

**No. 49470**

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**United Nations  
and  
India**

**Agreement between the United Nations and the Government of India relating to the establishment of the subregional office for South and South-West Asia of the United Nations Economic and Social Commission for Asia and the Pacific. Bangkok, 13 March 2012**

**Entry into force:** *13 March 2012 by signature, in accordance with article XX*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *ex officio, 13 March 2012*

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**Organisation des Nations Unies  
et  
Inde**

**Accord entre l'Organisation des Nations Unies et le Gouvernement de l'Inde relatif à la création d'un bureau sous-régional pour l'Asie du Sud et du Sud-Ouest de la Commission économique et sociale des Nations Unies pour l'Asie et le Pacifique. Bangkok, 13 mars 2012**

**Entrée en vigueur :** *13 mars 2012 par signature, conformément à l'article XX*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *d'office, 13 mars 2012*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN THE UNITED NATIONS AND  
THE GOVERNMENT OF INDIA  
RELATING TO THE ESTABLISHMENT OF THE SUBREGIONAL OFFICE FOR SOUTH  
AND SOUTH-WEST ASIA OF THE UNITED NATIONS ECONOMIC AND SOCIAL  
COMMISSION FOR ASIA AND THE PACIFIC**

The United Nations and the Government of India,

CONSIDERING that the General Assembly of the United Nations decided in its resolution 63/260 of 24 December 2008, to approve the establishment of an ESCAP Sub-regional Office for South and South-West Asia,

WHEREAS the Commission, in its letter dated 6 October 2009, following a comprehensive process of consultations with member States, accepted the offer from the Government of India, to establish the ESCAP Sub-regional Office for South and South-West Asia in New Delhi,

WHEREAS the Government of India agrees to ensure the availability of all necessary facilities to enable the Sub-regional Office to perform its functions and any related activities,

DESIRING to conclude an agreement for the purpose of the establishment of an ESCAP Sub-Regional Office for South and South-West Asia in India.

HAVE AGREED as follows:

**Article I**  
**Definitions**

In this Agreement, the expression(s):

- (a) "ESCAP" means the United Nations Economic and Social Commission for Asia and the Pacific;
- (b) "the Host Country" means India;
- (c) "the Government" means the Government of India;
- (d) "the Parties" means the United Nations and the Government;
- (e) "the Office" means ESCAP Sub-regional Office for South and South-West Asia;
- (f) "the Head of Office" means the senior officer appointed by the Secretary-General, or the authorized representative of the senior officer;
- (g) "the General 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, to which India acceded on 13 May 1948 without reservation;
- (h) "the Pension Fund" means the United Nations Joint Staff Pension Fund or its successors;
- (i) "competent authorities" means central, local or other authorities under the laws of the Host Country;
- (j) "Officials" means all staff members assigned to the Office, irrespective of nationality, with the exception of persons who are locally recruited and assigned to hourly rates as provided for in United Nations General Assembly resolution 76(1) of 7 December 1946;

- (k) “Experts on Mission” means persons, other than officials of the Office, performing missions at the request of or on behalf of the Office;
- (l) “archives of the Office” means all records, correspondence, documents, manuscripts, computer records, still and motion pictures, film and sound recordings, belonging to or held by the Office in furtherance of its functions;
- (m) “Office premises” means the facilities in the Host Country used for conducting functions by the Office;
- (n) “property of the Office” means all property, including funds, income and other assets belonging to the Office or held or administered by the Office in furtherance of the functions of the Office;
- (o) “the Secretary-General” means the Secretary-General of the United Nations; and
- (p) “communications” means any emission, transmission or reception of written or verbal information, images, sound or information of any nature by wire, radio, satellite, optical fibre or any other electronic or electromagnetic means.

## **Article II**

### **Establishment of the Office**

1. The Office shall be established in the city of New Delhi, India.
2. The Parties shall cooperate in ensuring the uninterrupted operation of the Office.

## **Article III**

### **Objective**

The objective of the Office is to promote inclusive and sustainable development and the achievement of the internationally agreed development goals, including the Millennium

Development Goals, focusing on the specific priorities of ESCAP member States in South and South-West Asia.

The presence of the Office will strengthen ESCAP presence and interventions at the subregional level, enabling better targeting and delivery of programmes that address specific key priorities in South and South West Asia subregion as decided by the Member States of UNESCAP.

#### Article IV

##### Legal Capacity

1. The Office shall have the capacity:
  - (a) to contract;
  - (b) to acquire and dispose of movable and immovable property; and
  - (c) to institute legal proceedings.

#### Article V

##### The Office

1.
  - (a) The Office premises shall be inviolable. No officer or official of the competent authorities shall enter the Office premises to perform any official duties therein except with the express consent of, and under the conditions approved by the Head of Office, at his request.
  - (b) Nothing in this Agreement shall prevent the reasonable application by the competent authorities of measures for the protection of the Office premises against fire or other emergency requiring prompt protection action.
  - (c) The Office premises shall be used solely to further its purposes and activities. The Head of Office may also permit the use of the Office premises and facilities for meetings, seminars, exhibitions and other related purposes which are organized by the Office, the United Nations, ESCAP or other related organizations.