

No. 25971

**UNITED NATIONS
and
NEPAL**

**Agreement regarding the establishment in Kathmandu of the
United Nations Regional Centre for Peace and Disarma-
ment in Asia (with memorandum of understanding).
Signed at New York on 8 June 1988**

Authentic text: English.

Registered ex officio on 8 June 1988.

**ORGANISATION DES NATIONS UNIES
et
NÉPAL**

**Accord concernant la création à Katmandou du Centre régio-
nal des Nations Unies pour la paix et le désarmement en
Asie (avec mémorandum d'accord). Signé à New York le
8 juin 1988**

Texte authentique : anglais.

Enregistré d'office le 8 juin 1988.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF NEPAL AND THE UNITED NATIONS REGARDING THE ESTABLISHMENT IN KATHMANDU OF THE UNITED NATIONS REGIONAL CENTRE FOR PEACE AND DISARMAMENT IN ASIA

The Government of Nepal and the United Nations,

Considering that His Majesty's Government of Nepal (hereinafter referred to as "the Government") and the United Nations, in accordance with resolution 42/39 D of the General Assembly dated 30 November 1987,² have agreed to establish in Kathmandu, Nepal, the United Nations Regional Centre for Peace and Disarmament in Asia (hereinafter referred to as "the Centre"),

Considering that the Government undertakes to assist the United Nations in securing all the necessary facilities for the establishment and functioning of the Centre,

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"), applies to the field offices 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 Kathmandu,

Have agreed as follows:

Article I. ESTABLISHMENT OF THE CENTRE

Section 1. The United Nations Centre for Peace and Disarmament in Asia shall be established in Kathmandu, Nepal, to carry out the functions assigned to it by the General Assembly and the Secretary-General, within the framework of the Department for Disarmament Affairs.

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 Nepalese authorities shall exercise due diligence to ensure the security and protection of the premises of the Centre and its staff.

Section 4. The appropriate Nepalese 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.

¹ Came into force on 8 June 1988 by signature, in accordance with article V, section 13.

² United Nations, *Official Records of the General Assembly, Forty-second Session, Supplement No. 49 (A/42/49)*, p. 82.

³ 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. In addition to the provisions made in operative paragraph 1 of resolution 42/39 D, the Government shall make an annual contribution toward the maintenance and operation of the Centre. Such contribution shall be stipulated in the memorandum of understanding between the Government and the United Nations which shall form part of this Agreement.

Article IV. OFFICIALS OF THE CENTRE

Section 6. Officials of the Centre shall be entitled to the privileges and immunities provided for in Section 18 of the Convention on the Privileges and Immunities of the United Nations to which Nepal is a party.

Section 7. In addition to the privileges and immunities referred to in Section 6 above, the Director of the Centre shall enjoy, in respect of himself, his spouse [and] his relatives dependent on him, the privileges and immunities, exemptions and facilities normally accorded to envoys of international organizations of comparable rank. He shall for this purpose be included in the Diplomatic list of the Ministry of Foreign Affairs of Nepal.

Section 8. The privileges and immunities referred to in this Agreement are granted solely for the purpose of carrying out effectively the aims and purposes of the United Nations. The Secretary-General of the United Nations 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 9. The provisions of the Convention to which Nepal acceded on 28 September 1965 shall fully apply to the Centre. The provisions of the present Agreement shall, where possible, be treated as complementary to those of the Convention, so that both provisions of the Agreement and the Convention shall be applicable and neither shall restrict the effect of the other.

Section 10. This Agreement shall be construed in the light of its primary purpose of enabling the Centre in Nepal fully and efficiently to discharge its responsibilities and fulfill its purpose.

Section 11. 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 12. This Agreement shall cease to be in force:

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

Section 13. 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.

DONE at New York on 8 June 1988.

For the United Nations:

[Signed]

YASUSHI AKASHI
Under-Secretary-General
for Disarmament Affairs

For the Government
of Nepal:

[Signed]

Ambassador JAI PRATAP RANA
Permanent Representative
of the Kingdom of Nepal
to the United Nations

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF NEPAL AND THE UNITED NATIONS REGARDING SERVICES AND FACILITIES FOR THE ESTABLISHMENT IN KATHMANDU OF THE UNITED NATIONS REGIONAL CENTRE FOR PEACE AND DISARMAMENT IN ASIA

The Government of Nepal and the United Nations,

Recalling General Assembly resolution 42/39 D of the General Assembly dated 30 November 1987 by which the General Assembly decided to establish the United Nations Regional Centre for Peace and Disarmament in Asia,

Recalling the offer of the Government of Nepal to host the Centre,

Considering the Agreement signed between the Government of Nepal and the United Nations on 8 June 1988,

Agree that:

The Government of Nepal will provide an amount of \$14,000 in two equal annual installments for the initial establishment of the Centre to be used as follows:

1. Salaries of locally recruited staff up to \$5,000 per annum;
2. Funds for rent, furniture, equipment, utilities, transport, communication and office supplies up to \$2,000 a year.
3. Payment will be effected 1 July of each year.

The Government of Nepal and the United Nations further agree that this Memorandum of Understanding will be included at the earliest date in the text of letters to be exchanged between them regarding the functions of the Centre in accordance with resolution 42/39 D.

For the United Nations:

[Signed]

YASUSHI AKASHI
Under-Secretary-General
for Disarmament Affairs

For the Government
of Nepal:

[Signed]

Ambassador JAI PRATAP RANA
Permanent Representative
of the Kingdom of Nepal
to the United Nations