

No. 30006

**UNITED NATIONS
and
BOSNIA AND HERZEGOVINA**

**Agreement on the status of the United Nations Protection
Force in Bosnia and Herzegovina. Signed at Sarajevo on
15 May 1993**

Authentic text: English.

Registered ex officio on 15 May 1993.

**ORGANISATION DES NATIONS UNIES
et
BOSNIE-HERZÉGOVINE**

**Accord relatif au statut de la Force de protection des Nations
Unies en Bosnie-Herzégovine. Signé à Sarajevo le 15 mai
1993**

Texte authentique : anglais.

Enregistré d'office le 15 mai 1993.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF BOSNIA AND HERZEGOVINA AND THE UNITED NATIONS ON THE STATUS OF THE UNITED NATIONS PROTECTION FORCE IN BOSNIA AND HERZEGOVINA

I. DEFINITIONS

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

(a) “UNPROFOR” means the United Nations Protection Force established pursuant to Security Council resolution 743² (1992) of 21 February 1992 as enlarged and strengthened pursuant to Security Council resolutions 761³ (1992) dated 29 June 1992, 762⁴ (1992) dated 30 June 1992, 769⁵ (1992) dated 7 August 1992, 776⁶ (1992) dated 14 September 1992, 781⁷ (1992) dated 9 October 1992, 786⁸ (1992) dated 10 November 1992 and 798⁹ (1992) dated 18 December 1992 respectively, consisting of:

- (i) The “Force Commander” appointed by the Secretary-General of the United Nations after consultation with the parties and with the consent of the Security Council. Any reference to the Force Commander in this Agreement shall, except in paragraph 23, include any member of UNPROFOR to whom he delegates a specified function or authority;
- (ii) A “military component” consisting of military and civilian personnel made available by participating States at the request of the Secretary-General;
- (iii) A “police component” consisting of police personnel made available by participating States at the request of the Secretary-General;
- (iv) A “civilian component” consisting of officials of the United Nations;

(b) “Member of UNPROFOR” means any member of the military, police or civilian components but unless specifically stated otherwise does not include locally recruited personnel;

(c) “Participating State” means a State contributing personnel to the military or police component of UNPROFOR;

(d) “The Government” means the Government of the Republic of Bosnia and Herzegovina as admitted to membership in the United Nations by the General Assembly further to the adoption on 20 July 1992 of resolution 46/237;¹⁰

¹ Came into force on 15 May 1993 by signature, in accordance with paragraph 54.

² United Nations, *Official Records of the Security Council*, Forty-seventh year, Resolutions and Decisions of the Security Council 1992 (S/INF/48), p. 8.

³ *Ibid.*, p. 19.

⁴ *Ibid.*, p. 16.

⁵ *Ibid.*, p. 23.

⁶ *Ibid.*, p. 33.

⁷ *Ibid.*, p. 27.

⁸ *Ibid.*, p. 28.

⁹ *Ibid.*, p. 32.

¹⁰ *Ibid.*, *Resolutions and Decisions of the General Assembly, Forty-Sixth Session, Supplement No. 49 A* (A/46/49/Add.1), vol. 2, p. 5.

(e) “The Convention” means the Convention on the Privileges and Immunities of the United Nations¹ adopted by the General Assembly of the United Nations on 13 February 1946;

(f) “Local laws and regulations” means the laws and regulations of the Government of the Republic of Bosnia and Herzegovina or the competent authorities designated for this purpose by the Government of Bosnia and Herzegovina.

II. APPLICATION OF THE PRESENT AGREEMENT

2. Unless specifically provided otherwise, the provisions of the present Agreement and any obligation undertaken by the authorities or any privilege, immunity, facility or concession granted to UNPROFOR or any member thereof apply in Bosnia and Herzegovina.

III. APPLICATION OF THE CONVENTION

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

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

IV. STATUS OF UNPROFOR

5. UNPROFOR 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. UNPROFOR and its members shall respect all local laws and regulations. The Force Commander shall take all appropriate measures to ensure the observance of those obligations.

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

United Nations flag and vehicle markings

7. The Government recognize the right of UNPROFOR to display in Bosnia and Herzegovina the United Nations flag on its headquarters, camps or other premises, vehicles, vessels and otherwise as decided by the Force Commander.

8. Vehicles, vessels and aircraft of UNPROFOR shall carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

9. UNPROFOR shall enjoy the facilities in respect to communications provided in article III of the Convention and shall, in co-ordination with the Government, use such facilities as may be required for the performance of its task. Issues with respect to communications which may arise and which are not specifically provided for in the present Agreement shall be dealt with pursuant to the relevant provisions of the Convention.

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

10. Subject to the provisions of paragraph 9:

(a) UNPROFOR shall have authority to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points in Bosnia and Herzegovina with each other and with United Nations offices in other countries, and to exchange traffic with the United Nations global telecommunications network. 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;

(b) UNPROFOR shall enjoy, in Bosnia and Herzegovina, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of UNPROFOR, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The frequencies on which the radio will operate shall be decided upon in co-operation with the Government. It is understood that connections with the local system of telegraphs, telex and telephones may be made only after consultation and in accordance with arrangements with 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 rate;

(c) UNPROFOR may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNPROFOR. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of UNPROFOR or its members. In the event that postal arrangements applying to private mail of members of UNPROFOR 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. UNPROFOR and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement throughout Bosnia and Herzegovina. 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 Bosnia and Herzegovina, be co-ordinated with the Government. The Government undertakes to supply UNPROFOR, 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.

12. Vehicles, including all military vehicles, vessels and aircraft of UNPROFOR 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.

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

13. UNPROFOR may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges, including wharfage charges. However, UNPROFOR will not claim exemption from charges which are in fact charges for services rendered.

Privileges and immunities of UNPROFOR

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

(a) To import, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNPROFOR 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 UNPROFOR, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified in advance. The Force Commander 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 UNPROFOR, 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 duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNPROFOR 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 Bosnia and Herzegovina 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, mutually satisfactory procedures, including documentation, shall be agreed between UNPROFOR and the Government at the earliest possible date.

V. FACILITIES FOR UNPROFOR

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

15. The Government shall provide without cost to UNPROFOR and in agreement with the Force Commander such areas and buildings for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of UNPROFOR and to the extent possible, for the accommodation of the members of UNPROFOR. Without prejudice to the legal status of all such premises, they shall be inviolable and subject to the exclusive control and authority of the United Nations. Where United Nations troops are co-located with local mil-