

No. 21272

**UNITED NATIONS
and
PANAMA**

Agreement regarding the establishment of a United Nations Information Centre in Panama. Signed at New York on 7 October 1982

Authentic texts: English and Spanish.

Registered ex officio on 7 October 1982.

**ORGANISATION DES NATIONS UNIES
et
PANAMA**

Accord relatif à la création d'un Centre d'information des Nations Unies au Panama. Signé à New York le 7 octobre 1982

Textes authentiques : anglais et espagnol.

Enregistré d'office le 7 octobre 1982.

AGREEMENT¹ REGARDING THE ESTABLISHMENT OF A UNITED NATIONS INFORMATION CENTRE IN PANAMA

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

Considering that the Government of Panama (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 in Panama (hereinafter referred to as “the Centre”) under the terms of preliminary understanding reached between the Minister of Foreign Affairs of Panama and the United Nations Under-Secretary-General for Public Information regarding the establishment of a United Nations Information Centre in Panama,

Considering that the Government undertakes to assist the United Nations in securing all the necessary facilities for its functioning under the terms of paragraph 3 of General Assembly resolution 1405 (XIV) of 1 December 1959,² by which the Secretary-General is requested to enlist the co-operation of the Member States concerned in providing all possible facilities for the establishment of such new centres and in assisting actively in efforts to promote wider public understanding of the aims and activities of the United Nations,

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 1946 (hereinafter referred to as “the Convention”),³ applies to the field offices of the Department of Public Information, which are 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 Panama,

Have agreed as follows:

Article I. ESTABLISHMENT OF THE CENTRE

Section 1. A United Nations Information Centre shall be established in Panama City, Panama, to carry out the functions assigned to it by the Secretary-General, within the framework of the Department of Public Information.

Article II. STATUS OF THE CENTRE

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

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

¹ Came into force on 7 October 1982 by signature, in accordance with section 14.

² United Nations, *Official Records of the General Assembly, Fourteenth Session, Supplement No. 16* (A/4354), p. 44.

³ United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

Section 4. The appropriate Panamanian authorities shall exercise their respective powers to ensure that the Centre shall be supplied with the necessary public services on equitable terms. The Centre shall enjoy treatment for the use of telephone, radio-telegraph and mail communication facilities not less favourable than that normally accorded and extended to diplomatic missions.

Article III. FACILITIES AND SERVICES

Section 5. The Government shall make annual contributions toward the maintenance and operation of the Centre by providing (a) such non-recurrent expenditures as suitable, rent-free premises at a mutually agreeable location and suitable office furniture and other possible facilities necessary for the well-functioning of the Centre, and (b) such recurrent facilities as for current repairs and maintenance of Centre premises, telecommunications within Panama, as well as three (3) local staff members.

The United Nations shall provide one (1) professional and two (2) local level posts as well as the necessary operational funds from its regular budget.

Article IV. OFFICIALS OF THE CENTRE

Section 6. Officials of the Centre, except those who are locally recruited staff in the General Service or related categories shall enjoy, within and with respect to Panama, the following privileges and immunities:

- (a) Immunity from legal process of any kind in respect of words spoken or written, and of all 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 their official baggage;
- (d) Exemption from any form of taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the United Nations for services past or present;
- (e) Exemption from any form of taxation on income derived by them from sources outside Panama;
- (f) Exemption, with respect to themselves, their spouses, their relatives dependent on them 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 rank forming part of diplomatic missions. In particular, United Nations officials shall have the right, at the termination of their assignment to Panama, to take out of Panama through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought them into Panama 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 relatives dependent on them, and other members of

their households as are accorded in times of international crises 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 Panamanian legislation applicable to diplomatic representatives accredited in Panama;

(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 relatives dependent on him, the privileges and immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. He shall for this purpose be included in the Diplomatic list by the Panamanian Ministry of Foreign Affairs.

Section 8. Officials of the Centre who are locally recruited staff in the General Service or related categories shall enjoy only, within and with respect to Panama, the privileges and immunities referred to in sub-paragraphs (a), (b), (c), (d) and (g) of section 6 of this Agreement. These officials also shall enjoy such other privileges and immunities as they may be entitled to under article V, section 18, and article VII of the Convention.

Section 9. The privileges and immunities for which provision is made in this Agreement are granted solely for the purpose 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 the United Nations.

Article V. GENERAL PROVISIONS

Section 10. The provisions of the Convention on the Privileges and Immunities of the United Nations to which Panama acceded on 27 May 1947 shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the Convention related 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 11. This Agreement shall be construed in the light of its primary purpose of enabling the United Nations Information Centre in Panama fully and efficiently to discharge its responsibilities and fulfill its purpose.

Section 12. Consultation with respect to modifications of this Agreement shall be entered into at the request of either party; and such modification shall be by mutual consent.

Section 13. 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 Panama, except for such provisions as may be applicable in connexion with the termination of the operations of the United Nations Information Centre in Panama and the disposal of its property therein.

Section 14. 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, in English and Spanish.

DONE at New York, on 7 of October 1982.

For the United Nations:

[Signed]

YASUSHI AKASHI

For the Government of Panama:

[Signed— Signé]¹

¹ Signed by Juan José Amado— Signé par Juan José Amado.