

No. 30482

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**UNITED NATIONS  
and  
RWANDA**

**Agreement on the status of the United Nations Assistance  
Mission for Rwanda (UNAMIR). Signed at New York on  
5 November 1993**

*Authentic text: French.*

*Registered ex officio on 5 November 1993.*

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**ORGANISATION DES NATIONS UNIES  
et  
RWANDA**

**Accord sur le statut de la Mission des Nations Unies pour  
l'assistance au Rwanda (MINUAR). Signé à New York le  
5 novembre 1993**

*Texte authentique : français.*

*Enregistré d'office le 5 novembre 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA ON THE STATUS OF THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

## I. DEFINITIONS

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

(a) "UNAMIR" means the United Nations Assistance Mission for Rwanda established pursuant to Security Council resolution 872 (1993) of 5 October 1993<sup>2</sup> with the mandate described in the above-mentioned resolution based on the recommendations contained in the Secretary-General's report on Rwanda dated 24 September 1993 (S/26488).<sup>3</sup> For the purposes of this Agreement UNAMIR shall consist of:

- (i) the "Special Representative" appointed by the Secretary-General of the United Nations. Any reference to the Special Representative in this Agreement shall, except in paragraph 24, include any member of UNAMIR to whom he delegates a specific 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 UNAMIR;
  - (iii) a "military component" consisting of military and civilian personnel made available by participating States to serve as part of UNAMIR.
- (b) a "member of UNAMIR" means any member of the civilian or military component but unless specifically stated otherwise does not include locally recruited personnel;
- (c) "participating State" means a state contributing personnel to any of the above-mentioned component of UNAMIR;
- (d) "The Government" means the Government of the Republic of Rwanda;
- (e) "The territory" means the territory of the Republic of Rwanda;

<sup>1</sup> Came into force on 5 November 1993 by signature.

<sup>2</sup> United Nations, *Official Records of the Security Council, Forty-ninth year, Resolutions and Decisions of the Security Council 1993 (S/INF/49)*, p. 102.

<sup>3</sup> *Ibid.*, *The Secretary-General's Report on Rwanda*, 24 September 1993 (S/26448).

(f) "The Convention" means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946.<sup>1</sup>

## II. APPLICATION OF THE PRESENT AGREEMENT

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

## III. APPLICATION OF THE CONVENTION

3. UNAMIR, its members, property, funds and assets, shall enjoy the privileges and immunities specified in the present Agreement as well as those provided for in the Convention, to which Rwanda is a Party.

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

## IV. STATUS OF UNAMIR

5. UNAMIR 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. UNAMIR 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 shall respect the exclusively international nature of UNAMIR and ensure that appropriate steps are taken to ensure the security and safety of UNAMIR and personnel engaged in the Mission.

7. Without prejudice to the mandate of UNAMIR and its international status:

(a) The United Nations shall ensure that UNAMIR shall conduct its operations in Rwanda with full respect for the principles and spirit of the general conventions applicable to the conduct of military personnel. These international conventions include the four Geneva Conventions of 12 August 1949<sup>2</sup> and their Additional Protocols of 8 June 1977<sup>3</sup> and the UNESCO Convention of 14 May 1954 on the Protection of Cultural Property in the event of armed conflict;<sup>4</sup>

(b) The Government undertakes to treat at all times the military personnel of UNAMIR with full respect for the principles and spirit of the general international conventions applicable to the treatment of military personnel. These international

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

<sup>2</sup> *Ibid.*, vol. 75, pp. 31, 85, 135 and 287.

<sup>3</sup> *Ibid.*, vol. 1125, pp. 3 and 609.

<sup>4</sup> *Ibid.*, vol. 249, p. 215.

conventions include the Four Geneva Conventions of 12 April 1949 and their Additional Protocols of 8 June 1977.

UNAMIR and the Government shall therefore ensure that members of their respective military personnel are fully acquainted with the principles and spirit of the above-mentioned international instruments.

#### United Nations flag and vehicle markings

8. The Government recognizes the right of UNAMIR to display within Rwanda 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 these cases, UNAMIR shall give sympathetic consideration to observations or requests of the Government.

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

#### Communications

10. UNAMIR 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.

11. Subject to the provisions of paragraph 10:

(a) UNAMIR shall have authority to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points within the territory 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 Convention<sup>1</sup> and Radio Regulations<sup>2</sup> 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) UNAMIR shall enjoy, within the territory, 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 UNAMIR, 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

<sup>1</sup> United Nations, *Treaty Series*, vol. 1825, No. I-31251.

<sup>2</sup> International Telecommunications Union, *Radio Regulations*, Edition of 1982, as amended.

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) UNAMIR may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNAMIR. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of UNAMIR or its members. In the event that postal arrangements applying to private mail of members of UNAMIR 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

12. UNAMIR and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement throughout the territory. 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 Rwanda, be co-ordinated with the Government. The Government undertakes to supply UNAMIR, 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.

13. Vehicles, including all military vehicles, vessels and aircraft of UNAMIR 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.

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

#### Privileges and immunities of UNAMIR

15. UNAMIR, 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 UNAMIR shall also apply to the property, funds and assets of participating States used in Rwanda in connection with the national contingents serving in UNAMIR, as provided for in paragraph 4 of the present Agreement. The Government recognizes the right of UNAMIR 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 UNAMIR 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