

No. 14107

**UNITED NATIONS
and
COSTA RICA**

Agreement for the establishment of the Latin American Institute for the Prevention of Crime and the Treatment of Offenders. Signed at New York on 11 July 1975

Authentic texts: English and Spanish.

Registered ex officio on 11 July 1975.

**ORGANISATION DES NATIONS UNIES
et
COSTA RICA**

Accord relatif à la création de l'Institut latino-américain pour la prévention du crime et le traitement des délinquants. Signé à New York le 11 juillet 1975

Textes authentiques : anglais et espagnol.

Enregistré d'office le 11 juillet 1975.

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF COSTA RICA FOR THE ESTABLISHMENT OF THE LATIN AMERICAN INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

The United Nations (hereinafter called the “Organization”) and the Government of Costa Rica (hereinafter called the “Government”), desiring to give effect to resolutions 731 F (XXVII) and 1584 (L) of the Economic and Social Council, which authorized the establishment of a Latin American Institute for the Prevention of Crime and the Treatment of Offenders, have agreed as follows:

Article I. ESTABLISHMENT, OBJECTIVES AND ACTIVITIES

1. *Establishment.* The Latin American Institute for the Prevention of Crime and the Treatment of Offenders shall be established in San José, Costa Rica, under the terms of this Agreement.

2. *Objectives.* The principal purpose of the Institute is that of collaboration with governments in achieving harmonious social and economic development in Latin America through the formulation and incorporation in national development planning of suitable policies and programmes for crime prevention and criminal justice.

3. *Activities.* In order to achieve this goal, the Institute shall, i.a.

- (a) Carry out training programmes for policy-makers, planners, administrators and specialized technical personnel in the field of crime prevention and the treatment of offenders, including both theoretical and field study; conduct courses and seminars on special subjects (including research and planning methods and techniques), and for different categories of personnel;
- (b) Facilitate the exchange of expertise and experience between staff from different countries of the region and promote the development of training materials and practical guides;
- (c) Collect and disseminate information as well as carry out and stimulate systematic multi-disciplinary, action-oriented research on crime trends in the region and factors associated with them (with particular attention to new and special problems, such as violence, drug abuse, corruption, etc.), the economic and social costs of crime and its implications for development and planning, needs and priorities of action relating to crime at the regional and subregional levels, suitable policies and methods of crime prevention and control, and comprehensive strategies and programmes for crime prevention and criminal justice, in the light of conditions prevailing in the region and in the context of national socio-economic planning;
- (d) Promote the adoption and application by governments of standards, guidelines and procedures recommended by the United Nations; further an integrated approach to problems of crime and criminal justice linked with overall national planning; help develop, adapt and implement effective policies and programmes for crime prevention and criminal justice in the region, in accordance with an international plan of action and other United Nations recommendations in this area;
- (e) Help in the development and implementation of United Nations policies and programmes in crime prevention and criminal justice at the regional level;

¹ Came into force on 11 July 1975 by signature, in accordance with article IX(1).

- (f) At the request of governments in the region, provide advisory services and such other technical assistance as may be required;
- (g) Promote collaboration in crime prevention and control among countries of the region, with the aim of developing common policies and initiating joint action on matters of mutual concern.

Article II. ORGANIZATION OF THE INSTITUTE

In order to achieve these goals, the Institute shall be provided with the following personnel:

1. A Director appointed by the Government with the agreement of the Organization and remunerated by the Government. He shall be responsible to the Organization and the Government. His functions shall be:

- (a) To plan, direct and execute, in cooperation with the Co-director and Senior Adviser, the technical work programme of the Institute.
- (b) In consultation with the Co-director and Senior Adviser, to formulate the annual budget and administer the financial resources of the Institute in line with the current budget which shall have been previously approved.
- (c) In consultation with the Co-director and Senior Adviser, to select and appoint the administrative and technical personnel which the government shall nominate through the General Civil Service Directorate, pursuant to this Agreement; to contract additional personnel of a temporary nature which may be required for the implementation of the work of the Institute; and to approve the designation of those employees proposed by other governments who for short terms shall become employees of the Institute.
- (d) To report annually on the activities carried out by the Institute, as well as on its financial situation, to the Government and the Organization. A copy of this report shall be transmitted also to the governments of all the other Latin American countries.
- (e) To formulate, in agreement with the Co-director and the Senior Adviser, the Internal Regulations by which the Institute shall be guided, and which shall enter into effect upon approval by the Organization and the Government.

2. A Co-director, appointed by the Organization with the approval of the Government, who shall be jointly responsible with the Director and Senior Adviser for the technical work programme and the administration of the Institute. He shall act as Director in the latter's absence.

3. A Senior Adviser appointed by the Government through the General Civil Service Directorate, in agreement with the Organization, who will also serve as Administrator and whose responsibilities shall be the following:

- (a) To advise the Director on the work programme of the Institute and the preparation of the annual budget;
- (b) To administer the funds of the Institute in accordance with the provisions of this Agreement and the instructions given by the Director and/or Co-director;
- (c) To supervise the work of the personnel assigned to the Institute;
- (d) To assume temporarily, in the absence of both the Director and Co-director, the direction of the Institute, with the same powers as conferred upon them.

4. Permanent Personnel, technical and administrative, appointed by the Director.

5. Temporary Personnel, appointed by the Director, in order to carry out specific projects and activities, and who shall be remunerated from the resources allocated for each project or activity.

Article III. OBLIGATIONS OF THE ORGANIZATION

The Organization shall provide, subject to the availability of funds for this project:

1. Technical assistance and substantive support services in the form of specialized personnel and expert advice, fellowships, documentation, training materials, relevant information and statistical data;
2. Assistance for coordinating the activities of the Institute with similar national or international bodies, with which agreements have been concluded;
3. Broad support to the Institute in matters relating to governments or institutions in the field of the prevention of crime and the treatment of offenders, in order to achieve the strengthening of the technical and financial capacity of the Institute.

Article IV. OBLIGATIONS OF THE GOVERNMENT

1. The official Headquarters of the Institute shall be located at San José, Costa Rica, in the Tribunal Buildings of the Supreme Court of Justice.

2. The Government shall provide the Institute with offices for the executive, technical and administrative personnel, as well as facilities for holding courses and meetings, a library, conference rooms with simultaneous interpretation equipment, and other appropriate facilities, furnishings and office equipment.

3. The Government shall also provide

- (a) The personnel referred to in Article II, sections 1, 2, 3 and 5;
- (b) Co-operation in the holding of seminars, conferences and meetings organized by the Institute; and
- (c) Assistance in the printing and distribution of publications of the Institute.

Article V. FINANCING

1. The Institute shall have the power to administer, through entities or mechanisms which the Government shall create for that purpose, the resources assigned directly to the Institute, such as the contributions of the Government (including those of the Supreme Court of Justice of Costa Rica), contributions of other Latin American Governments, as well as funds provided by individuals, foundations, national or international bodies, either for specific projects or for the general activities of the Institute.

2. Furthermore, the Institute shall attempt to obtain the support of other countries within or outside the region for its activities, in financial terms and in kind, through the provision of technical personnel, short-term experts, fellowships for the international training courses, etc.

3. The funds or contributions in kind, specifically assigned to the Institute by Governments and other donors through the Organization, shall be administered by the United Nations Social Defence Trust Fund, established in pursuance of Resolution 1086 B (XXXIX) of the Economic and Social Council.

Article VI

The official languages of the Institute shall be Spanish and English.

Article VII. PRIVILEGES AND IMMUNITIES

1. Officials and experts of the Organization appointed to serve in the Institute shall be accorded the privileges and immunities provided under Articles V, VI and VII of the Convention on Privileges and Immunities of the United Nations, adopted by the General

Assembly on 13 February 1946.¹ They shall enjoy the right of unhindered entry into, and exit from, Costa Rica when travelling on official business.

2. The Government shall facilitate entry into, and exit from, Costa Rica of other persons participating in courses or other activities of the Institute, including those holding fellowships.

3. The archives and, in general, all documents belonging to the Institute or held by it shall be inviolable.

4. The Institute, its assets, income and other property shall be exempt from (a) all direct tax; (b) custom duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Institute for its official use, such articles not being for sale in Costa Rica except on the conditions agreed on by the Government; and (c) sales tax for purchases made on behalf of the Institute.

Article VIII. SPECIAL PROVISIONS

1. From the date of signing of this Agreement by representatives of the Organization and the Government, and for the succeeding acts in which the parties shall participate, the Organization shall deal with the Government, through the Ministry of Interior and Justice, which, for its part, shall reach agreement with the Court, as established in the aforementioned Regulations, and which shall enlist the collaboration of such other quarters as may be indicated.

Article IX. ENTRY INTO FORCE OF THE AGREEMENT

1. This Agreement shall enter into force on the date of its signing by duly accredited representatives and its publication in the Official Gazette of Costa Rica.

2. It shall be in force for an initial period of five years, and for further five-year periods, unless one year prior to the expiration of any such period the Organization or the Government has sent an official note terminating the Agreement.

3. This Agreement may be amended by consent of the parties and following the same procedure as employed for the signing and entry into force of this Agreement.

4. This Agreement may be terminated at any time by either of the signatory parties. The termination shall be effective four months after the receipt of such notice.

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

SIGNED at New York on the eleventh day of July one thousand nine hundred and seventy five.

For the United Nations:

[Signed]
ERIK SUY
Under-Secretary-General
The Legal Counsel

[Signed]
GERHARD O. W. MUELLER
Chief
Crime Prevention
and Criminal Justice Section
Assistant Director
Social Development Division

For the Government
of Costa Rica:

[Signed]
FERNANDO SALAZAR
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative
of Costa Rica
to the United Nations

[Signed]
GONZALO J. FACIO
Minister of Foreign Relations

[Signed]
EDGAR ARROYO CORDERO
Minister of the Interior
and Justice

[Signed]
JORGE ARTURO MONTERO CASTRO
Legal Counsel
Ministry of the Interior
and Justice
