

**No. 48095**

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**United Nations  
and  
Guinea-Bissau**

**Agreement between the United Nations and Guinea-Bissau concerning the status of the United Nations Integrated Peacebuilding Office in Guinea-Bissau. Bissau, 22 November 2010**

**Entry into force:** *22 November 2010 by signature, in accordance with paragraph 61*

**Authentic texts:** *English and Portuguese*

**Registration with the Secretariat of the United Nations:** *ex officio, 1 December 2010*

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**Organisation des Nations Unies  
et  
Guinée-Bissau**

**Accord entre l'Organisation des Nations Unies et la Guinée-Bissau relatif au statut du Bureau intégré des Nations Unies pour la consolidation de la paix en Guinée-Bissau. Bissau, 22 novembre 2010**

**Entrée en vigueur :** *22 novembre 2010 par signature, conformément au paragraphe 61*

**Textes authentiques :** *anglais et portugais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *d'office, 1<sup>er</sup> décembre 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT BETWEEN  
THE UNITED NATIONS AND GUINEA-BISSAU  
CONCERNING THE STATUS OF THE  
UNITED NATIONS INTEGRATED PEACEBUILDING OFFICE IN GUINEA-BISSAU**

**L        DEFINITIONS**

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

- (a) "UNIOGBIS" means the United Nations Integrated Peacebuilding Office in Guinea-Bissau, established in accordance with Security Council resolution 1876 (2009) of 26 June 2009.
- (b) "Special Representative" means the Special Representative for Guinea-Bissau 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 UNIOGBIS to whom he or she delegates a specified function or authority. It shall also include, including in paragraph 24, any member of UNIOGBIS whom the Secretary-General may designate as acting Head of Office of UNIOGBIS following the death or resignation of the Special Representative;
- (c) "member of UNIOGBIS" means:
  - (i) the Special Representative;
  - (ii) officials of the United Nations assigned to serve with UNIOGBIS, including those recruited locally;
  - (iii) United Nations Volunteers assigned to serve with UNIOGBIS;
  - (iv) other persons assigned to perform missions for UNIOGBIS, including United Nations civilian police;
- (d) "the Government" means the Government of Guinea-Bissau;
- (e) "the territory" means the territory of Guinea-Bissau;
- (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;
- (g) "contractors" means persons, other than members of UNIOGBIS, engaged by the United Nations, including juridical as well as natural persons and their employees and sub-contractors, to perform services for UNIOGBIS or to supply equipment, provisions, supplies, fuel, materials and other goods, including spare parts and means of transport, in support of UNIOGBIS activities. Such contractors shall not be considered third party beneficiaries to this Agreement;

(h) "vehicles" means vehicles in use by the United Nations and operated by members of UNIOGBIS or contractors in support of UNIOGBIS activities;

(i) "aircraft" means aircraft in use by the United Nations or contractors in support of UNIOGBIS activities;

(j) "vessels" means vessels in use by the United Nations and operated by members of UNIOGBIS or contractors in support of UNIOGBIS activities.

## II. APPLICATION OF THE PRESENT AGREEMENT

2. Unless specifically provided otherwise, the provisions of the present Agreement and any obligation undertaken by the Government and any privilege, immunity, exemption, facility or concession granted to UNIOGBIS or to any member of UNIOGBIS or to its contractors shall apply in Guinea-Bissau only.

## III. APPLICATION OF THE CONVENTION

3. UNIOGBIS, its property, funds and assets and its members shall enjoy the privileges and immunities, exemptions and facilities specified in the present Agreement, as well as those provided for in the Convention.

## IV. STATUS OF UNIOGBIS

4. UNIOGBIS 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 Agreement. UNIOGBIS and its members shall respect all local laws and regulations. The Special Representative shall take all appropriate measures to ensure the observance of these obligations.

5. The Government undertakes to respect the exclusively international nature of UNIOGBIS.

### United Nations flag, markings and identification

6. The Government recognizes the right of UNIOGBIS to display the United Nations flag on its headquarters and other premises, on its vehicles, vessels and otherwise as decided by the Special Representative.

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

### Communications

8. UNIOGBIS shall enjoy the facilities in respect of communications that are provided for in Article III of the Convention. 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.

9. Subject to the provisions of paragraph 8:

(a) UNIOGBIS shall have the right to install and to operate radio sending, receiving and repeater stations, as well as satellite systems, in order to connect appropriate points within the territory of Guinea-Bissau with each other and with United Nations offices in other countries and to exchange telephone, voice, facsimile and other electronic data with the United Nations global telecommunications network. Such telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations. The frequencies on which such services may operate shall be decided upon in cooperation with the Government and shall be allocated expeditiously by the Government. UNIOGBIS shall be exempt from any and all taxes on, and from any and all fees for, the allocation of frequencies for this purpose, as well as from any and all taxes on, and all fees for, their use. However, UNIOGBIS will not claim exemption from fees which are in fact no more than charges for services rendered, it being understood that such charges shall be charged at the most favourable rate.

(b) UNIOGBIS shall enjoy, within the territory of Guinea-Bissau, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, electronic mail, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of UNIOGBIS, 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 may operate and the areas of land on which sending, receiving and repeater stations may be erected shall be decided upon in cooperation with the Government and shall be allocated expeditiously. UNIOGBIS shall be exempt from any and all taxes on, and from any and all fees for, the allocation of frequencies for this purpose, as well as from all taxes on, and all fees for, their use. However, UNIOGBIS will not claim exemption from fees which are in fact no more than charges for services rendered, it being understood that such charges shall be charged at the most favourable rate. Connections with local telephone and electronic data systems may be made only after consultation and in accordance with arrangements made with the Government. Use of those local systems by UNIOGBIS shall be charged at the most favourable rate.

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

10. UNIOGBIS, its members and contractors, together with their property, equipment, provisions, supplies, fuel, materials and other goods, including spare parts, as well as vehicles, vessels and aircraft, including the vehicles, vessels and aircraft of contractors used exclusively

in the performance of services for UNIOGBIS, shall enjoy full freedom of movement without delay throughout Guinea-Bissau by the most direct route possible for the purpose of executing the tasks defined in UNIOGBIS' mandate. The Government shall, where necessary, provide UNIOGBIS with maps and other information, where available, including maps of and information on the location of dangers and impediments, which may be useful in facilitating UNIOGBIS' movements and ensuring the safety and security of its members.

11. Vehicles, vessels and aircraft shall not be subject to registration or licensing by the Government, it being understood that copies of all relevant certificates issued by appropriate authorities in other States in respect of aircraft shall be provided by UNIOGBIS to the Civil Aviation Authority of Guinea-Bissau and that all vehicles and aircraft shall carry third party insurance. UNIOGBIS shall provide the Government, from time to time, with updated lists of UNIOGBIS vehicles.

12. UNIOGBIS and its members and contractors, as well as vehicles, vessels and aircraft, including vehicles, vessels and aircraft of its contractors used exclusively in the performance of services for UNIOGBIS, may use roads, bridges, airfields and airspace without the payment of any form of monetary contributions, dues, tolls, user fees or charges, including airport taxes, landing fees, parking fees and overflight fees. However, UNIOGBIS will not claim exemption from charges which are in fact charges for services rendered, it being understood that such charges shall be charged at the most favourable rates.

#### Privileges and immunities of UNIOGBIS

13. UNIOGBIS, as a subsidiary organ of the United Nations, enjoys the status, rights, privileges and immunities, exemptions and facilities of the United Nations pursuant to and in accordance with the Convention. The Government recognizes in particular:

(a) The right of UNIOGBIS, as well as of its contractors, to import, by the most convenient and direct route by land or air, free of duty, taxes, fees and charges and free of prohibitions and restrictions, equipment, provisions, supplies, fuel, materials and other goods, including spare parts and means of transport, which are for the exclusive and official use of UNIOGBIS or for resale in the commissaries provided for in subparagraph (b);

(b) The right of UNIOGBIS to establish, maintain and operate commissaries at its headquarters and other premises for the benefit of members of UNIOGBIS, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified by the Special Representative and approved by the Government 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 UNIOGBIS. He or she shall give due consideration to observations or requests by the Government concerning the operation of the commissaries;

(c) The right of UNIOGBIS, as well as of its contractors, to clear from customs and excise warehouse, free of duty, taxes, fees and charges and free of prohibitions and restrictions, equipment, provisions, supplies, fuel, materials and other goods, including