

No. 16933

**UNITED NATIONS
and
PORTUGAL**

**Agreement for the Office of the United Nations Information
Centre for Portugal. Signed at New York on 13 Sep-
tember 1978**

Authentic texts: English and Portuguese.

Registered ex officio on 13 September 1978.

**ORGANISATION DES NATIONS UNIES
et
PORTUGAL**

**Accord relatif à la création d'un Centre d'information des
Nations Unies au Portugal. Signé à New York le
13 septembre 1978**

Textes authentiques : anglais et portugais.

Enregistré d'office le 13 septembre 1978.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF PORTUGAL
AND THE SECRETARY-GENERAL OF THE UNITED NATIONS
FOR THE OFFICE OF THE UNITED NATIONS INFORMATION
CENTRE FOR PORTUGAL

The Government of Portugal and the Secretary-General of the United Nations,

Considering that the Government of Portugal (hereinafter referred to as "the Government") and the Secretary-General of the United Nations (hereinafter referred to as "the Secretary-General") have agreed to establish an Information Centre for Portugal (hereinafter referred to as "the Centre") in Lisbon, and considering that the Government undertakes to assist the United Nations in securing all the necessary facilities for its functioning,

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 1946² (hereinafter referred to as "the General Convention"), applies to the Offices of Public Information in the field which are hence 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 United Nations Information Centre in Lisbon,

Have agreed as follows:

Article I. ESTABLISHMENT OF THE CENTRE

Section 1. A United Nations Information Centre will be established in Portugal to carry out the functions assigned to it by the Secretary-General, within the framework of the Office of Public Information.

Article II. STATUS OF THE UNITED NATIONS INFORMATION CENTRE

Section 2. The premises of the Centre and the residence of the Director shall be inviolable.

Section 3. The appropriate Portuguese authorities shall exercise due diligence to ensure the security and protection of the premises of the Centre and its staff.

Section 4. The appropriate Portuguese authorities shall exercise their respective powers to ensure that the Centre shall be supplied with the necessary public services and that such public services shall be supplied on equitable terms. The Centre shall enjoy privileged treatment for the use of telephone, radio-telegraph and mail communication facilities in the same conditions that are normally accorded and extended to diplomatic missions.

¹ Came into force on 13 September 1978 by signature, in accordance with section 15.

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

Article III. FACILITIES AND SERVICES

Section 5. The Government shall provide, free of cost, appropriate office space and will contribute 30% of the cost of operating the Centre.

Article IV. OFFICIALS OF THE CENTRE

Section 6. Officials of the Centre, except those who are locally recruited or have Portuguese nationality or are permanent foreign residents of Portugal shall enjoy, within and with respect to Portugal, the following privileges and immunities:

- a) Immunity from legal processes of any kind in respect of words, spoken or written, and of acts performed by them in their official capacity; such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the United Nations;
- b) Immunity from seizure of their official baggage;
- c) Immunity from inspection of official baggage;
- d) Exemption from taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the United Nations for services past or present or in connection with their service with the Centre;
- e) Exemption from any form of taxation on income derived by them from sources outside Portugal;
- f) Exemption, with respect to themselves, their spouses, their dependants, relatives and other members of their households from immigration restrictions and alien registration;
- g) Immunity from national service obligations;
- h) The same privileges in respect of exchange facilities as are accorded to officials of comparable ranks forming part of diplomatic missions; in particular, United Nations Officials shall have the right, at the termination of their assignment to Portugal, to take out of Portugal through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought into Portugal as well as any other funds for the lawful possession of which they can show good cause;
- i) The same protection and repatriation facilities with respect to themselves, their spouses, their dependants, relatives and other members of their households as are accorded in time of international crisis to diplomatic envoys; and
- j) The right to import for personal use, free of duty and other levies, prohibitions and restrictions on imports:
 - i) Their furniture and effects in one or more separate shipments, and thereafter to import necessary additions to the same, including motor vehicles, according to the Portuguese legislation applicable to diplomatic representatives accredited in Portugal;
 - ii) Reasonable quantities of certain articles for personal use or consumption and not for gift or sale.

Section 7. In addition to the privileges and immunities specified in section 6, the Director of the Centre shall enjoy, in respect of himself, his spouse, his dependent relatives and other members of his household, the privileges and

immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. He shall for this purpose be incorporated by the Portuguese Ministry of Foreign Affairs into the Diplomatic list.

Section 8. Officials of the Centre locally recruited, of Portuguese nationality or permanent foreign residents in Portugal shall enjoy only, within and with respect to Portugal, the privileges and immunities referred to in letters *a)*, *b)*, *c)*, *d)* and *g)* of section 6 of this Agreement. However, with respect to *g)*, this should not be interpreted as exempting officials of Portuguese nationality from complying with their military service obligations.

The conditions of work of these officials shall be solely governed by the provisions of the Staff Rules and Regulations of the United Nations. No staff member can claim additional rights than those defined on said Staff Rules and Regulations.

Section 9. The privileges and immunities for which provision is made in this Agreement are granted solely for the purposes of carrying out effectively the aims and purposes of the United Nations. The Secretary-General 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 his office.

Section 10. Without prejudice to the privileges and immunities accorded by this Agreement, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of Portugal.

Article V. GENERAL PROVISIONS

Section 11. The provisions of the General Convention on privileges and immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946 shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the General Convention. In so far as any provision of this Agreement and any provision of the General Convention relate 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 12. This Agreement shall be constructed in the light of its primary purpose of enabling the United Nations Information Centre in Portugal fully and efficiently to discharge its responsibilities and fulfil its purposes.

Section 13. Consultation with respect to modifications of this Agreement shall be entered into at the request of either Party; any such modifications shall be by mutual consent.

Section 14. This Agreement shall cease to be in force:

- i) By mutual consent of both Parties; or
- ii) If the Centre is removed from the territory of Portugal, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations Information Centre in Portugal and the disposal of its property therein.

Section 15. This Agreement shall come into force upon signature by both Parties.

IN WITNESS WHEREOF the undersigned, duly authorized representatives of the United Nations and the Government, respectively, have signed this Agreement in two copies, each in the English and Portuguese languages,

DONE at New York on September 13, 1978.

For the United Nations:

[*Signed — Signé*]¹

For the Government
of Portugal:

[*Signed — Signé*]²

¹ Signed by Genichi Akatani — Signé par Genichi Akatani.

² Signed by Vasco Futsher Pereira — Signé par Vasco Futsher Pereira.