

No. 5706

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**UNITED NATIONS  
and  
JAPAN**

**Agreement (with annex) for the establishment of the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders. Signed at New York, on 15 March 1961**

*Official text: English.*

*Registered ex officio on 5 June 1961.*

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**ORGANISATION DES NATIONS UNIES  
et  
JAPON**

**Accord (avec annexe) concernant la création de l'Institut d'Asie et d'Extrême-Orient pour la prévention du crime et le traitement des délinquants. Signé à New-York, le 15 mars 1961**

*Texte officiel anglais.*

*Enregistré d'office le 5 juin 1961.*

No. 5706. AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF JAPAN FOR THE ESTABLISHMENT OF THE ASIA AND FAR EAST INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS. SIGNED AT NEW YORK, ON 15 MARCH 1961

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The United Nations (hereinafter called "the Organization") and the Government of Japan (hereinafter called "the Government"), desiring to give effect to the unanimous resolution passed by the First United Nations Asia and Far East Seminar on the Prevention of Crime and the Treatment of Offenders, held in Rangoon in 1954, which recommended the establishment of an Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, have agreed as follows :

*Article I*

ESTABLISHMENT, PURPOSES AND ACTIVITIES OF THE INSTITUTE

1. The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders shall be established in Japan by the Organization and the Government under the terms of this Agreement.
2. The purposes of this Institute shall be the training of personnel, studies and research in the field of the prevention of crime and the treatment of offenders, as well as in that of prevention of juvenile delinquency and treatment of juvenile delinquents.
3. The main activities of the Institute shall be :

(a) To carry out the training programme, with the aim of providing a sound background in the principal theories and practices of criminology, penology and juvenile delinquency and allied disciplines, including sociology, psychology, psychiatry and penitentiary social assistance. The training programme shall include a comprehensive study of the main principles for an adequate legislation and administrative regulations concerning the status of prisoners and juvenile offenders;

(b) To maintain relations with Governments and similar Institutions of the region supplying them, as far as possible, with all the necessary information and co-operating in the implementation of the preventive services of the Govern-

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<sup>1</sup> Came into force on 5 June 1961, the day of receipt by the Secretary-General of the United Nations of a note from the Government of Japan indicating its acceptance of the Agreement, in accordance with article VI.

ments by the collection of data, classification of material and dissemination of results within the activities of the Institute;

(c) To carry out practical training at the appropriate institutions of Japan.

## Article II

### ORGANIZATION OF THE INSTITUTE AND METHOD OF INSTRUCTION

1. The Institute shall have the following staff :

(a) A Director appointed by the Organization in consultation with the Government and remunerated by the Organization. He shall be responsible to the Organization and shall keep it informed of the activities of the Institute. His functions shall be :

- i. To plan and direct in consultation with the Deputy Director, the training and research programmes of the Institute, including their implementation in the institutions referred to in Article I, paragraph 3, (c), above;
- ii. To organize and direct, in consultation with the Deputy Director, the administration of the Institute and to select, in consultation with the Deputy Director, professional and administrative staff of the Institute to be provided by the Government under this Agreement and also the staff nominated by other Governments of the region in accordance with the arrangements to be made with these Governments;
- iii. To disseminate training and research material in the region including, if advisable, the publication of the results of research projects;
- iv. To promote the exchange of information on the activities of the Institute with similar national, as well as international, organizations and authorities;
- v. To submit, on the completion of the first year, and each year thereafter, to the Organization and the Government an annual report on the activities of the Institute and on the programme for the following year.

(b) A Deputy Director assigned by the Government in consultation with the Organization. He shall assist the Director in the discharge of the latter's functions, including the liaison with the proper authorities of the Government with a view to furthering the development of the Institute. In the absence of the Deputy Director, the senior Japanese staff member shall act as interim Deputy Director.

(c) A Senior Adviser appointed by the Organization in consultation with the Government and remunerated by the Organization. He shall supervise the implementation of the programme and research of the Institute and shall also be responsible for the publications of the Institute. In the absence of the Director, the Senior Adviser shall act as interim Director.

- (d) The necessary teaching, research, language and administrative staff.
2. The Institute shall have accommodation for the Direction and Administration and for teaching, language and research facilities.
  3. The method of instruction shall primarily consist of lectures and discussions or seminars. The teaching material to be used at the Institute shall preferably be basic manuals, case situations and visual aids, supplemented by visits to institutions and experimental courses therein. The Institute shall, moreover, undertake short-term special and refresher courses and *ad hoc* training courses to meet such problems as may arise.
  4. The working languages of the Institute shall be English and Japanese. Any teaching research or training conducted in Japanese shall be simultaneously interpreted into English. Teaching material and any other data provided in Japanese shall be made available in English.
  5. With a view to furthering its character and purposes, the Institute will endeavour to secure the co-operation of other countries of the region in its activities.
  6. The regulations of the Institute shall be drawn up by the Director and the Deputy Director.
  7. The Organization may, if necessary, assign a qualified official or expert to visit the Institute and submit a report on its functioning to the Organization.

### Article III

#### OBLIGATIONS OF THE ORGANIZATION

The Organization shall provide, subject to the availability of funds, for a period not exceeding five years, the following technical assistance for the Institute :

(a) In 1961 : The services of the Director and of a Senior Adviser, and five to ten fellowships for countries of the region other than Japan. Also equipment, technical literature and other reference material in the amount of US \$1,000—;

(b) In 1962, 1963, 1964 and 1965 : In each year, the services of the Director and Senior Adviser, the services of three short-term experts for special refresher or *ad hoc* training courses, and ten fellowships for countries of the region other than Japan. Also equipment, technical literature and other reference material in the amount of US \$2,500— each year.

*Article IV*

## OBLIGATIONS OF THE GOVERNMENT

1. The Government shall provide, in accordance with national laws and within the limits of budgetary appropriations :

- (a) The personnel referred to in Article II, paragraph 1, (b) and (d);
- (b) Furnished and equipped premises and maintenance thereof necessary for the fulfilment of the Institute's purposes;
- (c) Facilities for the printing of publications of the Institute;
- (d) Facilities in institutions for training, research and demonstration purposes. The institutions used by the Institute and its staff shall not be considered as forming administratively part of the Institute;
- (e) Such equipment, technical literature and other reference material as may be required by the programme and research of the Institute;

(f) Any other contribution which may be necessary for the successful implementation of the programme of the Institute, including transport facilities;

(g) Medical and hospital assistance to the staff internationally recruited by the Organization.

2. The Government shall make the Institute available to eligible United Nations fellowship holders or other persons from the region, and for this purpose shall facilitate in accordance with national laws and regulations their entry into Japan and their sojourn there.

*Article V*

## PRIVILEGES AND IMMUNITIES

1. Officials and experts of the Organization appointed to serve on the Institute shall be accorded privileges and immunities provided under Articles V, VI and VII of the Convention on the Privileges and Immunities of the United Nations.<sup>1</sup>

2. Those Articles of the Convention on the Privileges and Immunities of the United Nations which are referred to in the preceding paragraph are reproduced in the Annex<sup>2</sup> to this Agreement.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 1, pp. 15 and 263; Vol. 4, p. 461; Vol. 5, p. 413; Vol. 6, p. 433; Vol. 7, p. 353; Vol. 9, p. 398; Vol. 11, p. 406; Vol. 12, p. 416; Vol. 14, p. 490; Vol. 15, p. 442; Vol. 18, p. 382; Vol. 26, p. 396; Vol. 42, p. 354; Vol. 43, p. 335; Vol. 45, p. 318; Vol. 66, p. 346; Vol. 70, p. 266; Vol. 173, p. 369; Vol. 177, p. 324; Vol. 180, p. 296; Vol. 202, p. 320; Vol. 214, p. 348; Vol. 230, p. 427; Vol. 231, p. 347; Vol. 247, p. 384; Vol. 248, p. 358; Vol. 252, p. 308; Vol. 254, p. 404; Vol. 261, p. 373; Vol. 266, p. 363; Vol. 270, p. 372; Vol. 271, p. 382; Vol. 280, p. 346; Vol. 284, p. 361; Vol. 286, p. 329; Vol. 308, p. 300; Vol. 316, p. 268; Vol. 340, p. 323; Vol. 376, p. 402, and Vol. 381, p. 348.

<sup>2</sup> See p. 208 of this volume.

*Article VI*

## ENTRY INTO FORCE, DURATION AND TERMINATION

1. This Agreement shall enter into force on the date the Secretary-General of the Organization receives from the Government a note indicating its acceptance of this Agreement. It shall remain in force until the end of the fifth year as provided in Article III.
2. Either this Organization or the Government may propose the extension of the present Agreement at the latest one year before its expiration.
3. This Agreement may be terminated at any time by either party upon written notice. The termination shall be effective four months after the receipt of such notice.

IN WITNESS WHEREOF, the Representatives of the Organization and the Government, duly authorized thereto, sign the present Agreement.

DONE in duplicate, in the English language, at New York on the 15th day of March, nineteen hundred and sixty-one.

<p>For the Government of Japan :</p> <p style="padding-left: 40px;">Koto MATSUDAIRA</p> <p>Permanent Representative of Japan to the United Nations</p>	<p>For the United Nations :</p> <p style="padding-left: 40px;">W. Martin HILL</p> <p>Acting Under-Secretary for Economic and Social Affairs</p>
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## ANNEX

TEXT OF ARTICLES V, VI AND VII OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS<sup>1</sup>*Article V*

## OFFICIALS

SECTION 17. The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

SECTION 18. Officials of the United Nations shall :

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

<sup>1</sup> See footnote 1, p. 206 of this volume.

(b) Be exempt from taxation on the salaries and emoluments paid to them by the United Nations;

(c) Be immune from national service obligations;

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

(e) Be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;

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

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

SECTION 19. In addition to the immunities and privileges specified in Section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

SECTION 20. Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

SECTION 21. The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

## Article VI

### EXPERTS ON MISSIONS FOR THE UNITED NATIONS

SECTION 22. Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded :

(a) Immunity from personal arrest or detention and from seizure of their personal baggage;

(b) In respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;

(c) Inviolability for all papers and documents;

(d) For the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

(e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

(f) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

SECTION 23. Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

#### *Article VII*

##### UNITED NATIONS LAISSEZ-PASSER

SECTION 24. The United Nations may issue United Nations laissez-passers to its officials. These laissez-passers shall be recognized and accepted as valid travel documents by the authorities of Members, taking into account the provisions of Section 25.

SECTION 25. Applications for visas (where required) from the holders of United Nations laissez-passers, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

SECTION 26. Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations laissez-passers, have a certificate that they are travelling on the business of the United Nations.

SECTION 27. The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations laissez-passers on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

SECTION 28. The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.