

No. 22867

**UNITED NATIONS
and
NICARAGUA**

Host Agreement regarding the establishment of a United Nations Information Centre in Managua. Signed at New York on 11 April 1984

Authentic texts: English and Spanish.

Registered ex officio on 11 April 1984.

**ORGANISATION DES NATIONS UNIES
et
NICARAGUA**

Accord relatif à la création d'un centre d'information des Nations Unies à Managua. Signé à New York le 11 avril 1984

Textes authentiques : anglais et espagnol.

Enregistré d'office le 11 avril 1984.

HOST AGREEMENT¹ REGARDING THE ESTABLISHMENT OF A UNITED NATIONS INFORMATION CENTRE IN MANAGUA

The Government of National Reconstruction of Nicaragua and the Secretary-General of the United Nations,

Considering that the Government of National Reconstruction of Nicaragua (hereinafter referred to as "the Government") and the Secretary-General of the United Nations (hereunder referred to as "the Secretary-General") have agreed to establish a United Nations Information Centre in Managua (hereinafter referred to as "the Centre") under the terms of an understanding reached between the Permanent Representative of Nicaragua to the United Nations and the Under-Secretary-General for Public Information,

Considering that the Government undertakes to assist the Secretary-General in securing all the necessary facilities for the Centre's 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 1946³ (hereinafter referred to as "the Convention"), to which Nicaragua adhered, 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 Centre in Managua,

Have agreed as follows:

Article I. ESTABLISHMENT OF THE CENTRE

Section 1. An Information Centre shall be established in Managua, Nicaragua, 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 Director shall be inviolable.

Section 3. The appropriate Nicaraguan authorities shall provide the necessary security and protection of the premises of the Centre and its staff.

Section 4. The appropriate Nicaraguan 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,

¹ Came into force on 11 April 1984 by signature, in accordance with article 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).

radio-telegraph and mail communication facilities, not less favourable than that normally accorded and extended to international missions.

Article III. FACILITIES AND SERVICES

Section 5. The Government shall provide (a) adequate rent-free premises in a mutually acceptable location, assuming responsibility for its maintenance, (b) furniture, equipment and supplies such as book-shelves for the Centre Library, chairs, desks, (c) salaries of five locally recruited staff, one of whom an Information Officer assisting the Director and the others including a night watchman and a messenger and covering the cost of their overtime.

The United Nations shall provide specialized equipment such as a photocopy machine, typewriters, filing cabinets and necessary vehicles as well as operational funds from its 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 Nicaragua 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 Nicaragua;
- (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 or comparable ranks forming part of international missions. In particular, United Nations officials have the right, at the termination of their assignment to Nicaragua, to take out of Nicaragua through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought them into Nicaragua 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 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 Nicaraguan legislation applicable to international missions accredited in Nicaragua;

- 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, subject to the exception indicated in subparagraph (b) below, 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 international missions list by the Ministry of External Affairs of Nicaragua.

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 Nicaragua, the privileges and immunities referred to in subparagraphs (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 VI, 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 Nicaragua acceded on 29 November 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 Centre in Nicaragua 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; any such modifications 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 Nicaragua, except for such provisions as may be applicable in connexion with the termination of the operations of the Centre in Nicaragua 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 Secretary-General and the Government, respectively, have signed this Agreement in two copies, each in English and in Spanish.

DONE at New York on 11 April 1984.

For the Secretary-General
of the United Nations:

[Signed]

YASUSHI AKASHI
Under-Secretary-General
for Public Information

For the Government
of National Reconstruction
of Nicaragua:

[Signed]

JAVIER CHAMORRO MORA
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of Nicaragua
to the United Nations
