

No. 45615 *

**United Nations
and
United States of America**

Agreement between the United Nations Organization and the Government of the United States of America concerning the establishment of security for the United Nations presence in Iraq (with related letter). New York, 31 December 2008

Entry into force: *1 January 2009, in accordance with article VII*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *ex officio, 1 January 2009*

**Organisation des Nations Unies
et
États-Unis d'Amérique**

Accord entre l'Organisation des Nations Unies et le Gouvernement des États-Unis d'Amérique relatif à l'établissement de sécurité pour la présence des Nations Unies en Iraq (avec lettre connexe). New York, 31 décembre 2008

Entrée en vigueur : *1er janvier 2009, conformément à l'article VII*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *d'office, 1er janvier 2009*

* *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]

AGREEMENT
BETWEEN
THE UNITED NATIONS ORGANIZATION
AND
THE GOVERNMENT OF THE
UNITED STATES OF AMERICA
CONCERNING
THE ESTABLISHMENT OF SECURITY
FOR THE
UNITED NATIONS PRESENCE IN
IRAQ

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PREAMBLE

The United Nations Organization (hereinafter the "UN") and the Government of the United States of America (hereinafter the "USG"), referred to collectively as "the Parties" and individually as "Party";

Recalling the Agreement between the United Nations Organization and the Government of the United States of America Concerning the Establishment of Security for the United Nations Assistance Mission for Iraq, done at New York on December 8, 2005 (the "2005 Agreement");

Noting that, in accordance with its Article VI, paragraph 2, the 2005 Agreement will terminate on December 31, 2008, when the mandate for the multinational force in Iraq under United Nations Security Council Resolution 1790 (2007) expires;

Recalling the letter dated 16 December 2008 from the President of the United Nations Security Council addressed to the Secretary-General of the United Nations, which notes that armed forces of the United States will continue to be deployed in Iraq after that date at the request of the Government of Iraq and which welcomes the fact that, with the consent of the Government of Iraq, those forces will continue to contribute to the maintenance of security and stability in Iraq and to provide security for the UN presence in Iraq, including the United Nations Assistance Mission for Iraq (UNAMI);

Recalling the Agreement between the United States of America and the United Nations Organization Concerning the Provision of Services and Commodities on a Reimbursable Basis in Support of the Operations of the United Nations Assistance Mission in Iraq, done at New York and entered into force on December 29, 2004, as extended ("607 Agreement");

Desiring to take steps to provide a secure environment in which the United Nations is able to fulfill its important role in supporting the efforts of the Iraqi people and Government to strengthen institutions of representative government, promote political dialogue and national reconciliation, engage neighbouring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform;

Wishing for this purpose to continue to provide for security for the United Nations presence in Iraq;

Noting the commitment of the Parties in assisting the people of Iraq and promoting the maintenance of security and stability in Iraq to act in accordance with international law; and

Recognizing the sovereign State of Iraq and its democratically elected and constitutionally based Government;

Have agreed as follows:

ARTICLE I
Establishment of Security

1. For the purpose of ensuring the safety and security of UN personnel in Iraq so they can effectively perform their tasks, and subject to Article VI(1) of this Agreement, the USG shall endeavor to ensure that the security tasks described in this Agreement are undertaken to the extent that such tasks are determined by the Commander of the United States Forces in Iraq to be operationally feasible and consistent with operational requirements.

2. Security surrounding designated UNAMI premises shall be established on the basis of three concentric areas of responsibility: an inner area, a middle area, and an outer area. Subject to paragraph 1 of this Article, it is envisioned that establishment of security in the foregoing areas shall be based on the following understandings:

a. The inner area or ring consists of designated UNAMI premises comprised of buildings and structures and the area immediately surrounding them up to and including the perimeter wall. Security in this area or ring shall be the responsibility of the UN except in circumstances where UNAMI facilities are situated or operations occur within areas where inner ring security is already provided by United States Forces.

b. The middle area or ring consists of the area immediately surrounding and controlling access to designated UNAMI premises, including approaches to such premises. The middle area shall in each case include one or more secure vehicle and personnel search areas, located a safe distance from the perimeter wall of the concerned premises. Security in this area or ring shall be the responsibility of United States Forces or, as may be agreed between the Parties and a third State or States, and with the consent of the Government of Iraq, the forces of that third State or States. United States Forces in the outer area shall support units assigned to the middle area, as necessary. United States Forces shall designate a quick reaction force for this purpose.

c. The outer area or ring consists of all areas of Iraq outside of the middle and inner areas. The United States Forces shall coordinate with the Government of Iraq concerning security in this area.

d. United States Forces shall provide: security for movements of UN personnel outside of U.S. facilities and areas and designated UNAMI premises, including security of non-UNAMI premises that UN personnel may visit in the course of their official duties (it being understood that the United States Forces shall designate a quick reaction force to support, as necessary, units of the United States Forces that are providing such security); security for UN personnel deployed to Provincial Reconstruction Team sites,