

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

1979

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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## **Part One. 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 INTERGOVERNMENTAL 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 State acceded to the Convention on the Privileges and Immunities of the United Nations in 1979:<sup>2</sup>

<i>State</i>	<i>Date of receipt of instrument of accession</i>
China .....	11 September 1979

This brought up to 117 the number of States parties to this Convention

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

###### (a) Agreement between the United Nations and Iraq relating to the Headquarters of the United Nations Economic Commission for Western Asia.<sup>3</sup> Signed at Baghdad on 13 June 1979

The United Nations and the Government of the Republic of Iraq,

Desiring to conclude an agreement for the purpose of regulating questions arising as a result of the United Nations Economic Commission for Western Asia resolution No. 35 (S-II) of 22 August 1976, endorsed by the Economic and Social Council in its resolution 2045 (LXI) of 27 October 1976, to establish the Headquarters of the Commission in Baghdad,

Whereas the Government of the Republic of Iraq agrees to grant the Commission all the necessary facilities to enable the Commission to perform its functions, including its scheduled programmes of work, projects and other activities,

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, to which Iraq is a party, applies by definition to the United Nations Economic Commission for Western Asia,

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<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> Came into force on 31 August 1979.

Desiring to conclude an agreement supplementing the Convention on the Privileges and Immunities of the United Nations in order to regulate matters not covered therein resultant from the establishment of the Headquarters of the United Nations Economic Commission for Western Asia in Baghdad,

Have agreed as follows:

### *Article 1*

#### DEFINITIONS

In this Agreement,

(a) The expression "Commission" means the United Nations Economic Commission for Western Asia;

(b) The expression "Government" means the Government of the Republic of Iraq;

(c) The expression "Executive Secretary" means the Executive Secretary of the Commission or his authorized representative;

(d) The expression "Headquarters" means the headquarters site with the buildings or premises including any temporary premises occupied by the commission in accordance with the provisions set forth from time to time in the supplementary agreements referred to in article 3, paragraph 2;

(e) The expression "officials of the Commission" means the Executive Secretary and all members of the staff of the Commission, irrespective of nationality, with the exception of officials or employees who are locally recruited and assigned to hourly rates;

(f) The expression "Convention" means the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946.

### *Article 2*

#### JUDICIAL PERSONALITY AND CAPACITY

The United Nations acting through the Commission shall have the capacity:

(a) To contract;

(b) To acquire and dispose of immovable and movable property;

(c) To institute legal proceedings.

### *Article 3*

#### HEADQUARTERS

1. The Headquarters shall be under the authority and control of the Commission.

2. The Government offers and the Commission accepts the use and occupation of the Headquarters according to the terms and conditions of the present Agreement and as provided for, from time to time, in supplementary agreements to be concluded when required between the Government and the Commission.

3. The Commission may lay down internal regulations to be observed throughout the Headquarters; such regulations shall determine the rules necessary for performing work therein.

4. The Headquarters shall be inviolable. Government officers and officials shall not enter the Headquarters to perform their official duties except upon the agreement of or at the request of the Executive Secretary and under conditions agreed to by him.

5. Judicial actions, including the impounding of private property, cannot be enforced in the Headquarters.

6. Without prejudice to the provisions of the Convention or of this Agreement, the Commission shall prevent the Headquarters from being used as a refuge by persons who are avoiding arrest under any law of Iraq or who are required by the Government for extradition to another country, or who are endeavouring to avoid service of legal process.

7. (a) The appropriate Iraqi authorities shall exercise due diligence to ensure that the tranquility of the Headquarters is not disturbed by the unauthorized entry of persons or groups of persons from outside or by disturbances in its immediate vicinity;

(b) If so requested by the Executive Secretary, the appropriate Iraqi authorities shall provide a sufficient number of police for the preservation of law and order in the Headquarters and for the removal therefrom of persons as requested under the authority of the Commission.

8. The competent Iraqi governmental authorities shall make every possible effort to secure, on fair conditions and upon the request of Executive Secretary, the public services needed by the Commission such as postal, telephone and telegraph services, power, water and fire protection services.

9. With due regard to article 5, paragraph 1, the Commission shall avail itself, in respect of the services maintained by the Government or by the agencies subject to governmental supervision, of the reduced tariffs, if any, granted to other Governments including their diplomatic missions and to the government offices.

10. In case of *force majeure*, resulting in a complete or partial interruption of the aforesaid services, the Commission shall for the performance of its functions be accorded the priority, if any, given to national public departments.

#### Article 4

##### FREEDOM OF ACCESS TO THE HEADQUARTERS

1. The competent Iraqi authorities shall not impede the transit to or from the Headquarters of persons holding official posts therein or of persons invited thereto in connexion with the official work and activities of the Commission upon their arrival in or departure from Iraq.

2. The Government undertakes, for this purpose, to allow the entry into and residence in Iraq of the persons listed hereunder during their assignment or during the performance of their duties for the Commission, without charging visa fees and without delay, as well as exemption from any requirements of exit visa formalities upon departure from Iraq of:

(a) Representatives of the Members of the Commission to the conferences and meetings convened in the Headquarters country, including alternate representatives, advisers, experts and staff, as well as their spouses and dependent members of their families;

(b) Commission officials and experts, as well as their spouses and dependent members of their families;

(c) Officials of the United Nations or any of its specialized agencies or the International Atomic Energy Agency who are assigned to work for the Commission and those who have official duties with the Commission, as well as their spouses and dependent members of their families;

(d) Persons on mission for the Commission but who are not officials of the Commission, as well as their spouses and dependent members of their families;

(e) All persons invited to the Headquarters on official business.

3. Without prejudice to the special immunities which they may enjoy, persons referred to in paragraph 2 above may not be forced by the Iraqi authorities to leave Iraqi territory unless they abuse their recognized residence privileges by exercising an activity outside their official capacity with the Commission, and subject to the provisions mentioned hereunder:

(a) No action to force the persons referred to in paragraph 2 above to leave Iraqi territory may be taken without the consent of the Minister for Foreign Affairs who shall consult with the Executive Secretary prior to giving the consent;

(b) Persons enjoying diplomatic privileges and immunities under this Agreement may not be requested to leave Iraqi territory except in accordance with the practices and procedures applicable to diplomats accredited to the Government;

(c) It is understood that persons referred to in paragraph 2 above shall not be exempt from the reasonable application of quarantine or other health regulations.

#### Article 5

##### COMMUNICATIONS FACILITIES

1. For postal, telephone, telegraph and telephoto communications the Government shall accord to the Commission a treatment equivalent to that accorded to all other Governments including their diplomatic missions, or to other intergovernmental organizations in regard to any priorities, tariffs and charges on mail, cablegrams, telephotos, telephone calls and other communications, as well as rates for news reported to the press and radio as may be accorded.

2. The Government shall secure the inviolability of the official correspondence of the Commission and shall not apply any censorship to such correspondence. Such inviolability shall extend, without limitation by reason of this enumeration, to publications, still and moving pictures, films and sound recordings dispatched to or by the Commission.

3. The Commission shall have the right to use codes and to dispatch and receive its correspondence and other materials by courier or in sealed bags, which shall have the same privileges and immunities as diplomatic couriers and bags.

4. (a) The United Nations is authorized to operate at the Headquarters of the Commission one point-to-point telecommunications circuit in a generally easterly direction and one point-to-point circuit in a generally western direction between the Headquarters and other United Nations radio stations;

(b) Subject to the necessary authorization from the General Assembly and with the agreement of the Government as may be included in a supplementary agreement, the United Nations may also establish and operate at the Headquarters of the Commission:

(i) Its own short-wave sending and receiving radio broadcasting facilities (including emergency link equipment) which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable Iraqi regulations) for radiograph, radiotelephone and similar services;

(ii) Such other radio facilities as may be specified by supplementary agreement between the United Nations and the appropriate Iraqi authorities;

(c) The United Nations shall make arrangements for the operation of the services referred to in this article with the International Telecommunication Union, the appropriate agencies of the Government and the appropriate agencies of other affected Governments with regard to all frequencies and similar matters;

(d) The facilities provided for in this article may, to the extent necessary for efficient operation, be established and operated outside the Headquarters of the Commission with the consent of the Government.

#### Article 6

##### PROPERTY, FUNDS AND ASSETS

The Government shall apply, *mutatis mutandis*, to the property, funds and assets of the Commission wherever they are and by whomsoever held the provisions of the Convention on the Privileges and Immunities of the United Nations especially with regard to the following:

(a) Immunity from legal process except where the Commission may have expressly waived immunity in a certain case, it being understood that this waiver shall not extend to any measure of execution of legal actions;

- (b) Immunity from inspection, confiscation, seizure or expropriation in any form of executive, administrative or legislative enforcement action;
- (c) Holding of funds and currencies of any kind and opening of accounts in any currency it desires;
- (d) Transfer of its funds and currencies with complete freedom inside Iraq and from Iraq to any other country and vice versa;
- (e) Exemption from all taxes and levies; it being understood, however, that the Commission shall not request exemption from taxes, which are, in fact, no more than charges for public utility services;
- (f) Exemption from customs charges as well as limitations and restrictions on the import or export of materials imported or exported by the Commission for its official business, subject to the Iraqi laws and regulations relating to security and public health, it being understood that tax-free imports cannot be sold in Iraqi territory except under conditions agreed to by the Government;
- (g) Exemption from all limitations and restrictions on the import or export of publications, still and moving pictures, films and sound recordings imported, exported or published by the Commission within the framework of its official activities.

#### *Article 7*

##### DIPLOMATIC FACILITIES, PRIVILEGES AND IMMUNITIES

1. Representatives of the Members of the Commission, participating in the conferences and meetings convened by it, shall enjoy during their residence in Iraq for the purpose of exercising their functions the diplomatic facilities, privileges and immunities granted to diplomats of comparable rank of foreign diplomatic missions accredited to the Government.
2. Without prejudice to the provisions of article 8, paragraphs 1 and 3, the Executive Secretary and the Deputy Executive Secretary shall enjoy during their residence in Iraq the facilities, privileges and immunities granted to heads of diplomatic missions accredited to the Government.
3. Without prejudice to the provisions of article 8, paragraphs 1 and 3, officials of the Commission at the P-4 level and above, regardless of their nationality, shall enjoy during their residence in Iraq and their service with the Commission the facilities, privileges and immunities granted by the Government to diplomats of comparable rank of the diplomatic missions accredited to the Government. Such facilities, privileges and immunities shall also be enjoyed by other categories of officials of the Commission as determined by the Executive Secretary in consultation with the Secretary-General of the United Nations and in agreement with the Government.
4. The facilities, privileges and immunities granted to the representatives of the Members of the Commission and to the officials mentioned in paragraphs 2 and 3 above shall extend to their spouses and dependent members of their families.
5. The immunities accorded by paragraphs 1, 2 and 3 of this article are granted in the interests of the Commission and not for the personal benefit of the individuals themselves. The immunities may be waived by the member concerned in respect of its representatives and their families, by the Secretary-General of the United Nations in respect of the Executive Secretary and his deputy and members of their families, and by the Executive Secretary in respect of all other officials of the Commission and their families.
6. The Commission shall communicate to the Government in due time the names of persons referred to in this article.

#### *Article 8*

##### OFFICIALS AND EXPERTS OF THE COMMISSION

1. The officials of the Commission regardless of their nationality shall enjoy in the Iraqi territory the following privileges and immunities:

- (a) Immunity from legal process in respect of words spoken and written and all acts performed by them in their official capacity;
- (b) Immunity from personal detention and from seizure of their personal and official effects and baggage except in case of *flagrante delicto* and in such cases, the competent Iraqi authorities shall immediately inform the Executive Secretary of the detention or the seizure;
- (c) Exemption from any direct tax on the salaries and all other remuneration paid to them by the United Nations;
- (d) With due regard to the provisions of paragraph 2 of this article, exemption from any military service obligations or any other obligatory service in Iraq;
- (e) Exemption, for themselves and for their spouses and dependent members of the families, from immigration restrictions or alien registration procedures;
- (f) Exemption for themselves for the purpose of official business from any restrictions on movements and travel inside Iraq and a similar exemption for themselves and for their spouses and dependent members of their families for recreation in accordance with arrangements agreed upon between the Executive Secretary and the Government;
- (g) In regard to foreign exchange, including holding accounts in foreign currencies, enjoyment of the same facilities as are accorded to members of diplomatic missions accredited to the Government;
- (h) Enjoyment, for themselves and for their spouses and dependent members of their families, of the same repatriation facilities granted to members of diplomatic missions accredited to the Government in time of international crisis;
- (i) If they have been previously residing abroad, the right to import their furniture, personal effects and all household appliances intended for personal use free of duty when they come to reside in Iraq, which privilege shall be valid for a period of one year from the date of arrival in Iraq;
- (j) The personal right to import, in accordance with the relevant regulations of the Iraqi import system, a car free of duty once every three years in accordance with the established diplomatic practice in Iraq during his or her assignment.
2. Iraqi officials of the Commission shall not be exempt from the military service obligations or any other obligatory service in Iraq. However, those who, by virtue of their functions, are put on a nominal list drawn up by the Executive Secretary and approved by the competent Iraqi authorities, shall, in the event of mobilization, be given special assignments in accordance with Iraqi legislation. Also such authorities shall grant, upon the request of the Commission and in the event of other Iraqi officials of the Commission being called up for national service, the waivers which might be necessary to avoid the interruption of a basic service.
3. These privileges and immunities are granted in the interests of the Commission and not for the personal benefit of the officials themselves. The Executive Secretary shall waive the immunity granted to any official whenever, in his opinion, such immunity would impede the course of justice and can be waived without prejudice to the interests of the Commission.
4. All officials of the Commission shall be provided with a special identity card certifying that they are officials of the Commission enjoying the privileges and immunities specified in this Agreement.
5. The Government shall not impede in any manner the recruitment by the Commission of local staff necessary for its proper functioning. To that end, the Government shall facilitate such recruitment in accordance with arrangements to be made with the Executive Secretary. The terms and conditions of employment for locally recruited personnel shall be in accordance with the relevant United Nations Regulations and Rules.
6. Experts, other than the officials referred to in paragraph 1 above, shall enjoy the facilities, privileges and immunities mentioned hereunder while exercising their functions or duties assigned to them by the Commission or in the course of their travel to take up these functions or perform these duties inasmuch as such facilities, privileges and immunities are necessary for the performance of their duties:

(a) Immunity from personal detention and from seizure of personal and official effects and baggage except in cases of *flagrante delicto* and, in such cases, the competent Iraqi authorities shall immediately inform the Executive Secretary of the detention or the seizure;

(b) Immunity from legal process in respect of words spoken and written and all acts performed by them in their official capacity, which immunity shall continue notwithstanding the fact that the persons concerned may have ceased to exercise their functions with the Commission or their missions for the Commission may have terminated;

(c) Exemption from any direct tax on the salaries and other emoluments paid to them by the Commission;

(d) The same facilities in respect of foreign exchange as officials of foreign Governments on a temporary official mission.

7. These facilities, privileges and immunities are granted to experts in the interests of the Commission and not for their own personal benefit. The Executive Secretary shall waive the immunity granted to an expert whenever, in his opinion, such immunity would impede the course of justice and can be waived without prejudice to the interests of the Commission.

8. The Commission shall in due time communicate to the Government the names of persons to whom this article refers.

#### *Article 9*

##### CO-OPERATION WITH THE APPROPRIATE IRAQI AUTHORITIES

The Commission shall co-operate at all times with the appropriate authorities to facilitate the proper administration of justice, secure the observance of police regulations and avoid the occurrence of any abuse in connexion with the facilities, privileges and immunities mentioned in this Agreement.

#### *Article 10*

##### LAISSEZ-PASSER

1. The Government shall recognize and accept the United Nations laissez-passer issued to officials of the Commission as a valid travel document equivalent to a passport.

2. In accordance with the provisions of section 26 of the Convention on the Privileges and Immunities of the United Nations, the Government shall recognize and accept the United Nations certificate issued to experts and other persons travelling on the business of the United Nations. The Government further agrees to issue any required visas on such certificates.

#### *Article 11*

##### PREMISES FOR RESIDENCES

The Government undertakes to assist the Commission as far as possible in obtaining premises for use as residences of officials and experts of the Commission. If required, the Executive Secretary and the Government may conclude supplementary arrangements to implement this article.

#### *Article 12*

##### SETTLEMENT OF DISPUTES

1. The Executive Secretary shall take the measures necessary for ensuring the proper settlement of:

(a) Disputes resulting from contracts, or all disputes relating to individual rights to which the Commission is a party;

(b) Disputes to which an official of the Commission is a party, provided that he enjoys immunity by reason of his official post and such immunity has not been waived by the Executive Secretary.

2. Any dispute between the Government and the Commission concerning the interpretation or implementation of this Agreement which is not settled by direct negotiations or other mutually accepted method shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Minister for Foreign Affairs of the Government, one to be named by the Executive Secretary and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice. The decision of the tribunal shall be final.

### Article 13

#### FINAL PROVISIONS

1. Without prejudice to the Commission's performance of its functions in a normal and unrestricted manner, the Government may take every precautionary measure to preserve national security, after consultations with the Executive Secretary.

2. The provisions of this Agreement shall be considered supplementary to the provisions of the Convention on the Privileges and Immunities of the United Nations. When a provision of this Agreement and a provision of the Convention deal with the same subject, both provisions shall be considered complementary whenever possible; both of them shall be applied and neither shall restrict the force of the other.

3. Consultations with respect to amendments to this Agreement shall be entered into at the request of either party and such amendments shall be made by mutual consent.

4. This Agreement shall enter into force as from the day following the date of the deposit with the Secretary-General of the United Nations of the instrument of ratification by the Government.

DONE at Baghdad, on 13 June 1979, in duplicate in the Arabic and English languages, both texts being equally authentic.

*For the Economic Commission  
Western Asia:*  
(Signed) Mohamed SAID AL-ATTAR

*For the Government of  
Republic of Iraq:*  
(Signed) DR. RIYADH M. S. AL-OAYSI

(b) Memorandum between the United Nations and Japan regarding an arrangement for the interregional Symposium on Solar Energy for Development, to be held in Tokyo from 5 to 10 February 1979.<sup>4</sup> Signed at New York on 29 January 1979

#### (a) PRIVILEGES AND IMMUNITIES

The Convention on the Privileges and Immunities of the United Nations shall apply in respect of the Symposium. Article VI of the Convention shall apply to the experts on mission for the United Nations who will be invited by the United Nations to participate in the Symposium, a list of whom will be communicated to the Government in due course. Articles V and VII of the Convention shall apply to the officials of the United Nations participating in or performing functions in connexion with the Symposium. Articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies shall apply to the officials of the specialized agencies participating in the Symposium.

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

(b) VISAS, ENTRY AND EXIT

The Government of Japan will facilitate the entry into Japan of the officials of the United Nations and of the specialized agencies, and of the experts on mission for the United Nations for the purposes of the Symposium in accordance with the Conventions mentioned in the preceding paragraph.

- (c) Memorandum between the United Nations and Japan regarding the arrangements for the international Symposium on Solar Energy for Development jointly convened by the Japanese Organizing Committee and the United Nations with the co-operation of the Government of Japan, to be held in Tokyo from 5 to 10 February 1979.<sup>5</sup> Signed at New York on 2 February 1979

...

- (b) The Japanese Organizing Committee will act as host for the Symposium and will provide:

...

5. The cost of reasonable insurance premiums for appropriate insurance coverage contracted by the United Nations against liability incurred by the United Nations with respect to the following risks:

- (i) Injury to person and damage to or loss of property in the premises, including damage to the premises, referred to in paragraph (b) 1;
- (ii) The employment of personnel employed for the Symposium.

...

- (d) Exchange of letters constituting an agreement between the United Nations and Togo regarding arrangements for the Interregional Symposium on the Development Process and the Technological Options in the Developing Countries, to be held at Touné, Togo, from 21 to 26 May 1979.<sup>6</sup> New York, 8 and 12 March 1979

I

*Letter from the Under-Secretary-General, Department  
of Technical Co-operation for Development*

8 March 1979

I have the honour to transmit to you herewith the draft agreement between the United Nations and the Government of Togo regarding the United Nations Interregional Symposium on the Development Process and the Technological Options in the Developing Countries.

...

For the purposes of convening the Symposium and bearing in mind the invitation of the President of the Togolese Republic to hold the Symposium at Lomé from 21 to 26 May 1979, the United Nations and the Government of the Togolese Republic (hereinafter called "the host Government") have agreed as follows:

...

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<sup>5</sup> Came into force on the date of signature.

<sup>6</sup> Came into force on 12 March 1979.

*Article II*

PRIVILEGES, IMMUNITIES AND FACILITIES

The host Government shall:

1. Apply to the Symposium the Convention on the Privileges and Immunities of the United Nations. Officials of the United Nations participating in the Symposium shall enjoy the privileges and immunities provided under articles V and VII of the Convention. Officials of the specialized agencies participating in the Symposium shall enjoy the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies. Other participants, and experts and consultants chosen by the United Nations, shall enjoy the privileges and immunities provided for experts on mission for the United Nations under article VI of the Convention on the Privileges and Immunities of the United Nations. 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 Symposium shall enjoy such privileges, immunities and facilities as are necessary for the exercise of their functions in connexion with the Symposium;

2. Grant all officials of the United Nations and participants in the Symposium, including experts and consultants appointed by the United Nations, who are not nationals of the Togolese Republic, permission to enter and leave Togo in connexion with their participation in the Symposium. It shall issue necessary visas and authorizations free of charge and promptly.

*Article IV*

LIABILITY

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

(a) Injury or damage to persons or property in the premises referred to in article I (1) and (2) above;

(b) Injury or damage to persons or property during use of the transportation referred to in article I (3);

(c) Recruitment for the Symposium of the personnel referred to in article I (4) and (5), and shall indemnify and hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

I should be most grateful if you would confirm that the Government of the Togolese Republic accepts the above provisions without reservation. If so, I propose that this note and your reply thereto shall constitute an agreement on this matter between the United Nations and the Government of the Togolese Republic.

Accept, Sir, etc.

*(Signed)* Issoufou SAIDOU DJERMAKOYE  
*Under-Secretary-General*  
*Department of Technical Co-operation*  
*for Development*

II

*Letter from the Permanent Representative of*  
*Togo to the United Nations*

12 March 1979

Sir,

I have the honour to inform you that the text of your letter . . . dated 8 March 1979 is acceptable to the Togolese Government and that it accordingly constitutes, with this reply, an

agreement between the Togolese Government and the United Nations regarding the holding at Lomé, from 21 to 26 May 1979, of the United Nations Interregional Symposium on the Development Process and the Technological Options in the Developing Countries.

Accept, Sir, etc.

(Signed) Akanyi-Awanyo KODJOVI  
The Under-Secretary-General  
Department of Technical Co-operation  
for Development

- (e) Agreement between the United Nations (Economic Commission for Latin America) and Argentina concerning the Office of the Economic Commission for Latin America in Buenos Aires.<sup>7</sup> Signed at Buenos Aires on 9 April 1979

### Article 3

The Office of the Economic Commission for Latin America in Buenos Aires and its international staff members shall enjoy all the rights, privileges and immunities established by the Convention on the Privileges and Immunities of the United Nations and by the Agreement between the United Nations Special Fund and the Government of the Argentine Republic, both of which have been ratified by the Government of Argentina.

...

- (f) Memorandum of understanding between the United Nations and Cuba in connexion with the holding of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, to be held in Havana from 28 August to 7 September 1979.<sup>8</sup> Signed at New York on 18 April 1979

### STAFF REQUIREMENTS

#### I. International staff

...

2. The provisions of the Convention on the Privileges and Immunities of the United Nations shall apply to any staff provided by the United Nations to service the Conference.
3. The Government accepts liability in respect of Appendix D of the Staff Regulations and Rules of the United Nations which covers compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations.

- (g) Agreement between the United Nations and Mexico concerning arrangements for the 1979 session of the UNICEF Executive Board, and the Special Meeting on Children in Latin America and the Caribbean held under the auspices of the UNICEF Executive Board, to be held in Mexico City from 16 May to 1 June 1979.<sup>9</sup> Signed at Mexico City on 15 May 1979

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<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 the date of signature.

## *Article X*

### LIABILITY

The Government shall be responsible for dealing with any actions, claims or other demands against UNICEF or the United Nations arising out of: (a) injury to person or damage to or loss of property in the premises referred to in article IV above; (b) injury or damage to person or property caused by, or incurred in using, the transport services referred to in article VI, paragraph 2 above; and (c) the employment for the Meetings of the personnel provided by the Government pursuant to article VII above. The Government shall indemnify and hold UNICEF and the United Nations and their personnel harmless in respect of any such actions, claims or other demands, except if it is agreed by the parties hereto that such injury or damage was caused by gross negligence or wilful misconduct by the personnel of UNICEF or of the United Nations.

## *Article XI*

### PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946, shall be applicable with respect to the Meetings in accordance with the accession to the Convention by the Government on 26 November 1962.

2. Representatives of States and of the United Nations Council for Namibia attending the Meetings shall enjoy the privileges and immunities accorded to representatives of Member States of the United Nations by article IV of the Convention.

3. Officials of UNICEF and of the United Nations performing official functions at the Meetings shall enjoy the privileges and immunities provided by articles V and VII of the Convention. The local personnel provided by the Government to perform functions in connexion with the Meetings shall enjoy only immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity in connexion with the Meetings.

4. Officials of the specialized agencies and of the International Atomic Energy Agency and representatives of other intergovernmental organizations participating in the Meetings shall enjoy the same privileges and immunities as are accorded to officials of the United Nations of a similar rank.

5. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connexion with the Meetings and all those invited to the Meetings shall enjoy the necessary privileges, immunities and facilities in connexion with their participation in the Meetings.

6. The Government shall impose no impediment to transit to and from the Meetings' premises of any persons whose presence at the Meetings, is authorized by UNICEF and of any member of their immediate families. Any entry or exit visa required for such persons shall be granted without delay on application and without charge.

7. For the purpose of the application of the Convention on the Privileges and Immunities of the United Nations, the conference premises referred to in article IV above shall be deemed to constitute premises of the United Nations and access thereto shall be under its control and authority.

8. The participants in the meetings, representatives of information media and officials of the secretariat of the Meetings shall have the right to take out of Mexico at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into Mexico in connexion with the Meetings, or which they received during their presence at the Meetings, at the United Nations operational 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 all supplies necessary for the Meetings.

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

(h) Agreement between the United Nations and Turkey concerning arrangements for the sixth session of the Committee on Natural Resources, to be held at Istanbul from 5 to 15 June 1979.<sup>10</sup> Signed at Ankara on 15 May 1979

## Article IX

### LIABILITY

The Government shall be responsible for dealing with any action, claim or other demand against the United Nations arising out of:

(a) Injury to person or damage to or loss of property (whether United Nations property or other) in the premises referred to in article IV above, including damage to those premises;

(b) Injury to person, or damage to or loss of property caused by, or incurred in using the transportation referred to in article V above;

(c) The employment of the locally recruited personnel referred to in article VII above; and the Government shall hold harmless the United Nations and its personnel in respect of any such action, claim and other demand.

## Article X

### PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations to which the Government acceded on 22 August 1950 shall be applicable in respect of the Committee Session.

2. Representatives of States invited to the Committee Session, officials of the United Nations performing functions in connexion with the Committee Session and experts on mission for the United Nations at the Committee Session shall enjoy the privileges and immunities provided under articles IV, V, VI and VII, respectively, of the said Convention in respect of the Committee Session.

3. Representatives of the specialized agencies and representatives of the International Atomic Energy Agency at the Committee Session as well as representatives of other intergovernmental organizations invited to the Committee Session as observers shall enjoy the same privileges and immunities as are accorded to officials of comparable rank of the United Nations.

4. Observers invited by the United Nations and referred to in article II (e) and (f) of the present Agreement shall, in respect of words spoken or written and acts done by them in connexion with the Committee Session, be immune from legal process of every kind. They shall be accorded such facilities as are necessary for the independent exercise of their functions in connexion with the Committee Session.

5. The personnel provided by the Government under article VII of the present Agreement, with the exception of those assigned to hourly rates, shall enjoy immunity from legal process in

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<sup>10</sup> Came into force on the date of signature.

respect of words spoken or written and all acts performed by them in their official capacity in connexion with the Committee Session.

6. 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 Committee Session shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Committee Session.

7. The Government shall ensure that no impediment is imposed on transit to and from the site of the Committee Session of the following categories of persons:

(a) The persons referred to in article II of the present Agreement and their families;

(b) Representatives of the press or of other information media referred to in article III of the present Agreement;

(c) Members of the United Nations Secretariat and experts on mission for the United Nations performing functions in connexion with the Committee Session and their families;

(d) Other persons officially invited to the Committee Session by the Secretary-General of the United Nations.

They shall be permitted to enter or leave the country without delay. Any visa required by Turkish law for such persons shall be granted promptly on application and without charge.

8. For the purpose of the application of the Convention on the Privileges and Immunities of the United Nations, conference premises shall be deemed to constitute premises of the United Nations and access thereto shall be under the control and authority of the United Nations.

#### *Article XI*

#### IMPORT DUTIES AND TAX

The Government shall allow the temporary importation and shall waive import duties and taxes for all equipment and supplies necessary for the Committee Session. It shall issue without delay to the United Nations any necessary import and export permits.

- (i) Exchange of letters constituting an agreement between the United Nations and Italy concerning arrangements for the Workshop on Water Resources Planning: Experience in a Regional and National Context, to be held in Italy in mid-1979.<sup>11</sup> New York, 1 and 23 May 1979

*Letter from the Under-Secretary-General for  
Technical Co-operation for Development*

1 May 1979

Dear Mr. Rossi,

I have the honour to refer to your letter dated 16 February 1978 informing the Centre for Natural Resources, Energy and Transport that the Government of Italy had agreed to the proposal for the United Nations Workshop on "Water Resources Planning: Experience in a Regional and National Context" to be held in Italy in mid-1979 and are willing to commit themselves to the realization of such an initiative.

...

#### J. *Liability*

1. The Government shall be responsible for dealing with any action, claim or other demand arising out of:

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<sup>11</sup> Came into force on 31 May 1979.

- (a) Injury to person or damage to property (whether United Nations property or other) in the premises referred to under paragraph A above, including damage to those premises;
- (b) Injury to person, or damage to property caused by, or incurred in using the transportation and accommodation referred to under paragraph E above;
- (c) The employment of the locally recruited personnel referred to under paragraph C above; and the Government shall hold harmless the United Nations and its personnel in respect of any such action, claim and other demand.

**K. Privileges and Immunities**

1. The Convention on the Privileges and Immunities of the United Nations shall be applicable in respect of the Workshop.

2. The participants referred to under subparagraph C.2 (a) of this letter shall enjoy the privileges and immunities accorded to experts on mission for the United Nations under article VI of the Convention.

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

4. Officials of the specialized agencies participating in the Workshop shall be accorded the privileges and immunities provided under articles VI and VII of the Convention on the Privileges and Immunities of the Specialized Agencies.

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

6. Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connexion with the Workshop with the exception of those who are assigned to hourly rates.

7. All participants and all persons performing functions in connexion with the Workshop shall have the right of unimpeded entry into and exit from Italy. Visas and entry permits, where required, shall be granted as speedily as possible and free of charge.

On receipt of acceptance by your Government of the contents of this letter, this exchange of correspondence will be taken to constitute the agreement between the United Nations and the Government of Italy concerning the arrangements for the United Nations Workshop on Water Resources Planning: Experience in a Regional and National Context.

(Signed) Issoufou S. DJERMAKOYE

*Letter from the Deputy Permanent Representative, Chargé d'Affaires a.i.,  
Permanent Mission of Italy to the United Nations*

1884

23 May 1979

Dear Mr. Under-Secretary-General,

In acknowledging the receipt of your letter EC 321/3 (5) of 1 May 1979 addressed to Mr. Oliviero Rossi of this Mission and containing the text of the agreement between the United Nations and the Government of Italy for the convening, in Italy, of the United Nations Workshop on Water Resources Planning: Experience in a Regional and National Context, I have the honour to inform you that the Italian Government has accepted the text of the agreement contained in your letter.

...

(Signed) Giovanni SARAGAT  
Deputy Permanent Representative  
Chargé d'Affaires a.i.

- (j) Agreement between the United Nations and Austria regarding arrangements for the United Nations Conference on Science and Technology for Development, to be held at Vienna from 20 to 31 August 1979.<sup>12</sup> Signed at New York on 3 July 1979

*Article XIII*

*Privileges and immunities*

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.

2. Representatives of States and of the United Nations Council for Namibia invited to attend the Conference, officials of the United Nations performing functions in connexion with the Conference, representatives of the specialized agencies, the International Atomic Energy Agency and other intergovernmental organizations invited to attend the Conference and experts on mission for the United Nations at the Conference shall enjoy the same privileges and immunities as are accorded to the representatives to meetings of the UNIDO, to officials of the UNIDO and to experts on mission for UNIDO, respectively, under the Agreement outlined in paragraph 1.

3. Without prejudice to the provisions of paragraph 2 of this article, representatives, referred to in article II (c) and (d) and invited by the United Nations to attend the Conference, shall enjoy immunity from legal process in respect of words spoken or written or any acts performed by them in their official capacity in connexion with the Conference.

4. Personnel provided by the Government under article XI of this Agreement, with the exception of those who are assigned to hourly rates, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connexion with the Conference.

5. Without prejudice to the preceding paragraphs of this article, observers from non-governmental organizations invited by the United Nations to the Conference shall enjoy immunity from legal process in respect of words spoken or written or any act performed by them in the exercise of their functions in connexion with the Conference.

6. The Government shall ensure that no impediment is imposed on transit to and from the Conference of the following categories of persons invited by the United Nations to attend the Conference: representatives of Governments and of the United Nations Council for Namibia and their immediate families; officials and experts of the United Nations and their immediate families; representatives referred to in article II (c) and (d) and invited to the Conference and their immediate families; observers from non-governmental organizations invited to the Conference and their immediate families; representatives of the press or of radio, television, film or other information agencies accredited by the United Nations in its discretion after consultation with the Government, and other persons officially invited to the Conference by the United Nations.

7. All persons referred to in this article and all persons performing functions in connexion with the Conference who are not nationals or residents of Austria shall have the right of entry into and exit from Austria. Visas and entry permits, where required, shall be granted free of charge, as speedily as possible and, when applications are made at least two and a half weeks before the opening of the Conference, not later than two weeks before the date of the opening of the Conference. If the application for the visa is not made at least two and a half weeks before the opening of the Conference, the visa shall be granted not later than three days from the receipt of the application.

8. During the Conference including the preparatory and final stages of the Conference, the buildings and areas referred to in article III shall be deemed to constitute United Nations premises, and access thereto shall be subject to the authority and control of the United Nations.

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

## Article XIV

### LIABILITY

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

(a) Injury or damage to person or property in the premises referred to in articles III, IV and V above;

(b) Injury or damage to person or property caused by, or incurred in using, the transport services referred to in article X, paragraph 2 above;

(c) The employment for the Conference of the personnel referred to in article XI above.

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

(k) Agreement between the United Nations and the Syrian Arab Republic concerning arrangements for the United Nations Training Seminar on Remote Sensing of Earth Resources, to be held in Damascus from 1 to 13 December 1979.<sup>13</sup> Signed at New York on 1 August 1979

## 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 of this Agreement shall enjoy the privileges and immunities provided under articles VI and VII of the Convention on the Privileges and Immunities of the Specialized Agencies.

3. Participants attending the seminar in pursuance of paragraphs (a) and (c) of article II of this agreement shall enjoy the privileges and immunities of experts on mission under article VI of the Convention on the Privileges and Immunities of the United Nations.

4. 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 exercises of their functions in connexion with the seminar.

5. All persons referred to in article II of this Agreement and all persons performing functions in connexion with the seminar who are not nationals of Syria will be exempt from immigration restrictions and aliens registration. They shall be granted facilities for speedy travel. Entry and exit visas, if required, shall be granted free of charge and without any delay.

## 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 paragraph 3 (a) and (b) of article IV above; (b) injury or damage to persons or property occurring during use of the transportation referred to in paragraphs 3 (g) and (h) of article IV; (c) recruitment

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

for the seminar of the personnel referred to in paragraphs 2, 4 and 3 (b), (d) and (e) of article IV and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims and other demands.

- (d) Exchange of notes constituting an understanding between the United Nations and Canada regarding arrangements for the fifth ministerial session of the World Food Council of the United Nations, to be held in Ottawa from 3 to 7 September 1979.<sup>14</sup> Ottawa, 29 and 31 August 1979

I

*Note from the secretariat of the World Food Council  
Rome, Italy*

29 August 1979

The secretariat of the World Food Council presents its compliments to the Department of External Affairs of Canada and has the honour to enclose herewith the text of an Understanding between the United Nations and the Government of Canada regarding arrangements for the fifth ministerial session of the World Food Council for the United Nations, to be held in Ottawa from 3 to 7 September 1979. This text has been the subject of detailed discussions between officials of the United Nations Secretariat and Canadian officials.

The secretariat proposes that, should the text meet the approval of the Department, it will constitute an Understanding between the United Nations and the Government of Canada.

II

*Note from the Department of External Affairs  
Ottawa, Canada*

31 August 1979

The Department of External Affairs of Canada presents its compliments to the secretariat of the World Food Council and acknowledges receipt of its note dated 31 August 1979 transmitting the text of an Understanding between the United Nations and the Government of Canada regarding arrangements for the fifth ministerial session of the World Food Council of the United Nations, to be held in Ottawa from 3 to 7 September, 1979.

The Department is pleased to inform the secretariat that the text of the Understanding meets with the approval of the Government of Canada and constitutes an Understanding between the United Nations and the Government of Canada.

ATTACHMENT

*Paragraph X. Liability*

Included among the additional costs to be borne by the Government under General Assembly resolution 31/140, paragraph I.5, is the cost of reasonable insurance premiums for appropriate insurance coverage contracted by the United Nations with respect to the following risks: (a) injury or damage to person or property in the premises referred to in paragraph III above; (b) injury or damage to person or property caused by or incurred in using the transport services referred to in paragraph VI above; (c) the employment for the session of the personnel provided by the Government to perform functions in connexion with the session.

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<sup>14</sup> Came into force on 31 August 1979.

### *Paragraph XI. Privileges and immunities*

1. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 (hereinafter referred to as the Convention), to which the Government is a party, will be applicable in respect of the session.

2. The representatives of States referred to in paragraph II (1) (a) and (b) (i) and officials of the United Nations performing functions in connexion with the session will enjoy the privileges and immunities provided under articles IV, V and VII, as appropriate, of the Convention.

3. The representatives of the intergovernmental organizations referred to in paragraph II (1) (b) (ii), (iii), (iv) and (1) (c) will be accorded the same privileges and immunities as are enjoyed by officials of the United Nations of comparable rank.

4. All other participants referred to in paragraph II above, as registered by the Secretary-General, and all other persons performing functions in connexion with the session, will, for the purpose of this Understanding, be regarded as experts on mission for the United Nations and will enjoy the privileges and immunities provided under article VI of the Convention.

5. All participants referred to in paragraph II and all other persons performing functions in connexion with the session, and members of their immediate families, who are not nationals of Canada, will be granted visas and entry permits, where required, free of charge and as speedily as possible, so as to permit them to participate in the session without hindrance.

6. For the purpose of this Understanding, the premises referred to in paragraph III shall be deemed to constitute premises of the United Nations within the meaning of section 3 of the Convention and access thereto shall be under the authority and control of the United Nations, without prejudice to paragraph VIII of this Understanding.

### *Paragraph XII. Import duties and tax*

1. The Government will allow the temporary importation tax and duty-free of all equipment, including technical equipment accompanying representatives of information media, and will 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.

(m) Conference Agreement between the United Nations and Indonesia regarding arrangements for the sixteenth session of the Committee for Co-ordination of Joint Prospecting for Mineral Resources in Asian Offshore Areas, to be held in Bandung from 7 to 18 September 1979.<sup>15</sup> Signed at Jakarta on 3 September 1979

### *Article VII*

#### PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, to which the Government became a party, shall be fully applicable with respect to the Conference.

2. Representatives of members and co-operating members of the CCOP and representatives or observers from other States Members of the United Nations shall enjoy privileges and immunities provided in article IV of the Convention on the Privileges and Immunities of the United Nations. Observers of members of the specialized agencies shall enjoy the privileges and immunities provided for representatives in article V of the Convention on the Privileges and Immunities of the Specialized Agencies.

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<sup>15</sup> Came into force on the date of signature.

3. Officials of the United Nations and experts performing functions for the United Nations at the Conference shall enjoy the privileges and immunities set forth, respectively, in articles V, VI and VII of the said Convention.

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

5. All persons referred to in this article and all persons performing functions in connexion with the Conference who are not nationals of Indonesia shall have the right of entry into and exit from Indonesia. 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 Conference when applications are made at least two and a half weeks before the opening of the Conference. If the application for the visa is not made at least two and a half weeks before the opening of the Conference, the visa shall be granted not later than three days from the receipt of the application. Arrangements will also be made to ensure that visas for the duration of the Conference are delivered at the airport to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge and as speedily as possible, in any case not later than three days before the closing of the Conference.

### *Article VIII*

#### LIABILITY FOR CLAIMS

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

(a) Injury to person or damage to or loss of property in the premises referred to in article II above;

(b) Injury to person, or damage to or loss of property caused by, or incurred in using the transportation referred to in article IV above;

(c) The employment of the personnel referred to in article VI above;

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

(n) Agreement between the United Nations and Nigeria regarding arrangements for a joint United Nations/FAO Training Seminar on Remote Sensing Applications, to be held at Ubadan, Nigeria, from 5 to 23 November 1979.<sup>16</sup> Signed at New York on 11 October 1979

### *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 identified in paragraph (e) of article II and 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 of this Agreement shall enjoy the privileges and immunities provided under articles VI and VII of the Convention on the Privileges and Immunities of the Specialized Agencies.

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<sup>16</sup> Came into force on the date of signature.

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

4. 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.

5. All persons referred to in article II of this Agreement and all persons performing functions in connexion with the seminar who are not nationals of Nigeria will be exempt from immigration restrictions and aliens registration. They shall be granted facilities for speedy travel. Entry and exit visas, if required, shall be granted free of charge and without delay.

#### *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 persons or property in the premises referred to in paragraphs 3 (a) and (b) of article IV above; (b) injury or damage to persons or property occurring during use of the transportation referred to in paragraphs 3 (h) and (i) of article IV; (c) recruitment for the seminar of the personnel referred to in paragraphs 2, 4 and 3 (b), (d), (e) and (f) 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.

(o) Agreement between the United Nations and India regarding arrangements for the Third General Conference of the United Nations Industrial Development Organization, to be held at New Delhi from 21 January to 8 February 1980.<sup>17</sup> Signed at Vienna on 12 November 1979

#### VII. PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations shall be applicable with respect to the Conference. Accordingly, the representatives of States and of the United Nations Council for Namibia at the Conference, officials of the United Nations performing functions in connexion with the Conference and experts on missions for the United Nations performing functions in connexion with the Conference shall enjoy the privileges and immunities provided in the said Convention for representatives of Member States and officials of the United Nations and experts on mission for the United Nations with the exceptions provided for in article IV, section 15 of the said Convention.

2. Observers from the specialized agencies at the Conference shall enjoy the privileges and immunities under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies. Observers from the International Atomic Energy Agency at the Conference shall enjoy the privileges and immunities provided under articles VI and IX of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency. Observers from other intergovernmental and non-governmental organizations invited to the Conference as observers shall enjoy the privileges and immunities provided under article V of the Convention on the Privileges and Immunities of the United Nations.

3. Without prejudice to the Convention on the Privileges and Immunities of the United Nations, all persons performing functions in connexion with the Conference, including representatives of international non-governmental organizations, representatives of foreign information media

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<sup>17</sup> Came into force on the date of signature.

and other persons invited to the Conference by the United Nations who are duly accredited as such shall enjoy immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity in connexion with the Conference.

4. The Government shall ensure that no impediment is imposed on transit to and from the Conference of the following categories of persons attending the Conference: representatives of Governments and of the United Nations Council for Namibia and their immediate families; representatives of specialized agencies, intergovernmental organizations and their immediate families; officials and experts of the United Nations and their immediate families; observers of the international non-governmental organizations having consultative status with UNIDO and with the Economic and Social Council of the United Nations (ECOSOC); representatives of the press or of radio, television, film or other information agencies accredited by the United Nations upon consultation with the Government and other persons officially invited to the Conference by the United Nations.

5. All the persons referred to in this section with the exception of local staff recruited by the Government shall have the right of entry into and exit from India. They shall be granted reasonable facilities for speedy travel. Visas where required shall be granted, free of charge as speedily as possible and, when applications are received at least two and a half weeks before the opening of the Conference, not later than two weeks before the date of the Conference. If the application for the visa is not made at least two and a half weeks before the opening of the Conference, the visa shall be granted not later than three days from the receipt of the application. Exit permits, where required, shall be granted free of charge and as speedily as possible, in any case not later than three days before the closing of the Conference.

6. In addition, all participants and all persons performing functions in connexion with the Conference shall enjoy such facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Conference.

7. During the Conference, including the preparatory and final stages of the Conference, the buildings and areas referred to in article II shall be deemed to constitute United Nations premises and access thereto shall be subject to the authority and control of UNIDO.

8. The Government shall allow the importation of all equipment and supplies necessary for the Conference, including those needed for the official requirements and entertainment schedule of the Conference, and exempt them from the payment of the import duties and other duties and taxes to which they are liable. It shall issue without delay to the United Nations any necessary import and export permits.

## IX. LIABILITY

1. The Government shall, either directly or through appropriate insurance coverage, be responsible for dealing with any actions, claims or other demands against the United Nations or its personnel and arising out of:

- (a) Injury or damage to person or property in the premises referred to in article II above and in annex II of this Agreement;
- (b) Injury or damage to person or property caused by, or incurred in using, the transport services referred to in article IV, paragraph 2 above;
- (c) The employment for the Conference of the personnel referred to in article III, paragraphs 2 and 3 above and in annex IV to this Agreement.

2. The Government shall hold harmless the United Nations and its personnel in respect of such actions, claims or other demands, except when it is agreed by the parties hereto that such damage or injury is caused by gross negligence or wilful misconduct of the United Nations personnel, in which case steps shall be taken to establish the civil liability of the party responsible.

Any such actions, claims or other demands arising out of events attributable to *force majeure* shall exempt the Government and the United Nations from any obligation.

3. Notwithstanding anything contained in paragraphs 1 and 2 above, the Government and the United Nations shall not be liable for any consequential, remote or indirect damages arising out of such actions, claims or other demands.

- (p) Agreement between the United Nations and Cuba regarding arrangements for the Interregional Preparatory Meeting for the Third General Conference of the United Nations Industrial Organization preceded by a preparatory meeting of African Ministers.<sup>18</sup> Signed at New York on 13 December 1979

#### *Article IX*

##### LIABILITY

The Government shall be responsible for dealing with any action, claim or other demand arising out of:

- (a) Injury to person, or damage to or loss of property (whether United Nations property or other) in the premises referred to in article IV above, including damage to those premises;
- (b) Injury to person, or damage to or loss of property caused by, or incurred in using the transportation referred to in article V (2), above;
- (c) The employment of the locally recruited personnel referred to in article VII above; and the Government shall hold harmless the United Nations and its personnel in respect of any such action, claim and other demand.

#### *Article X*

##### PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, to which the Government acceded on 9 September 1959, shall be applicable in respect of the Conference.
2. Representatives of States invited to the Conference, officials of the United Nations performing functions in connexion with the Conference and experts on mission for the United Nations at the Conference shall enjoy the privileges and immunities provided under articles IV, V and VI, respectively, and VII of the said Convention.
3. Representatives from the specialized agencies at the Conference shall enjoy the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies to which the Government acceded on 13 September 1972. Representatives of other intergovernmental organizations invited to the Conference as observers shall enjoy the same privileges and immunities as are accorded to the United Nations officials of comparable rank.
4. The personnel provided by the Government under article VII of the present agreement with the exception of those assigned to hourly rates shall enjoy immunity from legal process in respect of words spoken or written and to acts performed by them in their official capacity in connexion with the Conference.
5. 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 Conference shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Conference.
6. The Government shall ensure that no impediment is imposed on transit to and from the site of the Conference of the following categories of persons:

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<sup>18</sup> Came into force on the date of signature.

- (a) The persons referred to in article II of the present Agreement and their families;
- (b) Representatives of the press or of other information media, referred to in article III of the present Agreement;
- (c) Members of the United Nations Secretariat and experts on mission for the United Nations performing functions in connexion with the Conference and their families;
- (d) Other persons officially invited to the Conference by the Secretary-General of the United Nations.

They shall be permitted to enter or leave the country without delay. Any visa required by Cuban law for such persons shall be granted promptly on application and without charge.

7. Distinguished guests officially invited to the Conference by the Government shall be given access to the conference area by the United Nations.

8. For the purpose of the application of the Convention on the Privileges and Immunities of the United Nations, conference premises shall be deemed to constitute premises of the United Nations and access thereto shall be under the control and authority of the United Nations.

#### *Article XI*

#### IMPORT DUTIES AND TAX

The Government shall allow the temporary importation and shall waive import duties and taxes for all equipment and supplies necessary for the Conference. It shall issue without delay to the United Nations any necessary import and export permits.

- (q) Agreement between the United Nations and the Upper Volta regarding arrangements for the United Nations Regional Training Seminar on Remote Sensing Applications for Agriculture, Rangeland and Hydrology.<sup>19</sup> Signed at New York on 14 December 1979

#### *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 assigned to 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 article II (d) of this Agreement shall enjoy the privileges and immunities provided under articles VI and VII of the Convention on the Privileges and Immunities of the Specialized Agencies.

3. Participants attending the Seminar in pursuance of article II (a) and (c) of this Agreement shall enjoy the privileges and immunities of experts on mission under article VI of the Convention on the Privileges and Immunities of the United Nations.

4. Without prejudice to the provisions of the Convention on the Privileges and Immunities of the United Nations, all participants and any person assigned to 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.

5. All persons enumerated in article II of this Agreement and all persons assigned to the Seminar who are not nationals of the Upper Volta shall be exempted from all the formalities applicable to immigrants and aliens.

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<sup>19</sup> Came into force on the date of signature.

*Article VI*

LIABILITY

The Government shall take full responsibility for any actions, claims or other demands relating to (a) injury or damage to persons or property in the premises referred to in article IV 3 (a) and (b) above; (b) injury or damage to persons or property during use of the transportation referred to in article IV 3 (g) and (h) above; (c) the recruitment for the Seminar of the personnel referred to in article IV 2, 3 (d) and (e), and 4.

The Government shall likewise hold the United Nations and its personnel totally harmless in such circumstances.

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

*Article VI*

CLAIMS AGAINST UNICEF

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

*Article VII*

PRIVILEGES AND IMMUNITIES

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

Agreement between the United Nations (United Nations Children's Fund) and the Government of Viet Nam concerning assistance from UNICEF.<sup>20</sup> Signed at Hanoi on 12 February 1979

This agreement contains articles similar to articles VI and VII of the revised model agreement.

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4. AGREEMENTS RELATING TO THE UNITED NATIONS DEVELOPMENT  
PROGRAMME: STANDARD BASIC AGREEMENT CONCERNING ASSIST-  
ANCE BY THE UNITED NATIONS DEVELOPMENT PROGRAMME<sup>21</sup>

*Article III*

EXECUTION OF PROJECTS

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

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<sup>20</sup> UNICEF, *Field Manual*, vol. II, part IV-2, appendix A (1 October 1964).

<sup>21</sup> Document UNDP/ADM/LEG/34 of 6 March 1973. The standard basic agreement prepared by the Bureau of Administration and Finance in consultation with the Executing Agencies of UNDP represents a consolidation of the standard Special Fund, Technical Assistance, Operational Assistance and Office Agreements of the UNDP, which it is designed to replace.

*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.]

Agreements between the United Nations (United Nations Development Programme) and the Governments of Tuvalu,<sup>22</sup> China,<sup>23</sup> Djibouti,<sup>24</sup> and the Democratic People's Republic of Korea,<sup>25</sup> concerning assistance from the United Nations Development Programme. Signed, respectively, at Suva on 16 January 1979, at New York on 29 June 1979, at New York on 5 October 1979 and at New York on 8 November 1979

These agreements contain provisions similar to articles III, 5, IX, X and XIII, 4 of the standard basic agreement.

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

(a) Agreement (Natural Resources Exploration Project) between the United Nations (United Nations Revolving Fund for Natural Resources Exploration) and Cyprus.<sup>26</sup> Signed at Nicosia on 17 October 1978

*Article V*

PRIVILEGES AND IMMUNITIES

Section 5.01. The Government shall apply to the Fund and any United Nations organ acting on behalf of the Fund in carrying out the Project or any part thereof, as well as to the Fund's and such organ's officials, property, funds and assets, the provisions of the Convention on the Privileges and Immunities of the United Nations.

Section 5.02. The Government shall apply to any specialized agency acting on behalf of the Fund in carrying out the Project or any part thereof, as well as to such specialized agency's officials,

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<sup>22</sup> Came into force on the date of signature.

<sup>23</sup> Applied provisionally from 29 June 1979.

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

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

<sup>26</sup> Came into force on 15 January 1979.

property, funds and assets, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies, including any annex to such Convention applicable to such specialized agency. In case the IAEA acts on behalf of the Fund in carrying out the Project or any part thereof, the Government shall apply to the IAEA and to its officials, property, funds and assets, the Agreement on the Privileges and Immunities of the IAEA.

Section 5.03. (a) The Government shall grant all persons, firms or organizations and their staff (other than government nationals employed locally) acting on behalf of the Fund, any specialized agency or the IAEA in carrying out the Project or any part thereof who are not covered by sections 5.01 and 5.02 of this Agreement, the same privileges and immunities as are accorded to officials of the United Nations, the specialized agency concerned or the IAEA under sections 18, 19 or 18 respectively, of the Conventions on the Privileges and Immunities of the United Nations or of the Specialized Agencies, or of the Agreement on the Privileges and Immunities of the IAEA. Nothing in this Agreement shall be construed to limit the privileges, immunities or facilities conferred upon such persons, firms or organizations and their staff in any other instrument.

(b) For the purposes of the instruments on privileges and immunities referred to in paragraph (a) of this section 5.03:

- (i) All papers and documents in the possession or under the control of any person, firm or organization and their staff referred to in such paragraph (a) relating to the Project or any part thereof shall be deemed to be documents belonging to the United Nations, the specialized agencies concerned, or the IAEA, as the case may be; and
- (ii) Any equipment, materials and supplies as well as personal and household effects brought into or purchased, or leased within the territories of the Government by any such person, firm or organization and their staff shall be deemed to be the property of the United Nations, the specialized agency concerned, or the IAEA, as the case may be.

(c) The Government shall exempt any person, firm or organization and their staff referred to in paragraph (a) of this section 5.03 from, or bear the cost of, any taxes, duties, fees or levies imposed under the laws and regulations in effect in its territories or by any political subdivision or agency therein on such person, firm or organization and their staff in respect of any payment made to them in connexion with the carrying out of the Project or any part thereof.

(d) The Fund shall keep the Government currently informed about the persons, firms or organizations and their staff to whom the provisions of this section 5.03 shall apply.

## *Article VI*

### GOVERNMENT'S ASSISTANCE TO THE PROJECT

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Section 6.02. (a) The Government shall take any measures which may be necessary to exempt the Fund and any persons, firms or organizations (including their officials or staff) acting on behalf of the Fund in carrying out the Project or any part thereof, from any laws and regulations in effect in its territories which may interfere with the carrying out of the Project or with the payment to the Fund of any Replenishment Contribution due the Fund hereunder, and shall grant them such other facilities as may be necessary for the speedy and efficient carrying out of the Project.

(b) The Government shall in particular grant to the Fund and to any persons, firms or organizations (including their officials or staff) acting on behalf of the Fund in carrying out the Project or any part thereof, the following rights and facilities:

- (i) Prompt issuance without cost of necessary visas, licenses or permits;
- (ii) Access to any part of the Exploration Area and the Target Area or Areas, whether in public or private ownership;
- (iii) The most favourable legal rate of exchange;

- (iv) Any permits necessary for the importation of equipment, materials, supplies, personal and household goods and goods for their personal consumption, and for their subsequent exportation;
- (v) Prompt clearance through customs of the items referred to in paragraph (iv) above;
- (vi) Exemption from, or reimbursement for, any taxes, fees or charges that might otherwise be payable to a public entity or a private party under the laws and regulations in effect in the Government's territories with respect to the carrying out of the Project; and
- (vii) Exemption from any taxes, fees or charges that might otherwise be payable under the laws and regulations in effect in the Government's territories on (A) the payment of any Replenishment Contribution to the Fund or on the transfer thereof to any account outside the Government's territories, or (B) on or in connexion with the execution, delivery or registration of this Agreement.

Section 6.03. The Project being carried out for the benefit of the Government and its people, the Government shall bear all risks arising therefrom. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Fund, or against any persons, firms or organizations (including their officials or staff) acting on behalf of the Fund in carrying out the Project or any part thereof, and shall indemnify them for any liabilities arising from the carrying out of the Project or any part thereof, provided that the provisions of this section 6.03 shall not apply if the Government and the Fund agree that a liability arises from the wilful misconduct or gross negligence of any such official or staff member. Such indemnification shall include attorney's fees, court costs and other expenses in connexion with the defence against, or settlement of, claims on account of such liability.

(b) Agreement (Natural Resources Exploration Project) between the United Nations (United Nations Revolving Fund for Natural Resources Exploration) and Panama.<sup>27</sup> Signed at Panama on 26 October 1977

This agreement contains provisions similar to article V and sections 6.02 and 6.03 of article VI of the agreement reproduced under (a) above.

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**6. AGREEMENT BETWEEN THE UNITED NATIONS ENVIRONMENT PROGRAMME AND NORWAY ON THE PROVISION OF JUNIOR PROFESSIONAL OFFICERS.<sup>28</sup> SIGNED AT NAIROBI ON 29 JANUARY 1979**

1.1 Whenever UNEP determines that there exists a need for junior Professional officers which might appropriately be met by candidates from Norway, UNEP may request Norway to make available to it nominations of junior Professional officers for service with UNEP. . . .

2.1 Candidates selected for appointment by UNEP shall receive appointments as junior Professional officers and shall be issued Letters of Appointment constituting them members of the staff of UNEP. As such, they shall have the status of international civil servants and shall be subject to the relevant rules and regulations of the United Nations as set forth in their Letters of Appointment. . . .

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<sup>27</sup> Came into force on 16 March 1979.

<sup>28</sup> Came into force on the date of signature.

## 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.<sup>29</sup> APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 21 NOVEMBER 1947

#### Status of the Convention

In 1979, 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>30</sup>

<i>State</i>		<i>Date of receipt of instrument of accession or notification</i>	<i>Specialized agencies</i>
China <sup>31</sup>	Accession	11 September 1979	FAO (second revised text of annex II), <sup>32</sup> ICAO, UNESCO, WHO (third revised text of annex VII), UPU, ITU, WMO, IMCO (revised text of annex XII) <sup>33</sup>
Germany, Federal Republic of	Notification of undertaking to apply the Convention to further specialized agencies	20 August 1979	WIPO, IFAD
Sweden	Notification of undertaking to apply the Convention to further specialized agencies	26 January 1979 8 February 1979	IFAD WIPO
Yugoslavia	Notification of undertaking to apply the Convention to further specialized agencies	26 January 1979 8 February 1979	IFAD WIPO

As of 31 December 1979, 88 States were parties to the Convention.<sup>34</sup>

<sup>29</sup> United Nations, *Treaty Series*, vol. 33, p. 261.

<sup>30</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>31</sup> The Government of China has reservations on the provisions of section 32, article IX, of the said Convention.

<sup>32</sup> See *Juridical Yearbook*, 1965, chap. II, sect. B, 3.

<sup>33</sup> See *Juridical Yearbook*, 1968, chap. II, sect. B, 4 (b).

<sup>34</sup> For the list of those States, see *Multilateral Treaties in respect of which the Secretary-General performs Depositary Functions* (ST/LEG/SER.D/11, United Nations publication, Sales No. E.78.V.6), chap. III, sect. 2.

## 2. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

- (a) Agreements based on the standard "Memorandum of Responsibilities" in respect of 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 (published in *Juridical Yearbook*, 1972, p. 32) were concluded in 1979 with the Governments of the following countries acting as hosts to such sessions:

Australia,<sup>35</sup> Austria, Belgium, Cyprus, Denmark, Dominican Republic, France,<sup>35</sup> Gambia, Greece, India,<sup>35</sup> Indonesia, Iraq, Italy,<sup>35</sup> Japan,<sup>35</sup> Jordan, Kenya, Mexico,<sup>35</sup> Morocco, Norway,<sup>35</sup> Panama, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Senegal, Spain,<sup>35</sup> Sri Lanka,<sup>35</sup> Sudan, Sweden, Togo, Tunisia, Turkey, United Kingdom,<sup>35</sup> United Kingdom/Hong Kong,<sup>35</sup> United Republic of Tanzania.

- (b) Agreements based on the standard "Memorandum of Responsibilities" in respect of group seminars, workshops, training courses or related study tours.

Agreements concerning specific training courses, etc., and containing provisions on privileges and immunities of FAO and participants similar to the standard text<sup>36</sup> were concluded in 1979 with the Governments of the following countries acting as hosts to such training activities:

Colombia, Costa Rica, Ecuador, France,<sup>35</sup> India,<sup>35</sup> Indonesia, Jamaica, Jordan, Kenya, Liberia, Mexico,<sup>35</sup> Norway, Peru, Philippines, Republic of Korea, Senegal, Sierra Leone, Sri Lanka,<sup>35</sup> Suriname, Thailand, Trinidad and Tobago, Tunisia, United Republic of Cameroon,<sup>35</sup> Venezuela.

- (c) Agreements for the establishment of an FAO Representative's office.

In 1979, agreements for the establishment of an FAO Representative's office, providing *inter alia* for privileges and immunities, were concluded with the following countries:

Brazil, Democratic Yemen, Dominican Republic, Iraq, Mali, Mozambique, Sri Lanka and Yemen.

Some of these agreements were concluded in the form of exchanges of letters.

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

### Agreements relating to conferences, seminars and other meetings

- (a) Agreement between the Government of Suriname and the United Nations Educational, Scientific and Cultural Organization concerning the expert meeting on utilization of social sciences by policy-makers. Signed at Paris on 17 July 1979

### III. *Privileges and immunities*

The Government of Suriname shall apply, in all matters relating to the meeting, the Convention on the Privileges and Immunities of the Specialized Agencies, and annex IV thereto relating to

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<sup>35</sup> Certain departures from, or amendments to, the standard text were introduced at the request of the host Government.

<sup>36</sup> See *Juridical Yearbook*, 1972, chap. II, sect. B, 2.

UNESCO. In particular, it shall ensure that no restriction is placed upon the right of entry into, sojourn in and departure from its territory of any person entitled to participate in this meeting, without distinction of nationality.

- (b) Agreements containing provisions similar to that referred to in paragraph (a) above were also concluded between UNESCO and the Governments of Brazil, Bulgaria, Chile, Costa Rica, Czechoslovakia, Ecuador, Egypt, Guatemala, Guyana, Hungary, India, Indonesia, Iraq, the Ivory Coast, Liberia, Malaysia, Mali, Malta, Mexico, Nepal, Panama, Peru, the Philippines, the Republic of Korea, San Marino, Spain, Thailand, Trinidad and Tobago, Tunisia, the Union of Soviet Socialist Republics, the United Republic of Tanzania, the Upper Volta, Venezuela and Yemen.

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#### 4. WORLD HEALTH ORGANIZATION

Basic agreements on technical advisory co-operation were concluded in 1979 between WHO and the following Member States:

<i>Member State</i>	<i>Place of signature</i>	<i>Date of signature</i>
Cuba	Washington/Havana	28 June/21 August 1979
Solomon Islands	Manila/Honiara	27 June/13 July 1979

These agreements contain provisions similar to article I, paragraph 6, and article V of the Agreement between the World Health Organization and Guyana.<sup>37</sup>

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#### 5. WORLD METEOROLOGICAL ORGANIZATION

- (a) Agreement on the Precipitation Enhancement Project (PEP) between WMO, the Government of Spain and other member States of WMO participating in the Experiment. Signed at Madrid on 23 January 1979

*Section 6. Privileges and immunities of WMO in Spain*

(a) The Organization's juridical personality in Spain shall be provided for in Article II, Section 3, of the Convention on Privileges and Immunities of the Specialized Agencies to which the Government of Spain has acceded and which it has applied to the Organization since 26 September 1974.

(b) The privileges and immunities of officials of the Organization assigned to Spain for the requirements of the Experiment shall be governed by the terms of that Convention.

(c) The Government of Spain shall grant the personnel of other participating Member States assigned to Spain for the purposes of the Experiment the same privileges and immunities accorded to officials of the Organization.

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<sup>37</sup> *Ibid.*

- (b) Agreement on the Global Weather Experiment between WMO and the Government of Mexico. Signed at Geneva on 25 April 1979

*Section 6. Privileges and immunities*

The Government of Mexico grants to the personnel participating in the Experiment the privileges and immunities as set forth in Article VI of the Convention on Privileges and Immunities of the United Nations with the reservations made by the Government of Mexico as ratified by it in the Official Journal of the Federation of 10 May 1963.

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6. INTERNATIONAL ATOMIC ENERGY AGENCY

- (a) Agreement on the Privileges and Immunities of the International Atomic Energy Agency,<sup>38</sup> approved by the Board of Governors of the Agency on 1 July 1959:

Deposit of instruments of acceptance

No instrument of acceptance was deposited during 1979. The number of Member States parties to this agreement stands at 49.

- (b) Incorporation of provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency by reference in other agreements:

Article 10 of the Agreement between the Independent State of Western Samoa and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 22 January 1979 (INFCIRC/268);

Article 10 of the Agreement between the Republic of Suriname and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 2 February 1979 (INFCIRC/269);

Article 10 of the Agreement between the Republic of Paraguay and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 20 March 1979 (INFCIRC/279);

Article 10 of the Agreement between the Republic of Portugal and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 14 June 1979 (INFCIRC/272);

Article 10 of the Agreement between the Republic of Peru and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 1 August 1979 (INFCIRC/273);

Article 10 of the Agreement between the Principality of Liechtenstein and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 4 October 1979 (INFCIRC/275);

Article 10 of the Agreement between the Republic of Costa Rica and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty for the Prohibition

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<sup>38</sup> See United Nations, *Treaty Series*, vol. 374, p. 147.

of Nuclear Weapons in Latin America and the Treaty on the Non-Proliferation of Nuclear Weapons; entry into force on 22 November 1979 (INFCIRC/278).

(c) Provisions affecting the privileges and immunities of IAEA in Austria:

*Seat agreements*

A number of seat agreements for the new headquarters buildings at the Vienna International Centre (VIC) were under negotiation with the Austrian Government throughout 1979. One such agreement concerning the delineation of the area of VIC was concluded between Austria, the United Nations and IAEA.

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