges and immunities accorded to experts on mission under article VI of the Convention on the Privileges and Immunities of the United Nations.

3. Officials of the United Nations participating in or performing functions in connection with the Course shall enjoy the privileges and immunities provided under articles V and VII of the Convention.

4. Representatives of the Specialized Agencies participating in the Course shall enjoy the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies.

5. The personnel provided by the Government under article IV, paragraph 3, above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Course.

6. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connection with the Course and all those invited to the Course shall enjoy such privileges and immunities, facilities necessary for the independent exercise of their functions in connection with the Course.

7. All participants and persons performing functions in connection with the Course shall have the right of unimpeded entry into and exit from Ecuador. Visas shall be granted free of charge and as speedily as possible. When applications are made four weeks before the opening of the Course, visas shall be granted not later than two weeks before the opening of the Course. If the application is not made at least two and a half weeks before the opening of the Course, visas shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Course are delivered at the airport of arrival to participants who were unable to obtain them prior to their arrival.

8. The participants in the Course, referred to in article II above, officials of the United Nations responsible for the organization of the Course and experts on mission for the United Nations in connection with the Course shall have the right to take out of Ecuador at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into Ecuador in connection with the Course at the United Nations official rate prevailing when the funds were brought in.

9. The Government shall allow the temporary importation tax- and duty-free of all equipment and shall waive import duties and taxes on supplies necessary for the Course. It shall issue without delay any necessary import and export permits for this purpose.

Article VI

LIABILITY

1. The Government shall be responsible for dealing with any actions, claims or other demand against the United Nations or its officials and arising out of:

- (i) Injury to person or damage to or loss of property in the premises referred to in paragraphs 3 (a) and (b) of article IV above;
- (ii) Injury to person or damage to or loss of property caused by or incurred in using the transport services referred to in paragraph 3 (j) and (k) of article IV;
- (iii) The employment for the Course of the personnel provided by the Government under article IV.

2. The Government shall indemnify and hold harmless the United Nations and its personnel in respect of any such action, claim and other demand.

- (I) Exchange of letters constituting an agreement between the United Nations and the Government of France concerning arrangements for the meeting of the Steering Committee on the survey of national family policies.¹⁷ Vienna, 25 and 26 September 1986¹⁸

I

LETTER FROM THE UNITED NATIONS

25 September 1986

I have the honour to refer to the provisions for the meeting of the Steering Committee on the survey of national family policies that the United Nations is organizing in Paris together with the Institute of Childhood and the Family from 29 September to 1 October 1986.

I would like to obtain hereby the agreement of your Government to the following arrangements and the attached annex.

...

7. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 shall apply to the meeting. Participants invited by the United Nations shall enjoy the privileges and immunities granted to its experts on missions under article VI of the Convention. United Nations officials participating or working in the meeting shall enjoy the privileges and immunities granted them under articles V and VII of the Convention.

8. All persons referred to in paragraph 1 shall be entitled to enter and leave France without restriction on their movements to and from the site of the meeting referred to in paragraph 2. Any necessary entry and exit visas shall be issued free of charge, as quickly as possible under the terms of the regulations in force. These provisions notwithstanding, France may oppose the entry of a person for serious reasons of public safety, but not for reasons relating to the nationality, religion, occupation or political affiliation of the individual concerned.

...

On receipt of your written confirmation of the above provisions, I shall propose that this exchange of letters should constitute an agreement between the United Nations and the French Government regulating the provisions to be made by the latter for the hosting of the meeting.

(Signed) Tamar OPPENHEIMER
Assistant-Secretary-General

Centre for Social Development and Humanitarian Affairs

ANNEX

The Institute of Childhood and the Family undertakes to take out, on behalf of the United Nations, an insurance policy in order to ensure the latter sufficient protection with respect to any action, claim or other proceedings which may be instituted against the Organization as a result of damage to the facilities used during the Committee's meetings, bodily or material injuries to third parties or to their property, or the employment of local staff. Nevertheless, the Institute of Childhood and the Family may ask the Organization to

pay for bodily or material injuries attributable to misconduct or gross negligence on the part of officials or representatives of the United Nations.

II

LETTER FROM THE PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS OFFICE AND INTERNATIONAL ORGANIZATIONS

26 September 1986

I have the honour to acknowledge receipt of your letter of 25 September 1986 concerning the arrangements for the organization, by the Institute of Childhood and the Family, Paris, and the United Nations, of the meeting of the steering committee on the survey of national family policies, to be held in Paris from 29 September to 1 October 1986.

I have the honour to confirm that these arrangements shall be as follows:

[See letter I]

I have the honour to inform you of my Government's acceptance of the preceding provisions. Consequently, the present Agreement enters into force as of today.

(Signed) André BAEYENS
Ambassador

Permanent Representative of France

(m) Agreement between the United Nations (United Nations High Commissioner for Refugees) and the Government of Sweden regarding the Office of the UNHCR Representative for Nordic countries to be situated in Stockholm.¹⁹ Signed at Geneva and Stockholm on 31 August and 30 September 1985, respectively

The Government of Sweden and the Office of the United Nations High Commissioner for Refugees,

Considering that Sweden is a party to the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol thereto;

Considering that the Government of Sweden (hereinafter referred to as "the Government") and the United Nations High Commissioner for Refugees (hereinafter referred to as the "High Commissioner" or, alternatively, "UNHCR") have agreed to establish a Regional Office of UNHCR (hereinafter referred to as the "UNHCR Regional Office") for Denmark, Finland, Iceland, Norway and Sweden (hereinafter referred to as the "Nordic countries"), located in Stockholm;

Considering 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 (hereinafter referred to as the "General Convention"), to which Sweden acceded on 28 August 1947, is applicable to UNHCR, a subsidiary organ of the United Nations established pursuant to Article 22 of the Charter of the United Nations as an integral part of the United Nations;

Considering that it is desirable to regulate further certain matters relating to the establishment of the UNHCR Regional Office in Stockholm;

Now therefore the Government and UNHCR have entered into this Agreement through the undersigned representative of the Government and the United Nations High Commissioner for Refugees.

Article I

FUNCTIONS

Section 1. The UNHCR Regional Office will exercise in Sweden and in the other Nordic countries the functions assigned to it by the High Commissioner pursuant to article 35 of the 1951 United Nations Convention Relating to the Status of Refugees, the Statute of the Office of UNHCR and the subsequent General Assembly resolutions relating to the provision of international protection and assistance to refugees and asylum-seekers.

Section 2. The Government shall—in accordance with the 1951 United Nations Convention Relating to the Status of Refugees—grant the Regional UNHCR Representative and his staff free access in Sweden to refugees falling under the UNHCR mandate and persons seeking asylum or recognition of their refugee status.

Article II

STATUS OF THE UNHCR REGIONAL OFFICE

Section 3. The premises of the UNHCR Regional Office and the residences of the Representative, his Deputy and other internationally recruited UNHCR staff shall be inviolable.

Section 4. The appropriate Swedish authorities shall exercise due diligence to ensure the security and protection of the premises of the UNHCR Regional Office and its staff.

Section 5. The UNHCR Regional Office shall have the right to import into Sweden free of tax or import duties its official vehicles, office furniture, machinery and supplies, including UNHCR public information material for distribution inside the Nordic countries.

Section 6. The UNHCR Regional Office shall be incorporated by the Swedish Ministry of Foreign Affairs into the Diplomatic list.

Article III

FACILITIES AND SERVICES

Section 7. The Government shall assist the Regional Office in finding appropriate office premises.

Section 8. The competent Swedish authorities shall do their utmost to ensure that the UNHCR Regional Office is at all times supplied with the necessary public services, and that such public services are supplied on equitable terms. The UNHCR Regional Office shall enjoy telephone, radio/telegraph, telex and mail facilities on the same conditions that are normally accorded to diplomatic missions.

Article IV

OFFICIALS OF THE UNHCR

Section 9. Officials of the UNHCR Regional Office, irrespective of their rank or nationality, shall enjoy within and with respect to Sweden the following privileges and immunities:

(a) Immunity from legal process of any kind in respect of words spoken or written, and of acts performed by them in their official capacity, such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of UNHCR;

(b) Immunity from seizure of their official baggage;

(c) Exemption from taxation in respect of the salaries, emoluments and indemnities paid to them by UNHCR;

(d) Exemption, with respect to themselves, their spouses and minor children, from immigration restrictions and alien registration;

(e) Immunity from national service obligations;

(f) The same privileges in respect of exchange facilities as are accorded to officials of comparable rank forming part of diplomatic missions. In particular, UNHCR officials shall have the right, at the termination of their assignment to Sweden, to take out of Sweden through authorized channels without prohibition or restriction, their funds in the same currency and up to the same amounts as they had brought into Sweden as well as any other funds for the lawful possession of which they can show good cause;

(g) The same protection and repatriation facilities with respect to themselves, their spouses, their minor children and other members of their households as are accorded in time of international crisis to officials of comparable rank forming part of diplomatic missions;

(h) Upon moving to Sweden at the time of first taking up their appointment, the right to import for personal use, free of duty and other levies on imports, their furniture and personal effects in one or more separate shipments, including a motor vehicle.

Section 10. In addition to the privileges and immunities specified in section 9, the Regional Representatives of the High Commissioner and his Deputy, unless they are of Swedish nationality, shall enjoy, with respect to themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. They shall for this purpose be incorporated by the Swedish Ministry of Foreign Affairs into the Diplomatic list.

Section 11. The privileges and immunities for which provision is made in this Agreement are granted solely for the purpose of carrying out effectively the aims and purposes of the UNHCR Regional Office. The High Commissioner may waive the immunity of any staff member whenever in his opinion such immunity would impede the course of justice and can be waived without prejudice to the interests of his Office.

Section 12. Without prejudice to the privileges and immunities accorded by this Agreement, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of Sweden.

Article V

GENERAL PROVISIONS

Section 13. The provisions of the General Convention shall fully apply to UNHCR, and the provisions of this Agreement shall be complementary to those of the General Convention. In so far as any provisions of this Agreement and any provision of the General Convention relate to the same subject-matter, the two provisions shall, where possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other.

Section 14. The Agreement shall be construed in the light of the primary purpose of enabling the UNHCR Regional Office fully and efficiently to discharge its responsibilities and fulfil its purposes.

Section 15. Consultations with respect to modifications of this Agreement shall be entered into at the request of either party. Any such modifications shall be by mutual consent.

Section 16. This Agreement may be terminated by agreement between the two parties. In the event of the UNHCR Regional Office being removed from the territory of Sweden this agreement shall, after the period reasonably required for such transfer and for the disposal of the property of UNHCR in Sweden, cease to be in force.

Section 17. This Agreement shall be approved by the Parties in accordance with their own procedures. It shall enter into force on an agreed date when the Parties have notified each other that the procedures necessary to this end have been completed.

- (n) Agreement between the United Nations and the Government of Mexico on the United Nations Meeting of Experts on Space Science and Technology and its Applications within the Framework of Educational Systems²⁰ [to be held at Mexico City from 13 to 17 October 1986]. Signed at United Nations Headquarters in New York on 8 October 1986

Article V

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, shall be applicable in respect of the Meeting.

2. The Convention on the Privileges and Immunities of the United Nations shall be applicable in respect of the Meeting in accordance with the terms of its approval by the Government. In particular, the Government shall accord to the representatives and observers of the Member States invited, and to all the officials and experts of the United Nations attending the Meeting, the relevant privileges and immunities provided under articles IV, V, VI and VII of the Convention.

3. The personnel provided by the Government under article IV, paragraph 3, above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Meeting.

4. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connection with the Meeting and all those invited to it shall enjoy such privileges, immunities and facilities as are necessary for the independent exercise of those functions.

5. The Government shall grant every facility to ensure that all participants and persons performing functions in connection with the Meeting may freely enter and leave Mexico. Visas shall be granted free of charge and as speedily as possible.

6. The participants in the Meeting, referred to in article II above, officials of the United Nations responsible for the organization of the Meeting and experts on mission for the United Nations in connection with the Meeting shall have the right to take out of Mexico at the time of their departure, without any restrictions, any unexpended portions of the funds which they brought into Mexico in connection with the Meeting at the United Nations official rate prevailing when the funds were brought in.

7. The Government shall allow the temporary importation, tax- and duty-free, of all equipment and shall waive import duties and taxes on supplies necessary for the Meeting. It shall issue without delay any necessary import and export permits for this purpose.

Article VI

LIABILITY

1. The Government shall be responsible for dealing with any actions, claims or other demand against the United Nations or its officials and arising out of:

- (i) Injury to person or damage to or loss of property in the premises referred to in paragraphs 3 (a) and (b) of article IV above;
- (ii) Injury to person or damage to or loss of property caused by or incurred in using the transport services referred to in paragraphs 3 (k) and (l) of article IV;
- (iii) The employment for the Meeting of the personnel provided by the Government under article IV.

2. The Government shall indemnify and hold harmless the United Nations and its personnel in respect of any such action, claim or other demand, except if it is agreed by the parties hereto that such injury, loss or damage was caused by gross negligence or wilful misconduct of United Nations personnel.

(o) Memorandum of Understanding between the United Nations and the Government of Belgium relating to the establishment of an International Centre for Training and Research in Population and Development in association with the United Nations at the Catholic University of Louvain, Louvain-la-Neuve.²¹ Signed at Brussels and New York on 19 September and 10 October 1986, respectively.

FINANCIAL ARRANGEMENTS, PRIVILEGES AND IMMUNITIES

...

11. Officials, experts or other persons employed with, sent by or invited by the United Nations or any of its specialized agencies to visit the Centre [International Centre for Training and Research in Population and Development in association with the United Nations] in an official capacity shall, while in Belgium, enjoy the privileges and immunities to which they are entitled under the Conventions on the Privileges and Immunities of the United Nations and of the Specialized Agencies, and such other privileges and immunities as may be necessary for their performance of official functions in connection with the Centre.

12. The Government of Belgium shall give the Centre such assistance as it may require to enable it to answer any claim which may be brought against it by third parties residing in the territory of Belgium, and the Government shall hold the United Nations and its personnel harmless in case of any third-party claim or liability resulting from operations relating to the Centre except where it is agreed by the parties hereto that such claim or liability arises from gross negligence or wilful misconduct of such personnel.

13. The Centre shall have a juridical personality independent of that of the funding parties and shall not be considered as forming either part of the United Nations or the Government. Cooperative relationships shall be encouraged with the relevant academic and research institutions in the countries covered by the Centre, with relevant non-governmental institutions and with the relevant agencies and organizations of the United Nations system.

...

3. AGREEMENTS RELATING TO THE UNITED NATIONS CHILDREN'S FUND: REVISED MODEL AGREEMENT CONCERNING THE ACTIVITIES OF UNICEF²²

Article VI

CLAIMS AGAINST UNICEF

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

Article VII

PRIVILEGES AND IMMUNITIES

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

Agreements between the United Nations (United Nations Children's Fund) and the Government of Barbados and the Government of Botswana. Signed respectively at Bridgetown on 7 February 1986 and at Gaborone on 21 August 1986

These Agreements contain provisions similar to articles VI and VII of the Revised Model Agreement, except that, in the Agreement concluded by Botswana, article VII provides that taxes, fees, tolls or duties shall not be levied also on "services furnished by UNICEF".

4. AGREEMENTS RELATING TO THE UNITED NATIONS DEVELOPMENT PROGRAMME: STANDARD BASIC ASSISTANCE AGREEMENT (SBAA) BETWEEN THE RECIPIENT GOVERNMENT AND THE UNITED NATIONS DEVELOPMENT PROGRAMME²³

Article III

EXECUTION OF PROJECTS

...

5. [See *Juridical Yearbook*, 1973, p. 24.]

Article IX

PRIVILEGES AND IMMUNITIES

[See *Juridical Yearbook*, 1973, p. 25.]

Article X

FACILITIES FOR EXECUTION OF UNDP ASSISTANCE

[See *Juridical Yearbook*, 1973, pp. 25 and 26.]

Article XIII

GENERAL PROVISIONS

...

4. [See *Juridical Yearbook*, 1973, p. 26.]

Standard Basic Agreements between the United Nations (United Nations Development Programme) and the Government of Lebanon²⁴ and the Government of Bangladesh.²⁵ Signed respectively at Beirut on 10 February 1986 and at Dhaka on 25 November 1986

These Agreements contain provisions similar to articles III.5, IX, X and XIII.4 of the Standard Basic Agreement except that in the Agreement concluded by Bangladesh:

(a) Paragraph 4 of article IX reads as follows: "Members of the UNDP mission in the country may be granted such additional privileges and immunities as may be necessary for the effective exercise by the mission of its functions, if agreed upon by the Parties.";

(b) At the end of subparagraph (a) of paragraph 4 of the same article the following words are added: "keeping in view the provisions of sections 20 and 21 of the Convention on the Privileges and Immunities of the United Nations and the corresponding provisions of the Convention and Agreement on the Privileges and Immunities of the Specialized Agencies and the IAEA respectively";

(c) The first sentence of paragraph 5 of the same article reads as follows: "The expression 'persons performing services' as used in articles IX, X and XIII of this Agreement includes operational experts, volunteers, consultants and governmental or non-governmental organizations or firms which UNDP may retain, whether as an Executing Agency or otherwise, or which an Executing

Agency may retain to execute or to assist in the execution of UNDP assistance to a project, and their employees, except Bangladesh nationals.”;

(d) Rights and facilities provided for in subparagraphs (c) and (d) of paragraph 1 of article X are granted “subject to security laws and regulations in force in Bangladesh”.

5. AGREEMENTS RELATING TO THE UNITED NATIONS REVOLVING FUND FOR NATURAL RESOURCES EXPLORATION

Project Agreements between the United Nations (United Nations Revolving Fund for Natural Resources Exploration) and the Government of Rwanda²⁶ and the Government of the Republic of Côte d’Ivoire.²⁷ Signed respectively at Kigali on 14 March 1985 and at Abidjan on 28 February 1986

These Agreements contain provisions similar to article V and article VI, sections 6.02 and 6.03, of the Agreement reproduced in *Juridical Yearbook, 1979*, pp. 35-37, except that: (a) in the first sentence of section 5.03 (a) of article V they do not contain the exclusion of “government nationals employed locally” from privileges and immunities provided for in this provision; and (b) in the Agreement concluded by Rwanda, exemption provided for in provision (vi) of section 6.02 (b) of article VI is not granted from, or reimbursed for, any taxes, fees or charges which “represent payment for specific services rendered”.

B. Treaty provisions concerning the legal status of intergovernmental organizations related to the United Nations

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

In 1986 the following States acceded to the Convention or, if already parties, undertook by a subsequent notification to apply provisions of the Convention in respect of the specialized agencies indicated below:²⁹

<i>State</i>	<i>Date of receipt of instrument of accession or notification</i>	<i>Specialized agencies</i>
Australia ... Accession	9 May 1986	ILO, FAO (second revised text of annex II), ICAO, UNESCO, IMF, IBRD, WHO (third revised text of annex VII), UPU, ITU, WMO, IMO (revised text of annex XII), IFC, IDA, WIPO, IFAD.
Saint Lucia ... Accession	2 September 1986	FAO (second revised text of annex II), ICAO, UNESCO, IMF, IBRD, WHO (third revised text of annex VII), UPU, ITU, WMO, IMO (revised text of annex XII), IDA, WIPO.
United Kingdom of Great Britain and Northern Ireland ... Notification	3 September 1986	WIPO

As of 31 December 1986, 94 States were parties to the Convention.³⁰

2. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

(a) Agreements for the establishment of an FAO Representative's Office

In 1986, the Organization concluded agreements for the establishment of an FAO Representative's office in Cape Verde and in Belize.

With the concurrence of the Government of Mexico, the FAO Representative in Mexico is also accredited to Belize.

(b) Agreements based on the standard "Memorandum of Responsibilities" in respect for FAO sessions

Agreements concerning specific sessions held outside FAO headquarters, containing provisions on privileges and immunities of FAO and participants similar to the standard text,³¹ were concluded in 1986 with the Governments of the following countries acting as hosts to such sessions: Australia,³² Austria, Belgium,³² Burkina Faso, Cameroon, Chile, Colombia,³² Costa Rica, Côte d'Ivoire, Cuba,³² Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Finland, France,³² Gambia, Ghana, India,³² Iraq, Italy,³² Kenya, Malaysia, Mexico,³² Monaco,³² Poland, Republic of Korea, Senegal, Spain,³² Sri Lanka,³² Switzerland,³² Syrian Arab Republic, Thailand, Tonga, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland,³² United Republic of Tanzania, United States of America,³² Yugoslavia.

- (c) Agreements based on the standard “Memorandum of Responsibilities” in respect of seminars, workshops, training courses or related study tours

Agreements concerning specific training activities, containing provisions on privileges and immunities of FAO and participants similar to the standard text,³³ were concluded in 1986 with the Governments of the following countries acting as hosts to such training activities: Austria, Benin, Cyprus, Denmark, Ecuador, Finland, Jordan, India,³² Indonesia, Kenya, Panama, Philippines, Senegal, Trinidad and Tobago, Thailand, Uruguay, Zimbabwe.

3. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Agreements relating to conferences, seminars and other meetings

The following standard clause concerning privileges and immunities was used in agreements between UNESCO and member States concerning UNESCO meetings organized in those States during 1986.

“III. *Privileges and immunities*

“The Government of [name of country] shall apply, in all matters relating to this meeting, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies as well as annex IV thereof [to which [name of country] has been a party since [applicable date]]. In particular, the Government shall ensure that no restriction is placed upon the entry into, sojourn in, and departure from the territory of [name of country] of all persons, of whatever nationality, entitled to attend the meeting by virtue of a decision of the appropriate authorities of UNESCO and in accordance with the organization’s pertinent rules and regulations.”

4. WORLD HEALTH ORGANIZATION

Basic Agreement on technical advisory cooperation

A Basic Agreement on technical advisory cooperation was concluded in 1986 between WHO and Brunei Darussalam and signed at Bandar Seri Begawan on 16 October and at Manila on 10 November 1986.

This Agreement contains provisions similar to article I, paragraph 6, and article V of the Agreement between the World Health Organization and Guyana.³⁴

5. INTERNATIONAL ATOMIC ENERGY AGENCY

Agreement on the Privileges and Immunities of the International Atomic Energy Agency.³⁵ Approved by the Board of Governors of the Agency on 1 July 1959

In 1986 the following member States accepted the Agreement on the dates indicated below:

<i>State</i>	<i>Date of acceptance</i>
Holy See	21 January 1986
Australia	9 May 1986

As of 31 December 1986, 59 member States were parties to the Agreement.

6. UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

- (a) Agreement between the United Nations Industrial Development Organization and the Federal Executive Council of the Socialist Federal Republic of Yugoslavia regarding the arrangements for the United Nations Industrial Development Organization's Third Consultation on the Agricultural Machinery Industry³⁶ [to be held at Belgrade from 29 September to 3 October 1986]. Signed at Vienna on 12 September 1986

Article X

LIABILITY

1. The Federal Executive Council shall be responsible for dealing with any action, claim or other demand against UNIDO or its officials and arising out of:

(a) Injury to persons or damage to or loss of property in the premises referred to in article III that are provided by or under the control of the Federal Executive Council;

(b) The employment for the Consultation of the personnel provided by the Federal Executive Council under article VIII;

(c) Any transportation provided by the Federal Executive Council for the Consultation.

2. The Federal Executive Council shall indemnify and hold harmless UNIDO and its officials in respect of any such action, claim or other demand.

Article XI

PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which the Socialist Federal Republic of Yugoslavia is a party, shall be applicable in respect of the Consultation. In particular, the participants referred to in article II, para-

graph 1 (a), above, shall enjoy the privileges and immunities provided under article IV of the Convention, the officials of UNIDO performing functions in connection with the Consultation referred to in article II, paragraphs 1 (c) and 2, above, shall enjoy the privileges and immunities provided under articles V and VII of the Convention and any experts on mission for UNIDO in connection with the Consultation shall enjoy the privileges and immunities provided under articles VI and VII of the Convention.

2. The representatives or observers referred to in article II, paragraph 1 (b), above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation in the Consultation.

3. The personnel provided by the Federal Executive Council under article VIII above shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Consultation.

4. Without prejudice to the preceding paragraphs of the present article, all persons performing functions in connection with the Consultation, including those referred to in article VIII and all those participating in the Consultation, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Consultation.

5. All persons referred to in article II shall have the right of entry into and exit from the Socialist Federal Republic of Yugoslavia, and no impediment shall be imposed on their transit to and from the conference area. They shall be granted facilities for speedy travel. Visas and entry permits, where required, shall be granted free of charge, as speedily as possible and not later than two weeks before the date of the opening of the Consultation, provided the application for the visa is made at least three weeks before the opening of the Consultation; if the application is made later, the visa shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Consultation are delivered at the airport or other specified points of entry to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the Consultation.

6. For the purpose of the Convention on the Privileges and Immunities of the United Nations, the conference premises specified in article III, paragraph 1, above, shall be deemed to constitute premises of UNIDO in the sense of section 3 of the Convention and access thereto shall be subject to the authority and control of UNIDO. *The premises shall be inviolable for the duration of the Consultation, including the preparatory stage and the winding up.*

7. All persons referred to in article II above shall have the right to take out of the Socialist Federal Republic of Yugoslavia at the time of their departure, without any restriction, any unexpended portions of the funds they brought into the Socialist Federal Republic of Yugoslavia in connection with the Consultation and to convert any such funds at the rate at which they had originally been converted.

8. The Federal Executive Council shall allow the temporary importation, tax- and duty-free, of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes

on supplies necessary for the Consultation. It shall issue without delay any necessary import and export permits for this purpose.

- (b) Agreement between the United Nations Industrial Development Organization and the Government of Italy on basic terms and conditions governing UNIDO projects envisaged by the interim programme for the International Centre for Genetic Engineering and Biotechnology.³⁷ Signed at Vienna on 22 October 1986

Article III

PRIVILEGES AND IMMUNITIES

1. In respect of the project activities executed within the framework of the present Agreement, the Government shall apply to UNIDO, including its organs, its property, funds, assets and its officials and experts on mission, the provisions of the Convention on the Privileges and Immunities of the United Nations, or of the Convention on the Privileges and Immunities of the Specialized Agencies, as applicable in accordance with article 21 of the Constitution of UNIDO.

2. For this purpose:

(a) Representatives of States members of the Preparatory Committee for the Establishment of the ICGEB and observers from non-member States shall be assimilated to representatives of Members of UNIDO;

(b) Members of the Panel of Scientific Advisers to the Preparatory Committee shall be considered experts on mission for UNIDO;

(c) Consultants employed by UNIDO, as well as trainees, for the purpose of implementing the interim programme of the ICGEB shall be considered experts on mission for UNIDO;

(d) All papers and documents relating to the project in the possession or under the control of the persons referred to in subparagraphs (b) and (c) above shall be deemed to be documents belonging to UNIDO;

(e) Equipment, materials and supplies brought into, or purchased, or leased by those persons within the country for purposes of the project shall be deemed to be property of UNIDO, except for those items directly purchased by the Research Area of Trieste and made available to UNIDO.

Article IV

FACILITIES FOR THE IMPLEMENTATION OF UNIDO ACTIVITIES

1. For the purpose of implementing the privileges and immunities referred to in article III the Government shall, in particular, grant the following facilities:

(a) Prompt issuance without cost of necessary visas, licences or permits;

(b) Access to the laboratories and premises of the ICGEB at the Research Area of Trieste and all necessary rights of way;

(c) Free movement within or to or from the country to the extent necessary for proper execution of UNIDO activities;

(d) The most favourable legal rate of exchange;

(e) Any permits necessary for the importation of equipment, materials and supplies and for their subsequent exportation;

(f) Any permits necessary for importation of property belonging to and intended for the personal use or consumption of officials of UNIDO, of experts on mission for UNIDO, and for the subsequent exportation of such property;

(g) Prompt release from customs of the items mentioned in subparagraphs (e) and (f) above.

2. (a) The Research Area of Trieste shall bear all operational risks in Trieste arising under the projects within the framework of this Agreement, except those normally covered by the applicable employment regulations and rules of UNIDO. With respect to such risks it shall be responsible for dealing with claims which may be brought by third parties against UNIDO, its officials or experts on mission for UNIDO, and shall hold them harmless in respect of claims or liabilities arising from operations under these projects. UNIDO shall apply in the laboratory in Trieste all relevant safety standards applicable in Italy.

(b) The foregoing provision shall not apply where the Government and UNIDO have agreed that a claim or liability arises from a violation of the safety standards applicable in Italy, or from gross negligence or wilful misconduct of UNIDO officials or experts on mission for UNIDO.

(c) In respect of the risks referred to under paragraph (a) the Research Area of Trieste shall enter into a contract providing insurance for the full coverage of such risks.

NOTES

¹ United Nations, *Treaty Series*, vol. 1, p. 15.

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

³ For the list of those States, see *Multilateral Treaties Deposited with the Secretary-General* (United Nations publication, Sales No. E.92.V.4).

⁴ Registered *ex officio* on 9 June 1986. Came into force on the date of signature.

⁵ Came into force on 25 April 1986.

⁶ Came into force on the date of signature.

⁷ Came into force on 20 February 1986.

⁸ English translation prepared by the Secretariat of the United Nations on the basis of the French version of the letters.

⁹ Came into force on 23 April 1986.

¹⁰ Came into force on 25 April 1986.

¹¹ English translation prepared by the Secretariat of the United Nations on the basis of the French version of the Agreement.

¹² Came into force on the date of signature.

¹³ Came into force on the date of signature.

¹⁴ Came into force on the date of signature.

¹⁵ Came into force on 7 September 1986.

¹⁶ Came into force on 15 September 1986.

¹⁷ Came into force on 26 September 1986.

¹⁸ English translation prepared by the Secretariat of the United Nations on the basis of the French version of the letters.

¹⁹ Came into force on 1 January 1986.

²⁰ Came into force on the date of signature.

²¹ Came into force on 10 October 1986.

²² 1972 Revised Model Text. Provisions in question of the Model Text are similar to the provisions reproduced in *Juridical Yearbook*, 1965.

²³ UNDP, Basic Documents Manual, chap. II (1).

²⁴ Came into force on the date of signature.

²⁵ Came into force on the date of signature.

²⁶ Came into force on 7 January 1986.

²⁷ Came into force on 27 August 1986.

²⁸ United Nations, *Treaty Series*, vol. 33, p. 261.

²⁹ The Convention is in force with regard to each State party 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.

³⁰ For the list of those States, see *Multilateral Treaties Deposited with the Secretary-General* (United Nations publication, Sales No. E.92.V.4).

³¹ Reproduced in *Juridical Yearbook*, 1972, p. 32.

³² Certain departures from, or amendments to, the standard text were introduced at the request of the host Government.

³³ Reproduced in *Juridical Yearbook*, 1972, p. 33.

³⁴ Reproduced in *Juridical Yearbook*, 1968, p. 56.

³⁵ United Nations, *Treaty Series*, vol. 374, p. 147.

³⁶ Came into force on the date of signature.

³⁷ Came into force on the date of signature.