

No. 24117

**UNITED NATIONS
and
BENIN**

Agreement on the establishment of a United Nations Information Centre in the People's Republic of Benin. Signed at New York on 21 May 1986

Authentic text: French.

Registered ex officio on 21 May 1986.

**ORGANISATION DES NATIONS UNIES
et
BÉNIN**

Accord relatif à la création d'un Centre d'information des Nations Unies en République populaire du Bénin. Signé à New York le 21 mai 1986

Texte authentique : français.

Enregistré d'office le 21 mai 1986.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ REGARDING THE ESTABLISHMENT OF A UNITED NATIONS INFORMATION CENTRE IN THE PEOPLE'S REPUBLIC OF BENIN

The Government of the People's Republic of Benin and the Secretary-General of the United Nations,

Considering that the Government of the People's Republic of Benin (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 a United Nations Information Centre in Cotonou, People's Republic of Benin (hereinafter referred to as "the Centre"), in accordance with the provisions of paragraph 14 of General Assembly resolution 39/98 A of 14 December 1984,²

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 1959,³ 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 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 1946⁴ (hereinafter referred to as "the Convention"), 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 a United Nations Information Centre in Cotonou,

Have agreed as follows:

CHAPTER I. ESTABLISHMENT OF THE CENTRE

Article 1. An Information Centre shall be established in Cotonou, People's Republic of Benin.

Article 2. The Centre shall carry out the functions assigned to it by the Secretary-General within the framework of the activities of the Department of Public Information.

¹ Came into force on 21 May 1986 by signature, in accordance with article 18.

² United Nations, *Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 51 (A/39/51)*, p. 108.

³ *Ibid.*, *Fourteenth Session, Supplement No. 16 (A/4354)*, p. 44.

⁴ United Nations, *Treaty Series*, vol. 1, p. 15 and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

CHAPTER II. STATUS OF THE CENTRE

Article 3. The Centre shall be a field office of the Department of Public Information of the Secretariat of the United Nations.

Article 4. The Centre shall have the status of a diplomatic mission.

Article 5. The premises of the Centre and the residence of the Director shall be inviolable.

Article 6. The appropriate Beninese authorities shall ensure the security and protection of the premises of the Centre and its staff.

CHAPTER III. FACILITIES AND SERVICES

Article 7. The appropriate Beninese authorities shall exercise their respective powers to ensure that the Centre is supplied with the necessary public services on equitable terms. The Centre shall enjoy the same treatment for the use of telephone, radio-telegraph and mail communication facilities as that normally accorded and extended to diplomatic missions.

Article 8. The costs relating to the rental of the Centre's offices shall be the subject of further negotiations between the Government and the United Nations.

CHAPTER IV. STAFF OF THE CENTRE

Article 9. The staff of the Centre shall consist of:

- (a) The Director of the Centre;
- (b) United Nations officials assigned to the Centre;
- (c) Locally recruited Beninese officials at the same level;
- (d) Locally recruited staff in the General Service or related categories.

CHAPTER V. IMMUNITIES AND PRIVILEGES GRANTED TO THE STAFF OF THE CENTRE

Article 10. The staff in the categories referred to in subparagraphs (a) and (b) of article 9 shall enjoy, within and with respect to the People's Republic of Benin, 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) 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;

(c) Exemption from any form of taxation on income derived by them from sources outside the People's Republic of Benin;

(d) Exemption, with respect to themselves, their spouses and their dependent family members from immigration restrictions and alien registration;

(e) Immunity from national service obligations;

(f) 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 the People's Republic of Benin, to take out of the People's Republic of Benin, through authorized channels, without prohibition or restriction, their funds in the same amounts as they had brought into Benin as well as any other funds for the lawful possession of which they can show good cause;

(g) The same protection and repatriation facilities with respect to themselves, their spouses, their dependent family members and other members of their households as are accorded in time of international crisis to diplomatic envoys;

(h) The right to import for personal use, free of duty and other levies (with the exception of taxes levied for services rendered), prohibitions and restrictions on imports:

- Their furniture and effects in one or more separate shipments within a period of six months from the date of their arrival in Benin, including motor vehicles, according to the Beninese legislation applicable to diplomatic representatives accredited in the People's Republic of Benin;
- Reasonable quantities of certain articles for personal use or consumption and not for gift or sale, exclusively for the officials of the Centre who have diplomatic status.

Article 11. In addition to the privileges and immunities specified in article 10, the staff in the categories referred to in subparagraphs (a) and (b) of article 9 shall enjoy, in respect of themselves, their spouses and their dependent family members, the privileges and immunities, exemptions and facilities normally accorded to diplomatic envoys of comparable rank. They shall for this purpose be included in the list of members of the diplomatic corps prepared by the Ministry of Foreign Affairs and Co-operation of the People's Republic of Benin.

Article 12. The staff referred to in subparagraphs (c) and (d) of article 9 shall enjoy, within and with respect to the People's Republic of Benin, only the privileges and immunities referred to in subparagraphs (a), (b), (c) and (e) of article 10 of this Agreement.

The officials also shall enjoy such other privileges and immunities as they may be entitled to under article VII of the Convention.

Article 13. The privileges and immunities 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 may be waived without prejudice to the interests of the United Nations.

CHAPTER VI. GENERAL PROVISIONS

Article 14. The provisions of the Convention on the Privileges and Immunities of the United Nations shall fully apply to the Centre, and the provisions of this Agreement shall be complementary to those of the Convention. To the extent that any provision of this Agreement and any provision of the Convention may relate to the same question, these two provisions shall, where possible, be treated as com-

plementary, so that both provisions shall be applicable and neither shall restrict the effect of the other.

Article 15. This Agreement shall be construed in the light of its primary purpose of enabling the United Nations Information Centre in Benin fully and efficiently to discharge its responsibilities and fulfil its purpose.

Article 16. 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 agreement.

Article 17. This Agreement shall cease to be in force:

- By mutual consent of both parties; or
- If the Centre is removed from the territory of Benin, except for such provisions as may be applicable in connection with the termination of the operations of the United Nations Information Centre in the People's Republic of Benin and the disposal of its property therein.

Article 18. 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 of the People's Republic of Benin, respectively, have signed this Agreement in two copies, both in French.

DONE at New York on 21 May 1986.

For the United Nations:

[YASUSHI AKASHI]

For the Government
of the People's Republic
of Benin:

[SIMON IFÈDÉ OGOUMA]
