

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

1987

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

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



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## Chapter II

### TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED 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 became party to the Convention on the Privileges and Immunities of the United Nations in 1987:<sup>2</sup>

*State*  
Dominica

*Date of receipt of  
instrument of succession*  
24 November 1987

This brought up to 122 the number of States parties to the Convention.<sup>3</sup>

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2. INTERIM ARRANGEMENT ON PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS CONCLUDED BETWEEN THE SECRETARY-GENERAL OF THE UNITED NATIONS AND THE SWISS FEDERAL COUNCIL.<sup>4</sup> SIGNED AT BERNE ON 11 JUNE 1946 AND AT NEW YORK ON 1 JULY 1946. APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 14 DECEMBER 1946

Exchange of letters constituting an agreement<sup>5</sup> between the United Nations and the Swiss Federal Council supplementing article V, section 15, paragraph (b), of the United Nations above-mentioned Interim Arrangement.

## I

### LETTER FROM THE SWISS FEDERAL COUNCIL

19 January 1987

I have the honour to propose the addition of the following provisions to article V, section 15, paragraph (b), of the Agreement on Privileges and Immunities of the United Nations concluded with the Secretary-General of the United Nations on 11 June/1 July 1946:

“1. Any lump-sum payments made by the Pension Fund or any other social security institution to officials or employees of the United Nations under any circumstances — maturity, interruption, or suspension of services — shall, at the time of payment, be exempt in Switzerland from any tax whatsoever on capital and income.

“2. The same shall apply to any lump-sum payments made to officials or employees of the United Nations in the form of benefits in respect of illness, accident, etc.”

I should be most grateful if you would inform me whether this proposal meets with your approval. If so, this letter and your reply will constitute an agreement between the Federal Council and the Secretary-General of the United Nations, supplementing article V, section 15, paragraph (b), of the Agreement [sic] on Privileges and Immunities of the United Nations concluded on 11 June/1 July 1946, and shall enter into force on the date of your acceptance.

(Signed) Pierre AUBERT  
Head of the Federal Department  
of Foreign Affairs

## II

### LETTER FROM THE UNITED NATIONS

20 January 1987

I have the honour to acknowledge receipt of your letter of 19 January 1987 in which, on behalf of the Federal Council, you proposed to the United Nations the addition of provisions to article 5, section 15, paragraph (b), of the Agreement [sic] on Privileges and Immunities of the United Nations concluded between the Swiss Federal Council and the Secretary-General of the United Nations on 19 April 1946, and signed at Berne on 11 June 1946 and at New York on 1 July 1946.

Your letter reads as follows:

[See letter I]

I have the honour to inform you that I accept, on behalf of the Secretary-General of the United Nations, the proposed provisions set forth above.

Your letter of 19 January 1987 and my reply shall constitute an agreement which shall enter into force on the date of this letter.

(Signed) Eric SUY  
Director-General of the  
United Nations Office at Geneva

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### 3. AGREEMENTS RELATING TO INSTALLATIONS AND MEETINGS

- (a) Agreement between the United Nations/FAO/World Food Programme and the Federative Republic of Brazil concerning assistance from the World Food Programme.<sup>6</sup> Signed at Brasilia on 2 February 1987

*Article V*  
THE WFP OFFICE

...

- (3) The Government shall grant to the person of the WFP Chief of Operations or to the senior WFP field officer, and the members of his family, the same status, privileges and immunities as those it has granted to the UNDP Deputy Resident Representative. The WFP Deputy Representative/Chief of Operations acts as WFP Representative a.i. when the WFP Representative/UNDP Resident Representative is out of the country or when no WFP Representative has been officially accredited to the Government.

*Article VI*  
FACILITIES, PRIVILEGES AND IMMUNITIES

- (1) The Government shall afford to officials and consultants of WFP and to other persons performing services on behalf of WFP such facilities as are afforded to those of the United Nations and specialized agencies and taking into consideration the Basic Agreement on Technical Assistance signed between the Government and the United Nations specialized agencies and the International Atomic Energy Agency (IAEA) on 29 December 1964 and any additional covenant to that Agreement subsequently signed between the Government and UNDP or any other United Nations agency.

- (2) The Government shall apply the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations to WFP, its property, funds and assets and to its officials and consultants.

- (3) The Government shall be responsible for dealing with any claims which may be brought by third parties against WFP or against its officials, consultants or other persons performing services on behalf of WFP under this



Agreement, in the sense that the Government will intervene in any such claims in accordance with Brazilian law and the applicable treaties in force at that moment.

(4) The Government shall hold WFP and the persons mentioned in paragraph 3 of this article harmless in case of any claims or liabilities resulting from operations under this Agreement, in accordance with Brazilian law, the terms of this Agreement and the applicable treaties in force at that moment, except in cases where it is agreed by the Government and WFP that such claims or liabilities arise from the gross negligence or wilful misconduct of such persons.

(b) Agreement between the United Nations and the Government of Nigeria on the United Nations Meeting of Experts on Space Science and Technology and its Applications within the Framework of Educational Systems<sup>7</sup> [to be held at Lagos from 27 April to 1 May 1987]. Signed at New York on 27 February 1987

#### *Article V*

#### PRIVILEGES AND IMMUNITIES

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

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

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

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

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

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

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

8. The participants in the Meeting, referred to in article II above, officials of the United Nations responsible for the organization of the Meeting and experts on mission for the United Nations in connection with the Meeting shall have the right to take out of Nigeria at the time of their departure, without any restrictions,

any unexpended portions of the funds which they brought into Nigeria in connection with the Meeting at the United Nations official rate prevailing when the funds were brought in.

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

#### *Article VI*

##### LIABILITY

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

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

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

(c) Agreement between the United Nations and the Government of China regarding arrangements for the thirteenth session of the World Food Council of the United Nations<sup>8</sup> [to be held at Beijing from 8 to 11 June 1987]. Signed at Beijing on 4 June 1987

#### *Article X*

##### LIABILITY

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

- (a) injury to person or damage to or loss of property in the premises referred to in article III above;
- (b) injury to person or damage to or loss of property caused by, or incurred in using, the transport services referred to in article VI above.
- (c) the employment for the session of the personnel provided by the Government under article III above.

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

3. The Government's responsibility shall not apply when such injury or damage is the direct consequence of intentional action by, or gross negligence of, United Nations staff.

*Article XI*  
PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, shall be applicable in respect of the session. In particular, the representatives of States and of the United Nations Council for Namibia referred to in article II (a) and (b) shall enjoy the privileges and immunities provided under article IV, the officials of the United Nations performing functions in connection with the session shall enjoy the privileges and immunities provided under articles V and VII and experts on mission for the United Nations in connection with the session shall enjoy the privileges and immunity provided under Article VI of the Convention.

2. The representatives/observers referred to in article II (c), (e) and (g) shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation in the session.

3. The representatives of the specialized agencies or of the International Atomic Energy Agency, referred to in article II (d), shall enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency.

4. Without prejudice to the preceding paragraphs of this article, all persons performing functions in connection with the session and all those invited to the session, except the local personnel provided by the Government, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the session.

5. All persons referred to in article II, all United Nations officials serving the session and all experts on mission for the United Nations in connection with the session shall have the right of entry into and exit from China, and no impediment shall be imposed on their transit to and from the conference areas. 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 session. If the application of the visa is not made at least two and a half weeks before the opening of the session, the visa shall be granted not later than three days from the receipt of the application.

6. For the purpose of the application of the Convention on the Privileges and Immunities of the United Nations, the session premises shall be deemed to constitute premises of the United Nations in the sense of section 3 of the Convention and access thereto shall be subject to the authority and control of the United Nations. The premises shall be inviolable for the duration of the session, including the preparatory stage and winding-up.

7. The participants in the session and the representatives of information media, referred to in article II above, and officials of the United Nations serving the session and experts on mission for the United Nations in connection with the session, shall have the right to take out of China at the time of their departure, without any restrictions, any unexpended portions of the funds they brought into China in connection with the session at the United Nations official rate of exchange prevailing when the funds were brought in.

8. The Government shall allow the temporary importation tax- and duty-free of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes on supplies necessary for the session. It shall issue without delay any necessary import and export permits for this purpose.

(d) Exchange of letters constituting an agreement between the United Nations and the Government of Sweden concerning the 1987 Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-point of the United Nations Decade of Disabled Persons.<sup>9</sup> Vienna, 26 May and 2 June 1987

## I

### LETTER FROM THE UNITED NATIONS

26 May 1987

I have the honour to refer to the arrangements for the 1987 Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-point of the United Nations Decade of Disabled Persons, which the United Nations is arranging in Stockholm, Sweden, from 17 to 22 August 1987 inclusive.

With the present letter I wish to obtain your Government's acceptance of the following arrangements:

...

I wish to propose that the following terms shall apply to the Meeting:

- (a) (i) The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 and the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947 shall be applicable in respect of the Meeting.
  - (ii) Without prejudice to the provisions of the Conventions on the Privileges and Immunities of the United Nations and of the Specialized Agencies, all participants and persons performing functions in connection with the Meeting shall enjoy such facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Meeting.
  - (iii) 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 connection with the Meeting.
- (b) All participants and all persons performing functions in connection with the Meeting shall have the right of unimpeded entry into and exit from Sweden. Visas and entry permits, where required, shall be granted free of charge. When applications are made four weeks before the

opening of the Meeting, visas shall be granted not later than two weeks before the opening of the Meeting. If the application is made less than four weeks before the opening, visas shall be granted as speedily as possible, and not later than three days before the opening.

- (c) It is further understood that the Government will be responsible for dealing with any claim against the United Nations arising out of (i) injury or damage to person or property in conference or office premises provided for the Meeting; (ii) the transportation provided by the Government; and (iii) the employment for the Meeting of personnel provided or arranged by the Government; and the Government shall hold the United Nations and its personnel harmless in respect of any such claim resulting from the performance of the services under this agreement, except where it is agreed by the Secretary-General of the United Nations and the Government that such claim arises from gross negligence or wilful misconduct of such officials or persons.

...

I further propose that upon receipt of your confirmation in writing of the above this exchange of letters shall constitute an Agreement between the United Nations and the Government of Sweden regarding the provision of host facilities by the Government for the 1987 Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-point of the United Nations Decade of Disabled Persons.

(Signed) Henryk J. SOKALSKI  
Officer-in-Charge, Centre for  
Social Development and Humanitarian  
Affairs, Vienna International Centre

## II

### LETTER FROM THE PERMANENT REPRESENTATIVE OF SWEDEN TO THE UNITED NATIONS OFFICE AT VIENNA

2 June 1987

With reference to your letter of 26 May 1987 regarding the arrangements for the 1987 Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-Point of the United Nations Decade of Disabled Persons, which the United Nations is arranging in Stockholm from 17 to 22 August 1987, I wish to inform you that a decision was taken by the Swedish Government on 27 May 1987 to conclude an agreement with the United Nations Office at Vienna regarding the arrangements in accordance with the contents of your letter.

...

I hereby wish to confirm the Swedish Government's acceptance of the following arrangements:

[See letter I]

I wish to confirm that our exchange of letters shall constitute an Agreement between the United Nations and the Government of Sweden regarding the provision of host facilities by the Government for the 1987 Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-point of the United Nations Decade of Disabled Persons.

(Signed) Dag MALM

- (e) Agreement between the United Nations and the Government of Indonesia on the Fourth United Nations/World Meteorological Organization/FAO/ European Space Agency International Training Course on Remote Sensing Applications to Operational Agro-meteorology and Hydrology<sup>10</sup> [to be held at Jakarta from 13 to 30 October 1987]. Signed at New York on 19 August 1987

#### *Article V*

#### PRIVILEGES AND IMMUNITIES

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

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

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

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

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

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

7. All participants and persons performing functions in connection with the Course shall have the right of unimpeded entry into and exit from Indonesia. Visas shall be granted free of charge and as speedily as possible. When applica-

tions are made four weeks before the opening of the Course, visas shall be granted not later than two weeks before the opening of the Course. If the application is not made at least two and a half weeks before the opening of the Course, visas shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Course are delivered at the airport of arrival to participants who were unable to obtain them prior to their arrival.

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

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

#### *Article VI*

#### LIABILITY

The Government shall be responsible for dealing with any action, claim or other demand rising out of (a) injury to persons or damage to property in the premises referred to in paragraph 3 (a) and (b) of article IV above; (b) injury to persons or damage to property occurring during use of the transportation referred to in article IV; (c) recruitment for the Meeting of the personnel referred to in paragraphs 2 and 3 (b), (d), (e) and (g) of article IV. The Government shall hold the United Nations and its personnel harmless in respect of any such action, claim or other demand.

(f) Exchange of letters constituting an agreement between the United Nations and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the United Nations Sugar Conference, 1987.<sup>11</sup> Geneva, 20 and 28 August 1987

#### I

#### LETTER FROM THE UNITED NATIONS

20 August 1987

I have the honour to refer to the arrangements for the United Nations Sugar Conference, 1987, which, at the invitation of the International Sugar Council, the United Nations proposes to convene on 10 and 11 September 1987 in London, subject to your Government's concurrence. In this connection, I would be most grateful if your Government could agree to the following arrangements for the Conference.

After consultation with the International Sugar Organization, I propose that the Conference be held at the premises of the Organization, Haymarket House, 28 Haymarket, London, which shall be deemed to constitute, for the duration of the Conference, the premises of the United Nations in the sense of section 3 of the Convention on the Privileges and Immunities of the United Nations.

Secondly, I propose that participation in the Conference shall be open to such representatives and observers as, in accordance with United Nations practice, the Secretary-General may designate or invite to attend.

Thirdly, I propose that the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Sugar Organization shall, as appropriate, be applicable in respect of the Conference.

Finally, I propose that, upon receipt of your confirmation in writing of the above, this exchange of letters shall set out the arrangements between the United Nations and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the United Nations Sugar Conference, 1987.

*(Signed)* K. K. S. DADZIE  
Secretary-General of UNCTAD

## II

### LETTER FROM THE PERMANENT MISSION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

28 August 1987

I have the honour, with reference to your letter dated 20 August 1987, to state that my Government is content that the United Nations Sugar Conference should be held in London on 10 and 11 September 1987. In this connection, the following arrangements for the Conference are acceptable to my Government.

[See letter I]

Finally, I confirm that this exchange of letters sets out the arrangements between the United Nations and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the United Nations Sugar Conference, 1987.

*(Signed)* D. J. MOSS  
Acting Permanent Representative  
United Kingdom Mission, Geneva



- (g) Agreement between the United Nations and the Government of the German Democratic Republic on the United Nations International Training Course on Remote Sensing Applications to Geological Sciences<sup>12</sup> [to be held at Dresden from 6 to 23 October 1987]. Signed at New York on 3 September 1987

*Article V*

PRIVILEGES AND IMMUNITIES

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

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

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

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

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

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

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

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

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

#### *Article VI*

#### LIABILITY

1. The Government shall be responsible for dealing with any action, claim or other demand arising out of (a) injury to persons or damage to or loss of property in the premises referred to in paragraph 3 (a) and (b) of article IV above; (b) injury to persons or damage to or loss of property caused by, or incurred in using the transport services referred to in article IV; (c) the employment for the Course of the personnel provided by the Government under article IV.

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

(h) Agreement between the United Nations and the Government of Peru regarding the establishment in Lima of the Regional Centre for Peace, Disarmament and Development in Latin America.<sup>13</sup> Signed at New York on 25 September 1987

#### *The Government of Peru and the United Nations,*

*Considering* that the Government of Peru (hereinafter referred to as "the Government") and the United Nations, in accordance with General Assembly resolution 4160 J of 3 December 1986, have agreed to establish in Lima, Peru, the United Nations Regional Centre for Peace, Disarmament and Development in Latin America (hereinafter referred to as "the Centre"),

*Considering* that the Government undertakes to assist the United Nations in securing all the necessary facilities for the establishment and functioning of the Centre,

*Considering* that the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946 (hereinafter referred to as "the Convention"), applies to the field offices which are an integral part of the Secretariat of the United Nations.

*Considering* that it is desirable to conclude an agreement to regulate questions arising as a result of the establishment of the Centre in Lima,

*Have agreed as follows:*

#### *Article I*

#### ESTABLISHMENT OF THE CENTRE

#### Section I

The United Nations Centre for Peace, Disarmament and Development in Latin America shall be established in Lima, Peru, to carry out the functions assigned to it by the General Assembly and the Secretary-General, within the framework of the Department for Disarmament Affairs.

*Article II*  
STATUS OF THE CENTRE

Section 2

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

Section 3

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

Section 4

The appropriate Peruvian authorities shall exercise their respective powers to ensure that the Centre shall be supplied with the necessary public services on equitable terms. The Centre shall enjoy treatment for the use of telephone, radio-telegraph and mail communication facilities, not less favourable than that normally accorded and extended to diplomatic missions.

*Article III*  
FACILITIES AND SERVICES

Section 5

In addition to the provisions made in paragraph 1 of resolution 41/60 J, the Government shall make an annual contribution towards the maintenance and operation of the Centre. Such contribution shall be stipulated in an exchange of letters between the Government and the United Nations which shall form part of this Agreement.

*Article IV*  
OFFICIALS OF THE CENTRE

Section 6

Officials of the Centre shall be entitled to the privileges and immunities provided for in section 18 of the Convention on the Privileges and Immunities of the United Nations, to which Peru is a party.

Section 7

In addition to the privileges and immunities referred to in section 6 above, the Director of the Centre shall enjoy, in respect of himself, his spouse, his relatives dependent on him, the privileges and immunities, exemptions and facilities normally accorded to envoys of international organizations of comparable rank. He shall for this purpose be included in the Diplomatic List of the Ministry of Foreign Affairs of Peru.

Section 8

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

*Article V*  
GENERAL PROVISIONS

Section 9

The provisions of the Convention on the Privileges and Immunities of the United Nations, to which Peru acceded on 24 July 1963, shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the Convention relating to the same subject-matter; the two provisions shall, where possible, be treated as complementary, so that both provisions shall be applicable and neither shall restrict the effect of the other.

Section 10

This Agreement shall be construed in the light of its primary purpose of enabling the Centre in Peru fully and efficiently to discharge its responsibilities and fulfil its purpose.

- (i) Agreement between the United Nations and the Government of Egypt relating to the continuation and further extension of the Interregional Centre for Demographic Research and Training, established at Cairo.<sup>14</sup> Signed at Cairo on 22 December 1987

...

*Article I*  
OBJECTIVES AND ACTIVITIES OF THE CENTRE

1. The Centre, established in Cairo under the joint auspices of the United Nations and the Government and known as the "Cairo Demographic Centre", shall continue to seek to serve as an interregional centre.

...

5. The Centre shall have a juridical personality independent of that of the parties, and shall not be considered as forming part of either the United Nations or the Government.

...

*Article VI*  
COOPERATION OF THE GOVERNMENT

1. The Government shall provide the following:

...

3. It shall be the responsibility of the Government to deal with any claims which may be brought by third parties residing within its territory against the United Nations and its personnel, and shall hold the United Nations or its person-

nel harmless in case of any such claims or liabilities resulting from operations under this Agreement, except where it is agreed by the parties that such claims or liabilities arise from gross negligence or the wilful misconduct of such personnel.

#### *Article VII*

##### FACILITIES, PRIVILEGES AND IMMUNITIES

1. Scientific apparatus, equipment and educational materials, articles and provisions (such as calculating machines, books, films, etc.) procured for the Centre shall be imported without restrictions or prohibitions and shall be exempt from customs duties and other duties or taxes. It is understood, however, that such articles and goods shall not be sold or traded in the Arab Republic of Egypt except under conditions agreed to by the United Nations and the Government.

2. Officials of the United Nations performing functions in connection with the Centre shall enjoy the privileges and immunities provided under articles V and VII of the Convention on Privileges and Immunities of the United Nations, and the members of the Governing Council as referred to in article II and of the Advisory Committee as referred to in article III, who are not otherwise officials of the organizations, shall enjoy the privileges and immunities under article VI of the Convention whenever the aforementioned bodies are in session or whenever the members of these bodies are performing functions in connection with the Centre.

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

4. Experts or consultants to be recruited by the Centre with resources made available by the United Nations as provided for in article IV, paragraph 2, f, and article V, paragraph 1, b, of this Agreement who are not Egyptian nationals shall be entitled to the same privileges and immunities accorded to persons performing services on behalf of the United Nations Development Programme (UNDP), United Nations agencies or the International Atomic Energy Agency or cooperating in the execution of UNDP-assisted projects as per the Agreement between the Government and UNDP of 19 January 1987.

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

4. AGREEMENTS RELATING TO THE UNITED NATIONS CHILDREN'S FUND: REVISED MODEL AGREEMENT CONCERNING THE ACTIVITIES OF UNICEF<sup>15</sup>

*Article VI*

CLAIMS AGAINST UNICEF

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

*Article VII*

PRIVILEGES AND IMMUNITIES

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

Agreements between the United Nations (United Nations Children's Fund) and the Government of Oman,<sup>16</sup> the Government of Lesotho,<sup>17</sup> the Government of Mauritius<sup>18</sup> and the Government of Zambia.<sup>19</sup> Signed respectively at Muscat on 5 September 1987, at Maseru on 24 September 1987, at Port Louis on 24 September 1987 and at Lusaka on 30 and 31 December 1987.

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

5. AGREEMENTS RELATING TO THE UNITED NATIONS DEVELOPMENT PROGRAMME: STANDARD BASIC ASSISTANCE AGREEMENT BETWEEN THE RECIPIENT GOVERNMENT AND THE UNITED NATIONS DEVELOPMENT PROGRAMME<sup>20</sup>

*Article III*

EXECUTION OF PROJECTS

...?

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

*Article IX*

PRIVILEGES AND IMMUNITIES

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

*Article X*

FACILITIES FOR EXECUTION OF UNDP ASSISTANCE

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

*Article XIII*  
GENERAL PROVISIONS

...

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

Agreements between the United Nations (United Nations Development Programme) and the Government of Argentina,<sup>21</sup> the Government of Egypt,<sup>22</sup> the Government of Kiribati<sup>23</sup> and the Government of Burma.<sup>24</sup> Signed respectively at Buenos Aires on 26 February 1985, at Cairo on 19 January 1987, at Tarawa on 5 May 1987 and at Rangoon on 17 September 1987

These Agreements contain provisions similar to articles III.5, IX, X and XIII.4 of the Standard Basic Agreement except that in the Agreements concluded by Egypt, Kiribati and Burma, paragraph 3 of article IX reads as follows: "Members of the UNDP mission in the country may be granted such additional privileges and immunities as may be necessary for effective exercise by the mission of its functions." At the end of the same paragraph in the Agreement with Burma the following words are added: "and as may be agreed upon by the Parties".

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

Project Agreement between the United Nations (United Nations Revolving Fund for Natural Resources Exploration) and the Government of Mexico.<sup>25</sup> Signed at Mexico City on 24 March 1986

*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 as accepted by the Government according to the decree published in the *Diario Oficial* dated 16 February 1962.

Section 5.02. For the purpose of the instruments on privileges and immunities referred to in section 5.01, all papers and documents relating to the Project or any part thereof in the possession or under the control of any person, natural or juridical, acting on behalf of the Fund, shall be deemed to be documents belonging to the United Nations.

Section 5.03. In the case of officials of the United Nations the Government shall grant duty-free exemption for their baggage as well as their household belongings, provided that the request is presented through the United Nations representative in Mexico and through the Secretariat of Foreign Affairs.

Section 5.04. The Fund shall keep the Government currently informed about the officials to whom the privileges and immunities mentioned herein shall apply.

#### *Article VI*

#### GOVERNMENT'S ASSISTANCE TO THE PROJECT

...

Section 6.02 (a) The Government shall take any measures which may be necessary to overcome any obstacles which the Fund and any persons acting on behalf of the Fund may encounter in carrying out the Project or any part thereof, or any obstacles which may interfere with the execution of the Project or 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 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, licences or permits;
- (ii) Access to any part of the Exploration Area and the Target Area or Areas;
- (iii) Any permits necessary for the importation of equipment, materials, supplies, personal and household goods and goods for their personal use, and for their subsequent exportation;
- (iv) Prompt clearance through customs of the items referred to in paragraph (iii) above;
- (v) Exemption from any taxes, fees or charges that might otherwise be payable under the laws and regulations in effect in the Government's territory on (A) the payment of any Replenishment Contribution to the Fund or on the transfer thereof to any account outside the Government's territory, or (B) on or in connection with the execution, delivery or registration of this Agreement.

Section 6.03. The Government shall be responsible for dealing with any claims which may be brought by third parties against the Fund, or against its personnel or other persons performing services on behalf of the Fund under this Agreement and shall hold the Fund and the above-mentioned persons harmless in case of any claims or liabilities resulting from operations under this Agreement except where it is agreed by the parties hereto that such claims or liabilities arise from gross negligence or wilful misconduct of such persons.



## **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>26</sup> APPROVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 21 NOVEMBER 1947**

In 1987 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>27</sup>

| <i>State</i> | <i>Date of receipt of notification</i> | <i>Specialized agencies</i> |
|--------------|--|-----------------------------|
| Italy        | 15 September 1987                      | UNIDO                       |

As of 31 December 1987, 94 States were parties to the Convention.<sup>28</sup>

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### **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,<sup>29</sup> were concluded in 1987 with the Governments of the following countries acting as hosts to such sessions: Algeria, Bangladesh, Brazil, Botswana, Burundi, Cameroon, Canada,<sup>30</sup> China, Côte d'Ivoire, Cyprus, France,<sup>30</sup> Ghana, Greece, Hungary, Indonesia, Italy,<sup>30</sup> Jamaica,<sup>30</sup> Mauritius, Mexico,<sup>30</sup> Morocco, Netherlands,<sup>30</sup> Poland, Oman, Pakistan, Spain,<sup>30</sup> Sweden,<sup>30</sup> Thailand,<sup>30</sup> Trinidad and Tobago, Tunisia, Turkey, United Kingdom,<sup>30</sup> and Uruguay.

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

Agreements concerning specific training activities, containing provisions on privileges and immunities of FAO and participants similar to the standard text,<sup>31</sup> were concluded in 1987 with the Governments of the following countries acting as hosts to such training activities:

Argentina,<sup>30</sup> Benin, China, Colombia,<sup>30</sup> Côte d'Ivoire, Ecuador, Egypt, Italy,<sup>30</sup> Kenya, Niger, Philippines, Poland, Sudan, Thailand, Yugoslavia, and Zimbabwe.

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

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

The following standard clause concerning privileges and immunities was used in agreements between UNESCO and member States concerning UNESCO meetings organized in those States during 1987.

#### “III. *Privileges and immunities*

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

(With regard to international conferences of States and intergovernmental meetings the following sentence is added: “ In addition, the Government shall apply *mutatis mutandis*, to government representatives participating in the meeting, the relevant provisions of the Vienna Convention on Diplomatic Relations of 18 April 1961.”)

### 4. INTERNATIONAL MARITIME ORGANIZATION

Agreement between the International Maritime Organization and the Government of Italy concerning the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation<sup>32</sup> [to be held in Rome from 1 to 10 March 1988]. Done at London on 19 October 1987

#### IX. *Privileges and immunities*

1. The status of the premises put at the disposal of the Organization, the facilities in respect of communications, the status of officials and of representatives of States invited to the meeting, and, generally, all questions concerning privileges and immunities of these persons and the Organization shall be determined by reference to the Convention on the Privileges and Immunities of the Specialized Agencies, done on 21 November 1947, and annex XII thereof as applicable to the Organization, to which the Italian Republic became a party on 30 August 1985.

2. The Secretary-General of the Organization shall be accorded the privileges, immunities, exemptions and facilities described in section 21 of article VI of the aforementioned Convention.

3. The Government undertakes to issue to the following persons, without delay and free of charge, either in their national passport or in the United Nations laissez-passer, any visa required to enable them to enter the Italian Republic for the Conference:

(a) The representatives of the States invited to the Conference and officials of the Organization and the families (spouse and children) of those representatives and officials;

(b) The representatives of international and other organizations and observers invited to the Conference.

4. With regard to customs or foreign exchange regulations, officials shall be accorded the same facilities as those accorded to the representatives of foreign Governments on official mission to the Italian Republic.

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## 5. UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

### (a) Agreements relating to conferences and meetings

(i) Agreement between the United Nations Industrial Development Organization and the Government of Poland regarding the arrangements of the United Nations Industrial Development Organization's First Consultation on the Fisheries Industry<sup>33</sup> [to be held at Gdansk from 1 to 5 June 1987]. Signed at Vienna on 21 May 1987

### *Article X*

#### LIABILITY

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

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

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

(c) Any transportation provided by the Government for the Consultation.

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

### *Article XI*

#### PRIVILEGES AND IMMUNITIES

1. In accordance with article 21 of the Constitution of UNIDO, the Convention on the Privileges and Immunities of the United Nations, adopted on

13 February 1946 by the General Assembly of the United Nations, shall be applicable in respect of the Consultation. In particular, the participants referred to in article II, paragraph 1 (a), above, shall enjoy the privileges and immunities provided under article IV of the Convention, the officials of UNIDO performing functions in connection with the Consultation referred to in article II, paragraph 2, above, shall enjoy the privileges and immunities provided under articles V and VII of the Convention, and any experts on mission for the UNIDO in connection with the Consultation shall enjoy the privileges and immunities provided under articles VI and VII of the Convention.

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

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

4. All persons referred to in article II shall have the right of entry into and exit from the Polish People's Republic and no impediment shall be imposed on their transit to and from the conference area. Visas and entry permits, where required, shall be granted free of charge as speedily as possible. Arrangements shall also be made to ensure that visas for the duration of the Convention are delivered at the airport or other specified point of entry to participants coming from countries where there is no Polish embassy or consulate and who therefore were unable to obtain them prior to their arrival.

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

6. All persons referred to in article II above shall have the right to take out of the Polish People's Republic at the time of their departure, without any restriction, any unexpended portions of the funds they brought into the Polish People's Republic in connection with the Consultation and to reconvert any such funds at the rate at which they had been originally converted.

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

(ii) Agreement between the United Nations Industrial Development Organization and the Government of France regarding arrangements for the Second Consultation on the training of Industrial Manpower<sup>34</sup> [to be held in Paris from 14 to 18 September 1987], with memorandum and exchange of letters. Signed at Vienna on 22 July 1987

## *Article X*

### PRIVILEGES AND IMMUNITIES

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which France is a party, shall be applicable in respect of the Consultation. In particular, the participants referred to in article II, paragraph 1 (a), above, shall enjoy the privileges and immunities provided under article IV of the Convention, the UNIDO officials to the Consultation referred to in article II, paragraph 1 (c) and paragraph 2 above shall enjoy the privileges and immunities provided under articles V and VII of the Convention, and the experts on mission for UNIDO in connection with the Consultation shall enjoy the privileges and immunities provided under article VI, and article VII, section 26, of the Convention.

2. Without prejudice to the preceding paragraph of this article, the Government of the French Republic shall accord to all persons performing functions in connection with the Consultation, and to those participating in it, the facilities necessary for the independent exercise of their functions in connection with the Consultation.

3. All the participants and all the persons assigned to the Consultation shall have the right of entry into and exit from France and no impediment shall be imposed on their transit to or from the venue of the Consultation, in accordance with the memorandum agreed upon and annexed to this Agreement. The necessary entry and exit visas shall be granted free of charge and as speedily as possible, under the conditions laid down in the regulations in force.

4. For the purposes of the application of the Convention on the Privileges and Immunities of the United Nations, the Conference premises referred to in article III, paragraph 1, above shall be deemed to constitute premises of UNIDO in the sense of section 3 of the Convention, and access thereto shall be subject to the authority and control of UNIDO. The premises shall be inviolable for the duration of the Consultation, including the preparatory stage and winding-up.

5. All the persons referred to in article II above shall have the right to take out of France, at the time of their departure, without any restrictions, any unexpended portion of the funds they brought into France in connection with the Consultation, at the official rate of exchange prevailing when the funds were brought in.

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

MEMORANDUM CONCERNING ARTICLE X, PARAGRAPH 3, OF THE AGREEMENT BETWEEN THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION AND THE GOVERNMENT OF THE FRENCH REPUBLIC REGARDING ARRANGEMENTS FOR THE SECOND CONSULTATION ON THE TRAINING OF INDUSTRIAL MANPOWER, PARIS, FRANCE, 14-18 SEPTEMBER 1987

During the negotiation of article X, paragraph 3, of the Agreement between the Government of the French Republic and UNIDO concerning the organization of the Second Consultation on the Training of Industrial Manpower to be held in Paris, the two parties agreed on the following provisions:

“UNIDO agrees to provide the French authorities as speedily as possible with a list of the persons invited to the Consultation and all other persons assigned to it. The Organization shall do its best to ensure that visa applications are submitted at least four weeks before the opening of the Consultation.”

“The visas shall be granted as speedily as possible. The provisions of article X, paragraph 3, shall not prevent France from opposing the entry of any person on serious grounds relating to public safety, and not on the basis of considerations relating to the nationality, religion, occupation or political affiliation of the person concerned.”

Signed on 22 July 1987 at Vienna, in duplicate, in the French language.

#### EXCHANGE OF LETTERS

#### I

#### LETTER FROM THE GOVERNMENT OF FRANCE

22 July 1987

Further to our talks concerning the holding in Paris of the Second Consultation on the Training of Industrial Manpower (14-18 September 1987), I have the honour, on instructions from my Government, to propose to you the following text, intended to define the responsibility of my Government as host of the Consultation:

“The Government of the French Republic agrees to assume responsibility for the indemnification of any injury or damage caused by UNIDO or its personnel to persons or property in the premises referred to in article III of the Agreement between the United Nations Industrial Development Organization and the Government of the French Republic concerning Arrangements for the Second Consultation on the Training of Industrial Manpower, to be held in Paris from 14 to 18 September 1987, or to those premises themselves, or as a result of the employment of the local personnel referred to in articles III and VIII of the aforementioned Agreement in connection with any transportation provided by the Government under articles III and VIII of the aforementioned Agreement, or on the occasion of the Consultation, provided that such injury or damage is not caused by a manifestly wilful or wrongful act or by gross negligence on the part of the UNIDO officials attending the Consultation.”

I should be obliged if you would inform me whether the foregoing provisions are acceptable to the United Nations Industrial Development Organization. If so, the present letter, together with your reply, shall constitute an agreement

between the French Government and the United Nations Industrial Development Organization which shall enter into force on the date of your reply. This Agreement shall remain in force for the duration of the Consultation and during any other subsequent period that may be necessary for the settlement of all questions relating to this Agreement.

(Signed) André BAEYENS  
Ambassador  
Permanent Representative of France  
to UNIDO

## II

### LETTER FROM UNIDO

22 July 1987

I have the honour to acknowledge receipt of your letter of 22 July 1987, reading as follows:

[See letter I]

I also have the honour to inform you, on behalf of the United Nations Industrial Development Organization, that the foregoing proposals are acceptable to the United Nations Industrial Development Organization. Your letter and this reply thus constitute an agreement between the Government of the French Republic and the United Nations Industrial Development Organization, which shall enter into force today. The Agreement shall remain in force for the duration of the Consultation and during any other subsequent period that may be necessary for the settlement of all questions relating to this agreement.

(Signed) Domingo L. STAZON, Jr.

(iii) Agreement between the United Nations Industrial Development Organization and the Government of Thailand regarding the arrangements for the second regular session of the General Conference of UNIDO<sup>35</sup> [to be held at Bangkok from 9 to 13 November 1987]. Signed at Vienna on 30 September 1987

This Agreement contains provisions similar to articles X and XI of the Agreement under subsection (i) above except that the matters dealt with in its paragraphs 2, 3, 4, and 5 of article XI read as follows:

2. The representatives or observers referred to in article II, paragraph 1 (e), (f), (g), and (h), above, shall enjoy the status of experts on missions for UNIDO and the privileges and immunities listed in article VI of the said Convention shall be applicable to them.

3. The representatives of the specialized or related agencies, referred to in article II, paragraph 1 (d), above, shall enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, as appropriate.

4. Without prejudice to the preceding paragraphs of the present article, all persons performing functions in connection with the Conference, and all those participating in the Conference, with the exclusion of the local personnel provided by the Government pursuant to article VIII, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Conference.

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

(iv) Exchange of notes constituting an agreement between the United Nations Industrial Development Organization and the Government of Spain regarding the arrangements for the United Nations Industrial Development Organization's Third Consultation on the Pharmaceutical Industry<sup>36</sup> [to be held at Madrid from 5 to 9 October 1987]. Vienna, 30 July, 28 September and 14 October 1987

This Agreement contains provisions similar to articles X and XI of the Agreement under subsection (i) above, except that paragraph 4 reads as follows:

4. All persons referred to in the section entitled "Participation in the Consultation Meeting" shall have the right of entry into and exit from Spain and no impediment shall be imposed on their transit to and from the conference area. They shall be granted all necessary 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 opening of the Consultation, provided the application for the visa is made three weeks in advance; if the application is made later, the visa shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas are delivered at the airport or at other specified points of entry to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the conference.



- (v) Agreement between the United Nations Industrial Development Organization and the Government of Hungary regarding the arrangements for the United Nations Industrial Development Organization's First Consultation on the Non-ferrous Metals Industries<sup>37</sup> [to be held at Budapest from 29 November to 4 December 1987]. Signed at Vienna on 21 October 1987

This Agreement contains provisions similar to articles X and XI of the Agreement under subsection (i) above.

(b) Agreements for the establishment of UNIDO  
Investment Promotion Services

- (i) Agreement between the United Nations Industrial Development Organization and the Government of the Republic of Korea on the United Nations Industrial Organization Service in the Republic of Korea for the Promotion of Industrial Investment in Developing Countries.<sup>38</sup> Signed at Vienna on 15 April 1987

*Article IX*

It is agreed that the Convention on the Privileges and Immunities of the United Nations (1946) applies to the Service in Seoul and its personnel, it being understood that with respect to the application to the locally recruited UNIDO officials of section 18, article V, of the said Convention, UNIDO will assert only the privileges and immunities provided for in subparagraphs (a) and (b) of that section: This Convention shall apply until the Convention on the Privileges and Immunities of the Specialized Agencies enters into effect for the Republic of Korea with respect to UNIDO, after which time that Convention shall apply.

- (ii) Exchange of letters constituting an agreement between the United Nations Industrial Development Organization and the Government of the United States of America concerning the arrangements for the establishment in the United States of America of a UNIDO service for the Promotion of Industrial Development in Developing Countries.<sup>39</sup> Vienna, 30 October 1986 and 2 July 1987

I

NOTE FROM THE UNITED NATIONS INDUSTRIAL  
DEVELOPMENT ORGANIZATION

30 October 1986

I have the honour to refer to the arrangements for the establishment in the United States of America of a UNIDO Service for the Promotion of Industrial Development in Developing Countries.

In this connection I further have the honour to propose that the following terms shall apply to the Service and to its establishment:

1. The Service shall be located in Washington, D.C. It shall begin its work on 1 November 1986.

2. The Service shall form part of the Secretariat of UNIDO. The Head of the Service shall be appointed by the Director-General of UNIDO, in accordance with the Staff Regulations and Rules of UNIDO.

3. In accordance with the provisions of article 21.2 (b) of the Constitution of UNIDO, the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946, shall apply to the Service.

In order to facilitate the official functioning of the Service, I further wish to formally request that favourable consideration be given to issuing an Executive Order designating the Service as being entitled to enjoy the privileges, exemptions and immunities provided in the United States' International Organizations' Immunities' Act, as amended.

Finally, I have the honour to propose that the present letter and your letter in reply thereto, confirming on behalf of the Government of the United States of America acceptance of the terms set out in points 1 and 3 above, shall constitute an agreement between the Government of the United States of America and the United Nations Industrial Development Organization, which shall enter into force on the date of your reply.

*(Signed)* Domingo L. SIAZON, Jr.

## II

### LETTER FROM THE UNITED STATES MISSION TO THE UNITED NATIONS SYSTEM ORGANIZATIONS IN VIENNA

2 July 1987

I refer to your letter to me of 30 October 1986 concerning the privileges and immunities of the office of the UNIDO Service for the Promotion of Industrial Development in Developing Countries located in Washington, D.C.

I am pleased to confirm on behalf of the United States Government its acceptance of points numbered 1 through 3 in your letter.

*(Signed)* Bruce CHAPMAN  
Ambassador  
Permanent Representative of  
the United States of America  
to UNIDO

## 6. INTERNATIONAL ATOMIC ENERGY AGENCY

- (a) Agreement on the Privileges and Immunities of the International Atomic Energy Agency.<sup>40</sup> Approved by the Board of Governors of the Agency on 1 July 1959

In 1987 the following State accepted the Agreement on the date indicated below:

| <i>State</i> | <i>Date of ratification</i> |
|--------------|-----------------------------|
| Chile        | 8 December 1987             |

As of 31 December 1987, 60 States were parties to the Agreement.

- (b) Incorporation of provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency by reference in other agreements with States that are not or were not at the time parties to the Agreement:
- (i) Part VIII, section 24 of the Agreement between the Government of Chile and the International Atomic Energy Agency for the application of Safeguards to Nuclear Material supplied from China.<sup>41</sup> Signed at Vienna on 18 September 1987
- (ii) Article 10 of the Agreement between the Government of Brunei Darussalam and the International Atomic Energy Agency for the application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.<sup>42</sup> Signed at Vienna on 4 November 1987

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### NOTES

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

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

<sup>3</sup>For the list of those States, see *Multilateral Treaties Deposited with the Secretary-General* (United Nations publication, Sales No. E.95.V.5).

<sup>4</sup>United Nations *Treaty Series*, vol. I, p. 163.

<sup>5</sup>Came into force on 20 January 1987.

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

<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 9 June 1987.

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

<sup>11</sup>Came into force on 28 August 1987.

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

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

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

<sup>15</sup>1972 Revised Model Text. Provisions in question of the Model Text are similar to the provisions reproduced in *Juridical Yearbook*, 1965.

<sup>16</sup>Came into force on 5 September 1987.

- <sup>17</sup>Came into force on 24 September 1987.
- <sup>18</sup>Came into force on 24 September 1987.
- <sup>19</sup>Came into force on 31 December 1987.
- <sup>20</sup>UNDP, *Basic Documents Manual*, chap. II(1).
- <sup>21</sup>Came into force on 31 August 1987.
- <sup>22</sup>Came into force on 2 July 1987.
- <sup>23</sup>Came into force on 5 May 1987.
- <sup>24</sup>Came into force on 17 September 1987.
- <sup>25</sup>Came into force on 27 January 1987.
- <sup>26</sup>United Nations, *Treaty Series*, vol. 33, p. 261.
- <sup>27</sup>The Convention is in force with respect 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>28</sup>For the list of those States, see *Multilateral Treaties Deposited with the Secretary-General* (United Nations publication, Sales No.E.95.V.5).
- <sup>29</sup>Reproduced in *Juridical Yearbook*, 1972, p. 32.
- <sup>30</sup>Certain departures from, or amendments to, the standard text were introduced at the request of the host Government.
- <sup>31</sup>Reproduced in *Juridical Yearbook*, 1972, p. 33.
- <sup>32</sup>Came into force on 1 March 1992.
- <sup>33</sup>Came into force on the date of signature.
- <sup>34</sup>Came into force on the date of signature.
- <sup>35</sup>Came into force on the date of signature.
- <sup>36</sup>Came into force on 14 October 1987.
- <sup>37</sup>Came into force on the date of signature.
- <sup>38</sup>Came into force on the date of signature.
- <sup>39</sup>Came into force on 2 July 1987.
- <sup>40</sup>United Nations, *Treaty Series*, vol. 374, p. 147; reproduced in IAEA document INF-CIRC/9/Rev.2.
- <sup>41</sup>Reproduced in IAEA document INF-CIRC/350; came into force on 18 September 1987.
- <sup>42</sup>Came into force on 4 November 1987.