

No. 26379

**UNITED NATIONS
and
DENMARK**

Agreement concerning the United Nations Information Centre for the Nordic Countries in Copenhagen (with exchange of notes). Signed at New York on 31 January 1989

Authentic text: English.

Registered ex officio on 31 January 1989.

**ORGANISATION DES NATIONS UNIES
et
DANEMARK**

Accord relatif au centre d'information des Nations Unies pour les pays nordiques à Copenhague (avec échange de notes). Signé à New York le 31 janvier 1989

Texte authentique : anglais.

Enregistré d'office le 31 janvier 1989.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF DENMARK AND THE UNITED NATIONS CONCERNING THE UNITED NA- TIONS INFORMATION CENTRE FOR THE NORDIC COUN- TRIES IN COPENHAGEN

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

Considering that the Government of Denmark (hereinafter referred to as “the Government”) and the Secretary-General of the United Nations (hereinafter referred to as “the Secretary-General”) agreed in 1946 to establish an Information Centre for the Nordic Countries in Copenhagen (hereinafter referred to as “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 1946² (hereinafter referred to as “the Convention”), applies to the branch or 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, supplementary to the Convention regarding the Centre,

Have agreed as follows:

Article I. DEFINITION

In the present Agreement, the expression “officials of the Centre” means the Director and all members of the staff of the Centre, with the exception of officials or employees who are locally recruited and assigned to hourly rates.

Article II. FUNCTIONS OF THE CENTRE

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

Article III. STATUS OF THE CENTRE

1. The premises of the Centre and the residence of its Director shall be inviolable.
2. The Government shall exercise due diligence to ensure the security and protection of the premises of the Centre and its staff.
3. The appropriate Danish authorities shall make every possible effort to secure upon the request of the Director of the Centre, the public services needed by the Centre, including, without limitation by reason of this enumeration, postal, telephone, and telegraph services and power, water and fire protection services. Such public services shall be supplied on equitable terms.

¹ Came into force on 31 January 1989 by signature, in accordance with article VII (4).

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

Article IV. FACILITIES AND SERVICES

The Government, subject to parliamentary approval, makes an annual contribution to provide rent-free premises to the Centre and towards the cost of heating the Centre.

Article V. OFFICIALS OF THE INFORMATION CENTRE

1. Officials of the Centre shall:

- (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) Be immune from seizure of their personal and official baggage;
- (c) Be immune from inspection of official baggage, and if the person is the Director of the Centre, be immune from inspection of personal baggage;
- (d) Be exempt from taxation on the salaries and all other remuneration paid to them by the United Nations;
- (e) Be immune from national service obligations;
- (f) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (g) Be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to Denmark;
- (h) Be given, together with their spouses and relatives dependent on them, and other members of their household, the same repatriation facilities in time of international crisis as diplomatic envoys;
- (i) Have the right to import free of duty their furniture, personal effects and all household appliances, including one automobile, intended for personal use free of duty when they come to reside in Denmark, which privilege shall be valid for a period of one year from the date of arrival in Denmark.

2. Officials of the Centre, except those who are locally recruited staff in the General Service or related categories, shall furthermore enjoy the following privileges and immunities:

- (a) Have the right to import free of custom and excise duties limited quantities of certain articles intended for personal consumption (food products, beverages, etc.) in accordance with a list to be approved by the Government;
- (b) Have the right, once every three years, to import one motor vehicle free of customs and excise duties, including value added taxes, it being understood that permission to sell or dispose of the vehicle in the open market will normally be granted two years after its importation only. It is further understood that customs and excise duties will become payable in the event of the sale or disposal of such motor vehicle within three years after its importation to a person not entitled to this exemption.

3. In addition to the immunities and privileges specified in paragraphs 1 and 2 above, the Director of the Centre shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys in accordance with international law. His name shall

be included in the list of International Organizations and Offices in Copenhagen issued by the Danish Ministry of Foreign Affairs.

4. The terms and conditions of employment for locally recruited personnel shall be in accordance with the relevant United Nations Regulations and Rules.

5. 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 VI. SETTLEMENT OF DISPUTES

1. Any dispute between the Centre and the Government concerning the interpretation or application of this Agreement or of any supplementary agreement or arrangement, which is not settled by negotiation or other agreed mode of settlement shall be referred for final decision to a tribunal of three arbitrators: one to be chosen by the Government, one to be chosen by the Director of the Centre, and the third, who shall be chairman of the tribunal, to be chosen by the first two arbitrators. Should the first two arbitrators fail to agree upon the third within six months following the appointment of the first two arbitrators, such third arbitrator shall be chosen by the President of the International Court of Justice at the request of the Secretary-General of the United Nations or the Government.

Article VII. GENERAL PROVISIONS

1. The provisions of this Agreement shall be considered supplementary to the provisions of the Convention. When a provision of this Agreement and a provision of the Convention deal with the same subject, both provisions shall be considered complementary whenever possible; both of them shall be applied and neither shall restrict the force of the other.

2. This Agreement shall be construed in the light of its primary purpose of enabling the Centre fully and efficiently to discharge its responsibilities and fulfil its purpose.

3. Consultations with respect to amendments to this Agreement shall be entered into at the request of either party and such amendments shall be made by mutual consent. If the consultations do not result in an understanding within one year the present Agreement may be terminated by either party on giving two years' notice.

4. This Agreement shall enter into force upon signature.

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 English.

DONE at New York on 31 January 1989.

For the United Nations:

[Signed — Signé]¹

Under-Secretary-General

For the Government
of Denmark:

[Signed — Signé]²

Permanent Representative

¹ Signed by Thérèse Paquet-Sévigny — Signé par Thérèse Paquet-Sévigny.

² Signed by Kjeld Mortensen — Signé par Kjeld Mortensen.

EXCHANGE OF NOTES

I

PERMANENT MISSION OF DENMARK
TO THE UNITED NATIONS

New York, 31 January 1989

Dear Madam Under-Secretary-General,

With reference to the Agreement between the United Nations and the Government of Denmark relating to the United Nations Information Centre for the Nordic Countries in Copenhagen, to which I have this day affixed my signature, I have the honour to propose that officials of the Centre who are Danish nationals shall enjoy only those privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations.

If the United Nations agrees to this proposal, I have the honour to propose that this note and your note of confirmation shall constitute an Agreement between the United Nations and the Government of Denmark, entering into force on the same day as the Agreement relating to the Information Centre.

Accept, Madam, the renewed assurances of my highest consideration.

For the Government of Denmark:

[Signed]

KJELD MORTENSEN
Permanent Representative of Denmark
to the United NationsMrs. Thérèse Paquet-Sévigny
Under-Secretary-General for Public Information
United Nations
New York

II

UNITED NATIONS

NATIONS UNIES

New York, 31 January 1989

Reference:

Sir,

I wish to refer to your note of 31 January which reads as follows:

[See note I]

I have the honour to confirm that the United Nations agrees with the above proposal and that your note and this reply will constitute an Agreement between the United Nations and Denmark, entering into force on the same day as the Agreement relating to the Information Centre.

Accept, Sir, the assurances of my highest consideration.

For the United Nations:

[Signed — Signé]¹

Under-Secretary-General for Public Information

His Excellency Mr. Kjeld Mortensen
Ambassador
Permanent Representative of Denmark
to the United Nations

¹ Signed by Thérèse Paquet-Sévigny — Signé par Thérèse Paquet-Sévigny.