

No. 11471

**UNITED NATIONS
and
KENYA**

**Agreement concerning arrangements for the second session
of the United Nations Committee on Natural Resources.
Signed at Geneva on 16 December 1971 and at Nairobi
on 23 December 1971**

Authentic text: English.

Registered ex officio on 23 December 1971.

**ORGANISATION DES NATIONS UNIES
et
KENYA**

**Accord relatif à l'organisation de la deuxième session du
Comité des ressources naturelles des Nations Unies.
Signé à Genève le 16 décembre 1971 et à Nairobi le
23 décembre 1971**

Texte authentique: anglais.

Enregistré d'office le 23 décembre 1971.

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND
THE GOVERNMENT OF KENYA CONCERNING AR-
RANGEMENTS FOR THE SECOND SESSION OF THE
UNITED NATIONS COMMITTEE ON NATURAL RE-
SOURCES

WHEREAS the Government of Kenya (hereinafter referred to as “the Govern-ment”) by letter of 21 July 1971 invited the United Nations Committee on Natural Resources to hold its second session (hereinafter referred to as “the Conference”) in Nairobi,

WHEREAS the Economic and Social Council at its 1799th plenary meeting on 30 July 1971² decided to accept the invitation of the Government of Kenya,

WHEREAS under the terms of General Assembly resolution 2609 (XXIV)³ United Nations bodies may hold sessions away from their established head-quarters when the Government issuing an invitation for a session to be held within its territory has agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the additional costs directly or indirectly involved,

Therefore the United Nations and the Government hereby agree as follows :

I. PREMISES, EQUIPMENT, UTILITIES AND STATIONERY SUPPLIES

1. The Government shall make available at its expense such conference rooms and offices in the City Hall, Nairobi as will be necessary for the holding of the Session. These premises shall include : one large conference room, a number of small rooms for informal meetings, suitable office accommodation for officers and staff of the Conference and a delegates' lounge.

2. The premises shall remain at the disposition of the United Nations throughout the Conference and for such additional time in advance of the opening and after the closing as the United Nations Secretariat, in consultation with the Government, shall deem necessary for the preparation and settlement of all matters connected with the Conference.

¹ Came into force on 23 December 1971 by signature, in accordance with article IX (2).

² United Nations, *Official Records of the Economic and Social Council, Fifty-first Session, Supplement No. 1*, p. 28.

³ United Nations, *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 30 (A/7630)*, p. 86.

3. The Government shall at its expense furnish, equip and maintain in good repair all the aforementioned rooms and offices in a manner adequate to the effective conduct of the Conference. The large conference room shall be equipped for simultaneous interpretation in five languages and shall have facilities for sound recording.

4. The Government shall at its expense furnish and maintain such equipment as mimeograph and other duplicating machines, typewriters with keyboards in the languages needed, tape recorders, and such other equipment as is necessary for the effective conduct of the Conference.

5. The Government shall provide, within the conference areas, a bank, a post office, and telephone and cable facilities.

6. The Government shall pay for all necessary utility services including telephone communications of the Secretariat of the Conference within Nairobi and communications by telex, cable and air mail between the Secretariat of the Conference and United Nations Headquarters in New York as well as the United Nations Office at Geneva.

7. The United Nations shall provide at its expense all stationery supplies required for the adequate functioning of the Conference as well as stencils and paper required for documents reproduction and the Government shall pay the transport and insurance charges for their shipment from Geneva and return.

II. TRANSPORTATION AND ACCOMMODATION

1. The Government shall provide at its expense four cars and four minibuses for use by officers and staff of the Conference. The Government shall also ensure the availability of adequate transportation for all Conference participants to and from the airport.

2. The Government shall make available facilities to assist delegations, secretariat, and other participants in the Conference in making hotel reservations for the duration of the Conference.

III. POLICE PROTECTION

The Government shall furnish at its expense such police protection as may be required to ensure the efficient functioning of the Conference without interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with the responsible United Nations official so as to ensure a proper atmosphere of security and tranquillity.

IV. LOCAL PERSONNEL FOR THE CONFERENCE

1. The Government shall nominate a liaison officer between it and the United Nations, who shall be responsible for making the necessary arrangements for the holding of the Conference as set forth in this Agreement.

2. The Government shall engage and provide at its expense the sound engineers and other technical personnel required to ensure the proper functioning of the facilities referred to in article I, paragraphs 3 and 4 above. The Government shall also engage and provide at its expense document reproduction and distribution staff and such clerical assistance and house staff as may be necessary, such as ushers, messengers and cleaners, as well as drivers of the 8 vehicles referred to in article II, paragraph 1 above.

V. FINANCIAL ARRANGEMENTS

In addition to making the above-mentioned facilities available to the Conference, the Government, in pursuance of General Assembly resolution 2609 (XXIV) of 16 December 1969, shall assume responsibility for the additional expenditures to the United Nations budget provisionally estimated at approximately \$ 160,000 that may be directly or indirectly incurred as a result of the holding of the Conference in Nairobi rather than at United Nations Headquarters. The Government shall, not later than 20 December 1971, deposit into the United Nations General Fund No. 4 account with Lloyds Bank Limited, 14 Hanover Square, London W. 1, the sum of £ 40,400 (Pounds Sterling Forty Thousand Four Hundred) and with the UNDP account with Barclays Bank D.C.O. (Haile Selassie Avenue Branch), Nairobi, the sum of Kenyan Shillings 200,000, the total of these sums representing 80% of the estimated total cost. Reimbursement to the United Nations of the balance due shall be made as soon as possible after the close of the Conference and not later than 31 December 1972.

VI. LIABILITY

The Government shall be responsible for dealing with any actions, claims or other demands arising out of (a) injury or damage to person or property in the premises referred to in article I above; (b) injury or damage to persons or property caused by, or incurred in using, the transportation referred to in article II above; (c) the employment for the Conference of the personnel referred to in article IV above, and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands, except where it is agreed by the United Nations and the Government that the injury or damage is attributable to gross negligence or wilful misconduct on the part of the United Nations or its officials.

VII. PRIVILEGES AND IMMUNITIES

1. The Conventions on the privileges and immunities of the United Nations¹ and of the specialized agencies,² to which the Government of Kenya is a party, shall be applicable in respect of the Conference. Conference premises for the purpose of such application shall be deemed to constitute premises of the United Nations and access thereto shall be under the control and authority of the United Nations.

2. Representatives of Member States and representatives of States not members of the United Nations attending the Conference shall enjoy the privileges and immunities accorded to representatives of States Members of the organization by article IV of the Convention on the privileges and immunities of the United Nations.

3. Officials of the United Nations performing functions in connexion with the Conference shall enjoy the privileges and immunities provided by article V and VII of the Convention on the privileges and immunities of the United Nations. All participants and all persons performing functions in connexion with the Conference shall be accorded such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Conference.

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

5. The Government shall impose no impediment to transit to and from the Conference of any persons whose presence at the Conference is authorized by the United Nations and shall grant any visa required for such persons promptly and without charge. Such persons shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the Conference.

VIII. IMPORT DUTIES AND TAX

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

¹ United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

² *Ibid.*, vol. 33, p. 261. For the final and revised texts of annexes published subsequently, see vol. 71, p. 318; vol. 79, p. 326; vol. 117, p. 386; vol. 275, p. 298; vol. 314, p. 308; vol. 323, p. 364; vol. 327, p. 326; vol. 371, p. 266, vol. 423, p. 284; vol. 559, p. 348, and vol. 645, p. 340.

IX. GENERAL PROVISIONS

1. The United Nations will in due course and in good time inform the Government in writing of the specific capacity, number or nature of the facilities it requires under this Agreement.

2. This Agreement shall enter into force when signed on behalf of both parties and shall remain in force for the duration of the Conference and for such time as is necessary for all matters relating to the session of the Conference to be settled.

3. This Agreement may be modified by written agreement between the United Nations and the Government.

DONE and signed at Geneva, on the 16th day of December 1971, and at Nairobi, on the 23rd day of December 1971.

For the United Nations :

[Signed — Signé]¹

Under Secretary-General
Director-General
of the United Nations
Office at Geneva

For the Government of Kenya :

[Signed — Signé]²

Minister
for Natural Resources

¹ Signed by Vittorio Winspeare Guicciardi — Signé par Vittorio Winspeare Guicciardi.

² Signed by Omamo — Signé par Omamo.