

**No. 45021\***

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**United Nations  
and  
Brazil**

**Exchange of letters constituting an agreement between the United Nations and the Government of Brazil regarding the hosting of the Workshop on "International Instrument to Enable States to Identify and Trace in a Timely and Reliable Manner Illicit Small Arms and Light Weapons", to be held in Rio de Janeiro, from 11 to 12 June 2008. New York, 20 May 2008 and 10 June 2008**

**Entry into force:** *10 June 2008, in accordance with the provisions of the said letters*

**Authentic texts:** *English*

**Registration with the Secretariat of the United Nations:** *ex officio, 10 June 2008*

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**Organisation des Nations Unies  
et  
Brésil**

**Échange de lettres constituant un accord entre l'Organisation des Nations Unies et le Gouvernement du Brésil concernant l'organisation de l'Atelier sur l'"Instrument international visant à permettre aux États de procéder à l'identification et au traçage rapides et fiables des armes légères et de petit calibre", devant se tenir à Rio de Janeiro, du 11 au 12 juin 2008. New York, 20 mai 2008 et 10 juin 2008**

**Entrée en vigueur :** *10 juin 2008, conformément aux dispositions desdites lettres*

**Textes authentiques :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *d'office, 10 juin 2008*

\* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The final UNTS version of it is not yet available. Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive. La version finale RTNU n'est pas encore disponible.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

*Permanent Mission of Brazil  
to the United Nations  
New York*

ODA  
EXECUTIVE OFFICE

JUN 10 2008

N. 182

Action: ME/10/08

New York, 10<sup>th</sup> June 2008.

Info: CHASON

ODA  
OFFICE OF THE  
HIGH REPRESENTATIVE  
RECEIVED

Excellency,

JUN 10 2008

LOG No. 55/06

I have the honour to refer to your letter dated 20 May 2008 relating to the arrangements for the hosting of the Workshop on "Implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons" to be held from 11 to 12 June 2008.

In reply, I have the honour to confirm that the terms of your proposal are acceptable to the Government of the Federative Republic of Brazil.

Consequently, your letter and this reply shall constitute an Agreement between the United Nations and the Government of the Federative Republic of Brazil, which shall enter into force on today's date and shall remain in force for the duration of the Workshop and for such additional period as is necessary for the completion of its work and for the resolution of any matters arising out of the Agreement.

Please accept, Excellency, the assurances of my high consideration.

(Maria Luiza Ribeiro Viotti)

Ambassador

Permanent Representative of Brazil  
to the United Nations

H. E. Sergio Duarte  
High Representative for Disarmament Affairs

HH, DP, JE

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10/06

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REFERENCE:

20 May 2008

Excellency,

The United Nations, represented by the Office for Disarmament Affairs (UNODA) (hereinafter referred to as “the United Nations”), acting through the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (hereinafter referred to as “UN-LiREC”), is co-organizing a Workshop in Rio de Janeiro, Brazil, to be held from 11 to 12 June 2008 (hereinafter referred to as “the Workshop”) with the Government of Brazil.

Under its “Disarmament Policy-making and Implementation of Instruments” thematic area of work, UN-LiREC will co-organize the Workshop on “Implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons”. The main purpose of this Workshop is to promote and facilitate the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument) and to assist States in their preparations for the Third Biennial Meeting of States (BMS), which will be convened in July 2008.

The following participants, invited by the partners, will attend this Workshop:

- (i) Representatives of the following institutions: Organization of American States (OAS); Central American Integration System (SICA); Southern Common Market (MERCOSUR); Caribbean Community (CARICOM); Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); European Union (EU); International Criminal Police Organization (INTERPOL) and Small Arms Survey;
- (ii) Experts from the following countries: Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad y Tobago, Uruguay and Venezuela;
- (iii) Officials from UNODA: 3 UNODA staff members and 3 UN-LiREC staff members.

Her Excellency  
Mrs. Maria Luiza Ribeiro Viotti  
Permanent Representative of Brazil  
to the United Nations  
New York

The total number of participants to be invited will be approximately 60.

The Workshop will be conducted in English, French and Spanish.

I wish to propose that the following terms shall apply to the Workshop:

1. The United Nations shall be responsible for:
  - (a) Provide travel and daily subsistence allowance for sponsored participants;
  - (b) Provide travel and daily subsistence allowance for UN officials;
  - (c) Provide coffee break during the Workshop;
  - (d) Provide local transportation for hotel/Workshop location/hotel;
  - (e) Provide interpretation and equipment, as well as computer, printer, photocopy machine, screen and data show;
  - (f) Send invitation letters to participants;
  - (g) Distribute documentation and material prepared by the UN for the Workshop; and
  - (h) Organize a reception for the Workshop.
2. The Government shall be responsible for:
  - (a) Provide a conference room for the Workshop;
  - (b) Provide political and administrative focal points; and
  - (c) Designate a General Coordinator for the Workshop.
3. The Convention on the Privileges and Immunities of the United Nations (hereinafter referred to as "the Convention"), adopted by the General Assembly on 13 February 1946, to which the Government of Brazil is a party, shall be applicable in respect of the Workshop. In particular, the participants invited by the United Nations acting through UN-LiREC shall enjoy the privileges and immunities accorded to experts on mission for the United Nations under Articles VI and VII of the Convention. Officials of the United Nations participating in or performing functions in connection with the Workshop shall enjoy the privileges and immunities provided under Articles V and VII of the Convention.
4. Without prejudice to the provisions of the Convention, all participants and persons performing functions in connection with the Workshop shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Workshop.

5. Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Workshop.

6. All participants and United Nations officials performing functions in connection with the Workshop shall have the right of unimpeded entry into and exit from Brazil. Visas and entry permits, where required, shall be granted as speedily as possible and free of charge. When applications are made four weeks before the opening of the Workshop, visas shall be granted not later than two weeks before the opening of the Workshop. If the application is made less than four weeks before the opening, visas shall be granted as speedily as possible and not later than three days before the opening. Arrangements shall also be made to ensure that visas for the duration of the Workshop are delivered at the airport of arrival to those who are unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the Workshop.

7. The Government shall, at its expense, provide such police protection as is required to ensure the safety of the participants and United Nations officials and the effective functioning of the Workshop in an atmosphere of security and tranquillity free from interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close cooperation with a designated senior official of the United Nations.

8. The Government shall be responsible for dealing with any action, claim or other demand against the United Nations or its officials arising out of:

- (a) injury to persons or damage to or loss of property at the Workshop site, or in the conference or office premises whether provided for or arranged by the Government, or rented by the United Nations or otherwise made available for the Workshop;
- (b) injury to persons or damage to or loss of property caused by or incurred in using the transportation provided by or are under the control of the Government;
- (c) the employment for the Workshop of personnel provided or arranged by the Government;

and the Government shall indemnify and hold the United Nations and its officials harmless in respect of any such action, claim or other demand.

9. Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to the appropriate provisions of the Convention that is regulated by Section 30 of the Convention or any other applicable agreement, shall, unless the Parties otherwise agree, be resolved by negotiations or any other agreed mode of settlement. Any such dispute that is not settled by negotiations or any other agreed mode of settlement shall be submitted at the request of either Party for a final decision to a tribunal of three arbitrators, one of whom shall be appointed by the Secretary-General of the United Nations, one by the

Government and the third, who shall be the Chairperson, by the other two arbitrators. If either Party does not appoint an arbitrator within three months of the other Party having notified the name of its arbitrator or if the first two arbitrators do not within three months of the appointment of the second one of them appoint the Chairperson, then such arbitrator shall be nominated by the President of the International Court of Justice at the request of either Party to the dispute. Except as otherwise agreed by the Parties, the tribunal shall adopt its own rules of procedure, provide for the reimbursement of its members and the distribution of expenses between the Parties, and take all decisions by a two-thirds majority. Its decisions on all *questions of procedure and substance shall be final and, even if rendered in default of one of the Parties, be binding on both of them.*

10. I further propose that upon receipt of your Government's confirmation in writing of the above, this exchange of letters shall constitute an Agreement between the United Nations and the Government of Brazil regarding the hosting of the Workshop, which shall enter into force on the date of your reply and shall remain in force for the duration of the Workshop and for such additional period as is necessary for the completion of its work and for the resolution of any matters arising out of the Agreement.

Please accept, Excellency, the assurances of my highest consideration.



Sergio Duarte  
High Representative  
for Disarmament Affairs