

No. 30005

**UNITED NATIONS
and
MOZAMBIQUE**

**Agreement on the status of the United Nations Operation in
Mozambique. Signed at New York on 14 May 1993**

Authentic texts: English and Portuguese.

Registered ex officio on 14 May 1993.

**ORGANISATION DES NATIONS UNIES
et
MOZAMBIQUE**

**Accord relatif au statut de l'Opération des Nations Unies au
Mozambique. Signé à New York le 14 mai 1993**

Textes authentiques : anglais et portugais.

Enregistré d'office le 14 mai 1993.

AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF MOZAMBIQUE ON THE STATUS OF THE UNITED NATIONS OPERATION IN MOZAMBIQUE

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply:

(a) “ONUMOZ” means the United Nations Operation in Mozambique established pursuant to Security Council resolution 797 (1992)² of 16 December 1992, in line with the General Peace Agreement for Mozambique, with the terms of reference as described in the report of the Secretary-General of 3 December 1992 (S/24892) which has been approved by the Security Council in the above-mentioned resolution 797 (1992). ONUMOZ shall consist of:

- (i) The “Special Representative” appointed by the Secretary-General. The “Special Representative” shall also mean the interim Special Representative before the former is appointed by the Secretary-General. Any reference to the Special Representative in this Agreement shall, except in paragraph 23, include any member of ONUMOZ to whom he delegates a specified function or authority;
- (ii) A “civilian component” consisting of United Nations Officials and of other persons assigned by the Secretary-General to assist the Special Representative or made available by participating States to serve as part of ONUMOZ;
- (iii) A “military component” consisting of military and special civilian personnel made available by participating States to serve as part of ONUMOZ;

(b) A “Member of ONUMOZ” means any member of the civilian or military component;

(c) “Participating State” means a State contributing personnel to any of the above-mentioned components of ONUMOZ;

(d) “The Government” means the Government of the Republic of Mozambique;

(e) The “Convention” means the Convention on Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946.³

II. APPLICATION OF THE PRESENT AGREEMENT

2. Unless specifically provided otherwise, the provisions of the present Agreement and any obligation undertaken by the Government of Mozambique or any privilege, immunity, facility or concession granted to ONUMOZ or any member thereof apply throughout Mozambique.

¹ Came into force on 14 May 1993 by signature, in accordance with paragraph 55.

² United Nations, *Official Records of the Security Council, Forty-seventh year, Resolutions and Decisions of the Security Council 1992 (S/INF/48)*, p. 108.

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

III. APPLICATION OF THE CONVENTION

3. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 shall apply to ONUMOZ subject to the provisions specified in the present Agreement.

4. Article II of the Convention, which applies to ONUMOZ, shall also apply to the property, funds and assets of participating States used in connection with ONUMOZ.

IV. STATUS OF ONUMOZ

5. ONUMOZ and its members shall refrain from any action or activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit of the present arrangements and the General Peace Agreement. ONUMOZ and its members shall respect all local laws and regulations. The Special Representative shall take all appropriate measures to ensure the observance of those obligations.

6. The Government undertakes to respect the exclusively international nature of ONUMOZ.

United Nations flag and vehicle markings

7. The Government recognizes the right of ONUMOZ to display within Mozambique the United Nations flag on its headquarters, camps or other premises, vehicles, vessels and otherwise as decided by the Special Representative. Other flags or pennants may be displayed only in exceptional cases in accordance with conditions prescribed by the Special Representative in consultation with the Government of Mozambique.

8. Vehicles, vessels and aircraft of ONUMOZ shall normally be painted in white and carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

9. ONUMOZ shall enjoy in the territory of Mozambique for its official communications, treatment not less favourable than that accorded by the Government to any other government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations. ONUMOZ shall have the right to use codes and to despatch and receive its correspondence by courier or in bags which shall have the same immunities and privileges as diplomatic couriers and bags.

10. Subject to the provisions of paragraph 9:

(a) ONUMOZ shall have the right to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points within the territory of Mozambique with each other and with United Nations offices at Headquarters and in other countries and to exchange freely traffic with the United Nations global telecommunications network in consultation and in accordance with arrangements made with the Government. The telecommunication services shall be

operated in accordance with the International Telecommunication Convention¹ and Regulations and the frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board with a notification to the Government;

(b) ONUMOZ shall enjoy, within the territory of Mozambique, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means and to establish the necessary facilities for maintaining such communications within and between premises of ONUMOZ, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations in consultation and in accordance with arrangements made with the Government. For each separate network, the United Nations shall notify the Government the following information: the name of the person in charge of the network; technical specification of the equipment; brand and serial number of the equipment, and map showing the sites where the stations are located. The frequencies on which the radio will operate shall be decided upon in co-operation with the Government. It is understood that all the connections of the above-mentioned systems with the local system of telegraphs, telex and telephones may be made only after approval by the Government, it being further understood that the use of the local system of telegraphs, telex and telephones will be charged at the most favourable prevailing rates in the country. All satellite connections through INTELSAT and INMARSAT systems shall be in accordance with the procedures required by INTELSAT and INMARSAT;

(c) ONUMOZ may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of ONUMOZ. The mail bags will bear identification tags labelled UNITED NATIONS with an identification of its diplomatic character. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of ONUMOZ or its members. In the event that postal arrangements applying to private mail of members of ONUMOZ are extended to transfer of currency or the transport of packages and parcels, the conditions under which such operations are conducted shall be agreed with the Government.

Travel and transport

11. ONUMOZ and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, unrestricted freedom of movement throughout Mozambique. To this end, in addition to the military facilities which the Government may consent to make available to it, ONUMOZ shall normally utilize the aerodromes and public airfields commonly used in public air transport. That freedom shall, with respect to large movements of personnel, stores or vehicles through airports or on railways or roads used for general traffic within Mozambique, be co-ordinated with the Government. Such movements shall be co-ordinated in a timely manner with the competent Government authorities. ONUMOZ shall take measures to ensure that such movements shall as far as possible minimize the disruption of the normal operations of such facilities. The Government undertakes to supply ONUMOZ, where necessary, with maps and other information, including locations of mine fields and other dangers and impediments, which may be useful in facilitating its movements.

¹ United Nations, *Treaty Series*, vol. 1209, p. 31.

12. Vehicles, including all military vehicles, vessels and aircraft of ONUMOZ shall not be subject to registration or licensing by the Government provided that all such vehicles shall carry the third party insurance required by relevant legislation. ONUMOZ vehicles shall bear United Nations licence plates. For all aircraft, ships and vehicles there shall be no restrictions based on nationality or type of registration. Without prejudice to the status of ONUMOZ, its members and property, ONUMOZ shall communicate to the Government data related to particulars of its vehicles, aircraft, vessels and their crews. In carrying out its mission, ONUMOZ shall be entitled to engage any local or foreign air operator and use any aircraft including foreign registered aircraft for its operations. In this context and without prejudice in any way whatsoever to the unrestricted freedom of movement provided for in paragraph 11 of the present Agreement, entry and operation of the aircraft shall, as far as is consistent with such freedom of movement, be in accordance with the Convention¹ on International Civil Aviation, signed at Chicago on 7 December 1944, and its Annexes.

13. ONUMOZ, and those ships and aircraft contracted specifically for the carriage of United Nations personnel, vehicles, equipment, stores, fuel and cargo may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls, navigation fees, landing fees, parking fees, wharfage charges or any other charges. However, ONUMOZ will not claim exemption from charges which are in fact charges for services rendered.

Privileges and immunities of ONUMOZ

14. ONUMOZ, as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the United Nations as provided for in the present Agreement. The provision of article II of the Convention which applies to ONUMOZ shall also apply to the property, funds and assets of participating States used in Mozambique in connection with the national contingents serving in ONUMOZ, as provided for in paragraph 4 of the present Agreement. The Government recognizes the right of ONUMOZ in particular:

(a) To import free of all custom duties, excises, taxes, clearance fees, levies, including any fees based on a percentage of the FOB value of cargo, and any other charges or restrictions imposed by the Government on all types of vehicles, equipment, provisions, supplies and other goods, including all types of fuels, which are for the exclusive and official use of ONUMOZ or for resale in the commissaries provided for hereinafter;

(b) To establish, maintain and operate commissaries at its headquarters, camps and posts for the benefit of the members of ONUMOZ, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified in advance. The Special Representative shall take all necessary measures to prevent abuse of such commissaries and the sale or resale of such goods to persons other than members of ONUMOZ, and he shall give sympathetic consideration to observations or requests of the Government concerning the operation of the commissaries;

(c) To clear ex customs and excise warehouse, free of all custom duties, excises, taxes, clearance fees, levies, including any fees based on a percentage of the

¹United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

FOB value of cargo, and any other charges or restrictions imposed by the Government all types of vehicles, equipment, provisions, supplies and other goods, including all types of fuels, which are for the exclusive and official use of ONUMOZ or for resale in the commissaries provided for above;

(d) To re-export or otherwise dispose of such equipment, as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared ex customs and excise warehouse which are not transferred, or otherwise disposed of, on terms and conditions to be agreed upon, to the competent local authorities of Mozambique or to an entity nominated by them.

To the end that such importation, clearances, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between ONUMOZ and the Government at the earliest possible date.

V. FACILITIES FOR ONUMOZ

Premises required for conducting the operational and administrative activities of ONUMOZ and for accommodating members of ONUMOZ

15. The Government shall, where possible, provide facility without cost to ONUMOZ and in agreement with the Special Representative such areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of ONUMOZ and for the accommodation of the members of ONUMOZ. Without prejudice to the fact that all such premises remain Mozambican territory, they shall be inviolable and subject to the exclusive control and authority of the United Nations. Where United Nations troops are co-located with military, police or para-military personnel of Mozambique, a permanent, direct and immediate access by ONUMOZ to those premises shall be guaranteed. ONUMOZ shall not make any alterations, constructions or demolitions of infrastructures ceded by the Government without prior approval by the latter.

16. The Government undertakes to assist ONUMOZ as far as possible in obtaining and making available, where applicable, water, electricity and other facilities free of charge, or, where this is not possible, at the most favourable prevailing rate in the country, and in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to the needs of ONUMOZ as to essential government services. Where such utilities or facilities are not provided free of charge, payment shall be made by ONUMOZ on terms to be agreed with the Government. ONUMOZ shall be responsible for the maintenance and upkeep of facilities so provided.

17. ONUMOZ shall have the right, where necessary, to generate, within its premises, electricity and to transmit and distribute such electricity for its use.

18. The United Nations alone may consent to the entry of any government officials or of any other person not member of ONUMOZ to such premises.

Provisions, supplies and services, and sanitary arrangements

19. The Government undertakes to assist ONUMOZ as far as possible in obtaining equipment, provisions, supplies and other goods and services from local sources required for its subsistence and operations. In making purchases on the local market, ONUMOZ shall, on the basis of observations made and information provided by the Government in that respect, avoid any adverse effect on the local

economy. The Government shall exempt ONUMOZ from general sales taxes in respect of all official local purchases.

20. ONUMOZ and the Government shall co-operate with respect to sanitary services and shall extend to each other the fullest co-operation in matters concerning health, particularly with respect to the control of communicable diseases, in accordance with international conventions.

Recruitment of local personnel

21. ONUMOZ may recruit locally such personnel as it requires. Upon the request of the Special Representative, the Government undertakes to facilitate the recruitment of qualified local staff by ONUMOZ and to accelerate the process of such recruitment.

Currency

22. The Government undertakes to make available to ONUMOZ, against reimbursement in mutually acceptable freely convertible currency, Metical currency required for the use of ONUMOZ, including the pay of its members, at the official rate of exchange most favourable to ONUMOZ.

VI. STATUS OF THE MEMBERS OF ONUMOZ

Privileges and immunities

23. The Special Representative, the Force Commander of the military component of ONUMOZ and such high-ranking members of the Special Representative staff as may be agreed upon with the Government shall have the status specified in sections 19 and 27 of the Convention, provided that the privileges and immunities therein referred to shall be those accorded to diplomatic envoys by international law.

24. Other United Nations officials including United Nations Volunteers assigned to the civilian component to serve with ONUMOZ remain officials of the United Nations entitled to the privileges and immunities of articles V and VII of the Convention.

25. Military observers and civilian personnel other than United Nations officials whose names are for the purpose notified to the Government by the Special Representative shall be considered as experts on mission within the meaning of article VI of the Convention.

26. Military personnel of national contingents assigned to the military component of ONUMOZ shall have the privileges and immunities specifically provided for in the present Agreement.

27. Unless otherwise specified in the present Agreement, locally recruited members of ONUMOZ shall enjoy the immunities concerning official acts and exemption from taxation and national service obligations provided for in sections 18 (a), (b) and (c) of the Convention.

28. Members of ONUMOZ shall be exempt from taxation on the pay and emoluments received from the United Nations or from a participating State and any income received from outside Mozambique. They shall also be exempt from all other direct taxes, except municipal rates for services enjoyed, and from all registration fees and charges.

29. Members of ONUMOZ shall have the right to import free of duty their personal effects in connection with their arrival in Mozambique. They shall be subject to the laws and regulations of Mozambique governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Mozambique with ONUMOZ. Special facilities will be granted by the Government for the speedy processing of entry and exit formalities for all members of ONUMOZ, including the military component, upon prior written notification. On departure from Mozambique, members of ONUMOZ may, notwithstanding the above-mentioned exchange regulations, take with them such funds as the Special Representative certifies were received in pay and emoluments from the United Nations or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the implementation of the present provisions in the interests of the Government and the members of ONUMOZ.

30. The Special Representative shall co-operate with the Government and shall render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of Mozambique by the members of ONUMOZ, in accordance with the present Agreement.

Entry, residence and departure

31. The Special Representative and members of ONUMOZ shall, whenever so required by the Special Representative, have the right to enter into, reside in and depart from Mozambique.

32. The Government undertakes to facilitate the entry into and departure from Mozambique of the Special Representative and members of ONUMOZ and shall be kept informed of such movement. For that purpose, the Special Representative and members of ONUMOZ shall be exempt from passport and visa regulations and immigration restrictions on entering into or departing from Mozambique. They shall also be exempt from any regulations governing the residence of aliens in Mozambique, including registration, but shall be not considered as acquiring any right to permanent residence or domicile in Mozambique.

33. For the purpose of such entry or departure, members of ONUMOZ shall only be required to have: (a) an individual or collective movement order issued by or under the authority of the Special Representative or any appropriate authority of a participating State; and (b) a personal identity card issued in accordance with paragraph 34 of the present Agreement, except in the case of first entry, when the personal identity card issued by the appropriate authorities of a participating State shall be accepted in lieu of the said identity card.

Identification

34. The Special Representative shall issue to each member of ONUMOZ before or as soon as possible after such member's first entry into Mozambique, as well as to all locally recruited personnel, a numbered identity card in English and Portuguese, which shall show full name, date of birth, title or rank, service (if appropriate) and photograph. Except as provided for in paragraph 33 of the present Agreement, such identity card shall be the only document required of a member of ONUMOZ.

35. Members of ONUMOZ as well as locally recruited personnel shall be required to present, but not to surrender, their ONUMOZ identity cards upon demand of an appropriate official of the Government.

Uniform and arms

36. Members of ONUMOZ such as but not limited to military members shall wear, while performing official duties, the national designated uniform of their respective States with standard United Nations accoutrements. United Nations Security Officers and Field Service Officers may wear the United Nations uniform. The wearing of civilian dress by the above-mentioned members of ONUMOZ may be authorized by the Special Representative at other times. Military and special categories of civilian members of ONUMOZ and United Nations Security Officers designated by the Special Representative may possess and carry arms while on duty in accordance with their orders.

Permits and licences

37. The Government agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative for the operation by any member of ONUMOZ, including locally recruited personnel, of any ONUMOZ transport or communication equipment and for the practice of any profession or occupation in connection with the functioning of ONUMOZ, provided that no licence to drive a vehicle or pilot an aircraft shall be issued to any person who is not already in possession of an appropriate and valid licence. Without prejudice to the status of ONUMOZ, its members and property a list of all permits or licences issued by the Special Representative shall be notified to the Government. Members of ONUMOZ intending to drive vehicles other than ONUMOZ vehicles in Mozambique for private purpose shall obtain a national driving licence provided that they are in possession of a valid driving licence.

38. Without prejudice to the provisions of paragraph 36, the Government further agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative to a member of ONUMOZ for the carrying or use of firearms or ammunition in connection with the functioning of ONUMOZ.

Military police, arrest and transfer of custody, and mutual assistance

39. The Special Representative shall take all appropriate measures to ensure the maintenance of discipline and good order among members of ONUMOZ, as well as locally recruited personnel. To this end, personnel designated by the Special Representative shall police the premises of ONUMOZ and such areas where its members are deployed. Elsewhere such personnel shall be employed only subject to arrangements with the Government and in liaison with it in so far as such employment is necessary to maintain discipline and order among members of ONUMOZ.

40. The military police of ONUMOZ shall have the power of arrest over the military members of ONUMOZ. Military personnel placed under arrest outside their own contingent areas shall be transferred to their contingent Commander or Force Commander for appropriate disciplinary action. The personnel mentioned in paragraph 39 above may take into custody any other person on the premises of ONUMOZ. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.

41. Subject to the provisions of paragraphs 23 and 25, officials of the Government may take into custody any member of ONUMOZ;

(a) When so requested by the Special Representative or;

(b) When such a member of ONUMOZ is apprehended in the commission or attempted commission of a criminal offence. Such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative of ONUMOZ, whereafter the provisions of paragraph 46 shall apply *mutatis mutandis*.

42. When a person is taken into custody under paragraph 40 or paragraph 41 (b), ONUMOZ or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation.

43. ONUMOZ and the Government shall assist each other in carrying out all necessary investigations into offences in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including the seizure of and, if appropriate, the handing over of items connected with an offence. The handing over of any such items may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 40-42.

44. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to ONUMOZ or its members which, if committed in relation to the forces of the Government, would have rendered such acts to liable prosecution.

Jurisdiction

45. All members of ONUMOZ including locally recruited personnel shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of or employed by ONUMOZ and after the expiration of the other provisions of the present Agreement.

46. Should the Government consider that any member of ONUMOZ has committed a criminal offence, it shall promptly inform the Special Representative and presents to him any evidence available to it. Subject to the provisions of paragraph 23:

(a) If the accused person is a member of the civilian component or a civilian member of the military component, the Special Representative shall conduct any necessary supplementary inquiry and then agree with the Government whether or not criminal proceedings should be instituted. Failing such agreement, the question shall be resolved as provided in paragraph 51 of the present Agreement;

(b) Military members of the military component of ONUMOZ shall be subject to the exclusive jurisdiction of their respective participating States in respect of any criminal offences which may be committed by them in Mozambique.

47. If any civil proceeding is instituted against a member of ONUMOZ before any court of Mozambique, the Special Representative shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member:

(a) If the Special Representative certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions of paragraph 49 of the present Agreement shall apply;

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. If the Special Representative certifies that a member of ONUMOZ is unable because of official duties or authorized absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of the ONUMOZ that is certified by the Special Representative to be needed by the defendant for the fulfilment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order. The personal liberty of a member of ONUMOZ shall not be restricted in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

Deceased members

48. The Special Representative shall have the right to take charge of and dispose of the body of a member of ONUMOZ who dies in Mozambique, as well as that member's personal property located within Mozambique, in accordance with United Nations procedures.

VII. SETTLEMENT OF DISPUTES

49. Except as provided in paragraph 51, any dispute or claim of a private law character to which ONUMOZ or any member thereof is a party and over which the courts of Mozambique do not have jurisdiction because of any provision of the present Agreement, shall be settled by a standing claims commission to be established for that purpose. One member of the commission shall be appointed by the Secretary-General of the United Nations, one member by the Government and a chairman jointly by the Secretary-General and the Government. If no agreement as to the chairman is reached within thirty days of the appointment of the first member of the commission, the President of the International Court of Justice may, at the request of either the Secretary-General of the United Nations or the Government, appoint the chairman. Any vacancy on the commission shall be filled by the same method prescribed for the original appointment, provided the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the commission shall be final and binding, unless the Secretary-General of the United Nations and the Government permit an appeal to a tribunal established in accordance with paragraph 51. The awards of the commission shall be notified to the parties and, if against a member of ONUMOZ, the Special Representative or the Secretary-General of the United Nations shall use his best endeavours to ensure compliance.

50. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the Special Representative.

51. Any other dispute between ONUMOZ and the Government, and any appeal that both of them agree to allow from the award of the claims commission established pursuant to paragraph 49 shall, unless otherwise agreed by the parties,

be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the claims commission shall apply, *mutatis mutandis*, to the establishment and procedures of the tribunal. The decisions of the tribunal shall be final and binding on both parties.

VIII. SUPPLEMENTAL ARRANGEMENTS

52. The Special Representative and the Government may conclude supplemental arrangements to the present Agreement.

IX. LIAISON

53. The Special Representative and the Government shall take appropriate measures to ensure close and reciprocal liaison at every appropriate level.

X. MISCELLANEOUS PROVISIONS

54. Wherever the present Agreement refers to the privileges, immunities and rights of ONUMOZ and to the facilities the Government undertakes to provide to ONUMOZ, the Government shall have the ultimate responsibility for the implementation and fulfilment of such privileges, immunities, rights and facilities by the appropriate local Mozambican authorities.

55. The present Agreement shall enter into force upon signature by or for the Secretary-General of the United Nations and the Government.

56. The present Agreement shall remain in force until the departure of the final element of ONUMOZ from Mozambique except that:

(a) The provisions of paragraphs 45 and 51 shall remain in force;

(b) The provisions of paragraph 49 shall remain in force until all claims have been settled that arose prior to the termination of the present Agreement and were submitted prior to or within three months of such termination.

57. The present Agreement is established in two originals, in the English and Portuguese languages, both texts being equally authentic. In case of any divergence of interpretation the English text shall prevail.

IN WITNESS WHEREOF, the undersigned, being duly authorized plenipotentiary of the Government and duly appointed representative of the United Nations, have on behalf of the Parties signed the present Agreement.

DONE at New York on this 14th day of May nineteen hundred and ninety three.

For the United Nations:

IQBAL RIZA
Assistant-Secretary-General
for Peace-Keeping Operations

For the Government
of the Republic
of Mozambique:

PEDRO COMISSARIO AFONSO
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative
to the United Nations