

No. 12323

**UNITED NATIONS
and
PANAMA**

Agreement regarding the arrangements for the meetings of the Security Council to be held at Panama City from 15 to 21 March 1973 (with annex signed at New York on 2 March 1973). Signed at Panama City on 6 February 1973

Authentic texts: English and Spanish.

Registered ex officio on 2 March 1973.

**ORGANISATION DES NATIONS UNIES
et
PANAMA**

Accord relatif à l'organisation des réunions du Conseil de Sécurité devant avoir lieu à Panama du 15 au 21 mars 1973 (avec annexe signée à New York le 2 mars 1973). Signé à Panama le 6 février 1973

Textes authentiques: anglais et espagnol.

Enregistré d'office le 2 mars 1973.

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE REPUBLIC OF PANAMA REGARDING THE ARRANGEMENTS FOR THE MEETINGS OF THE SECURITY COUNCIL TO BE HELD AT PANAMA CITY FROM 15 TO 21 MARCH 1973

PREAMBLE

Whereas, the Security Council, in accordance with Article 28, section 3, of the United Nations Charter has decided to convene at Panama City, and

Whereas, the Government of Panama has extended an invitation to the Security Council to meet at Panama City, and

Whereas, Article 105 of the United Nations Charter provides that the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes, and that Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Organization, and

Whereas, the arrangements for the meetings should be in keeping with the dignity of the Security Council and conducive to efficient dispatch of its functions,

Therefore, the Government of Panama and the United Nations agree as follows:

Article I. PRIVILEGES AND IMMUNITIES

1. The Convention on the privileges and immunities of the United Nations² shall be applicable with respect to the meetings of the Security Council. Accordingly, the United Nations, Representatives of the Members of the United Nations present in connexion with the meetings of the Security Council, officials of the United Nations performing functions in connexion with those meetings, and experts on mission for the United Nations in connexion with those meetings shall enjoy the privileges and immunities provided in said Convention, respectively, for the United Nations, Representatives of Members, officials, and experts on mission for the United Nations.

2. Personnel provided by the Government under section 4 of the annex to this Agreement shall enjoy immunity from legal process in respect of any words spoken or written, or any act performed by them in their official capacity in connexion with the meetings.

3. Without prejudice to the preceding sections of this article, all other persons, including representatives of the information media, who are performing official functions in connexion with the meetings, or are invited by the United

¹ Came into force on 2 March 1973, the date of signature of the annex, in accordance with the provisions of article IX of the Agreement and section 9 of the annex.

² United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

Nations to attend it, likewise shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connexion with the meetings.

Article II. ACCESS AND EXIT

1. The unqualified right of unhindered entry into and exit from Panama shall be observed by all the authorities concerned in respect of the following categories of persons: Representatives of Members of the United Nations and their immediate families, officials and experts of the United Nations having official functions in connexion with the meetings and their immediate families, representatives of the press, or of radio, television, film or other information agencies accredited to the United Nations, and other persons officially invited to the meetings by the United Nations.

2. During the period of the meetings including any preparatory or final stage, the buildings, areas and premises referred to in section 2 of the annex to this Agreement shall be deemed to constitute United Nations premises under section 3 of the Convention on the privileges and immunities of the United Nations, and entry thereto shall be subject to the authority and control of the United Nations.

3. The Government shall ensure that no impediment is imposed on transit by the persons mentioned in section 1 of this article to or from the United Nations premises, referred to in section 2 of this article and the residences referred to in article V. They shall also be granted facilities for speedy travel.

4. Visas, entry and exit permits, where required, shall be granted free of charge, as speedily as possible and not later than two days from the receipt of the application.

Article III. POLICE PROTECTION

The Government shall provide at its expense such police protection as may be required to ensure the efficient functioning of the Security Council without any 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 and contact with the Secretary-General, or another official of the Secretariat designated by the Secretary-General for this purpose, so as to ensure a proper atmosphere of security and tranquillity.

Article IV. MEETING FACILITIES

The Government shall provide the meeting facilities in respect of conference rooms, equipment for simultaneous translation, offices, office equipment and supplies, telephone and cable communications, hotel accommodation, transportation, medical services, personnel and other facilities which are determined in detail in the annex to be agreed between the parties and attached as an integral part of this Agreement. The Government shall bear such costs as are provided in the annex.

Article V. HOTEL ACCOMMODATION

The Government shall ensure that adequate hotel accommodation, as provided in the annex to this Agreement, is available at reasonable commercial rates during the meetings and to the extent required at any preliminary and final stages.

Article VI. LIAISON

The Government shall nominate an official as liaison officer with the United Nations Secretariat. The liaison officer shall ensure that all the arrangements referred to in this Agreement with annex are implemented.

Article VII. 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 articles II and V above; (b) injury or damage to person or property caused by, or incurred in using, the meeting facilities referred to in article IV above; (c) the employment for the meetings of the personnel referred to in article I, section 2 above, and the Government shall hold the United Nations and its personnel harmless in respect of any such actions, claims or other demands.

Article VIII. SETTLEMENT OF DISPUTES

Any dispute between the United Nations and the Government concerning the interpretation or application of this Agreement which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one to be named by the Government, and the third to be chosen by the first two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice. However, any dispute which involves a question of principle concerning the Convention on the Privileges and Immunities of the United Nations shall be dealt with in accordance with the procedure prescribed in section 30 of that Convention.

Article IX. GENERAL PROVISION

This Agreement shall enter into force immediately upon signature of the Agreement and of the annex.

DONE in the English and Spanish languages in duplicate in each language at Panama City on 6 February 1973.

For the United Nations:

[Signed]

VICTOR M. LESSIOVSKI
Special Assistant
to the Secretary-General

For the Government
of the Republic of Panama:

[Signed]

JUAN ANTONIO TACK
Minister for External Relations
Republic of Panama

ANNEX

FORMING AN INTEGRAL PART OF THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF PANAMA REGARDING THE ARRANGEMENTS FOR THE MEETINGS OF THE SECURITY COUNCIL TO BE HELD IN PANAMA CITY FROM 15 TO 21 MARCH 1973

Section 1. COSTS

The Government shall bear the costs of the facilities referred to in the annex, except where the annex expressly provides otherwise.

Section 2. CONFERENCE ROOM, SPECIAL EQUIPMENT AND OFFICE SPACE

1. The Government shall make available a meeting chamber in the Legislative Palace of Panama.

2. The meeting chamber shall have a size and seating arrangements adequate to accommodate the delegations participating in the meetings, the Secretary-General and his staff, as well as an appropriate number of representatives of the press and of the public.

3. The meeting chamber shall be equipped with facilities for simultaneous interpretation in five languages, and an adequate number of earphones shall be available for members of delegations, officials and experts of the United Nations, the press and the public.

4. The Government shall make available an adequate number of offices in the Legislative Palace for the officials and experts of the United Nations. The offices shall be appropriately furnished with desks and chairs and equipped with the necessary number of telephones, typewriters, mimeograph machines, and other office machines. The necessary office supplies shall also be provided by the Government.

5. The Government shall provide a lounge in the Legislative Palace for the delegations participating in the meetings.

6. The Government shall provide adequate eating facilities for the officials and experts of the United Nations, available at any time they are on duty.

7. The Government shall make available adequate working areas for the representatives of the news media accredited to the meetings.

8. The meeting chamber, the offices, the delegates' lounge, and most of the working areas provided shall be air-conditioned.

9. The Government shall provide and staff a medical infirmary capable of dispensing emergency and first aid treatment.

Section 3. COMMUNICATIONS

1. The Government shall ensure that delegations of Member States of the United Nations, officials and experts of the United Nations, and such representatives of the information media as are referred to in article I, section 3, of this Agreement have unhindered access to commercial, worldwide telephone and cable communications in Panama.

2. Worldwide telephone and cable facilities will be provided in the office accommodation reserved for each delegation of Members of the Security Council and in the Legislative Palace.

3. The Government shall not bear any costs for the use of the communications facilities referred to in this section.

Section 4. PERSONNEL

1. The Government shall provide the necessary liaison staff who will work under the direction of the liaison officer referred to in article VI of this Agreement.

2. In addition to the police protection mentioned in article III of this Agreement, the Government shall provide the security personnel required by the United Nations to ensure security internal and external to the Legislative Palace of Panama.

3. The Government shall provide such messengers, maintenance and cleaning personnel as may be required for the meetings of the Security Council in Panama City.

4. The Government shall also provide an adequate number of local staff to assist in certain clerical functions and with the reproduction and distribution of documents under the supervision of United Nations officials.

Section 5. HOTEL ACCOMMODATION

1. The Government shall ensure that suitable hotel accommodation is available at reasonable commercial rates for the delegations of Members of the Security Council, other participants in the meetings, officials and experts of the United Nations, and for such

representatives of the information media as are referred to in article 1, section 3, of this Agreement.

2. In respect of hotel accommodation, the Government will bear the costs only of the rooms for officials and experts of the United Nations. These rooms shall be single rooms with bath.

Section 6. LOCAL TRANSPORTATION

The Government shall provide suitable transportation for the delegations of Members of the Security Council and for officials and experts of the United Nations on their arrival and departure between the airport and their residences, and as required during the period of the meetings between the Legislative Palace of Panama and their residences and for other official purposes.

Section 7. ADVANCE PARTY AND TELECOMMUNICATIONS TEAM

1. Pursuant to an invitation from the Government, an advance party of six officials and one expert of the United Nations proceeded to Panama in February 1973 in order to inspect the facilities made available and to consult with Government officials on the details of the arrangements necessary for the meetings of the Security Council in Panama.

2. The Government requests that a team of seven telecommunications engineers and supervisory personnel be made available by the United Nations in order to assist in the installation of such telecommunications equipment as is required for the meetings of the Security Council in Panama. The team will arrive in Panama City approximately two weeks in advance of the meetings of the Security Council and will remain until the meetings have ended, except for those required to dismantle and repack equipment, who will remain for not more than one additional week.

3. In the case of the advance party and the telecommunications team, the Government shall, in addition to the costs of hotel accommodation in accordance with section 5 above, bear the costs of the following:

- a) the round-trip air travel between New York and Panama and subsistence allowance at the rates applicable under United Nations Staff Rules;
- b) the salaries paid by the United Nations of those of the seven telecommunications personnel whom it will be necessary to employ specially for the purpose of the meetings of the Security Council in Panama.

Section 8. TRANSPORT OF EQUIPMENT AND SUPPLIES

The Government shall bear the costs of the transport from New York to Panama and back of the equipment, including telecommunications equipment, and supplies, which the Government is unable to provide in Panama for the meetings. The United Nations shall determine whether this equipment and supplies shall be sent by air or by sea.

Section 9. ENTRY INTO FORCE

In accordance with article IX of the Agreement, the signature of this annex brings the Agreement including the annex into force.

DONE in the English and Spanish languages in duplicate in each language at New York on 2 March 1973.

For the United Nations:

[Signed]
C. A. STAVROPOULOS
Under-Secretary-General
for Legal Affairs
The Legal Counsel

For the Government
of the Republic of Panama:

[Signed]
AQUILINO E. BOYD
Permanent Representative
of Panama
to the United Nations