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**United Nations
and
Somalia**

Agreement between the United Nations and the Government of the Federal Republic of Somalia concerning the status of the United Nations Assistance Mission in Somalia. Mogadishu, 26 February 2014

Entry into force: *26 February 2014 by signature, in accordance with paragraph 66*

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**Organisation des Nations Unies
et
Somalie**

Accord entre l'Organisation des Nations Unies et le Gouvernement de la République fédérale de Somalie concernant le statut de la Mission d'assistance des Nations Unies en Somalie. Mogadishu, 26 février 2014

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN
THE UNITED NATIONS AND
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF SOMALIA
CONCERNING THE STATUS OF THE
UNITED NATIONS ASSISTANCE MISSION IN SOMALIA

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply:
 - (a) “UNSOM” means the United Nations Assistance Mission in Somalia, established by the Security Council resolution 2102 (2013) of 1 May 2013;
 - (b) "Special Representative" means the Special Representative for Somalia 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 UNSOM to whom he or she delegates a specified function or authority. It shall also include, including in paragraph 24, any member of UNSOM whom the Secretary-General may designate as acting Head of Mission of UNSOM following the death or resignation of the Special Representative or in the event of his or her incapacity;
 - (c) “member of UNSOM” means:
 - (i) the Special Representative;
 - (ii) officials of the United Nations assigned to serve with UNSOM, including those recruited locally;
 - (iii) United Nations Volunteers assigned to serve with UNSOM;
 - (iv) other persons assigned to perform missions for UNSOM, including United Nations civilian police advisers and United Nations military advisers;
 - (d) “the Government” means the Government of the Federal Republic of Somalia;
 - (e) “ the territory” means the territory of Somalia;
 - (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, to which Somalia is a Party;

(g) “contractors” means persons, other than members of UNSOM, engaged by the United Nations, including juridical as well as natural persons and their employees and sub-contractors, to perform services for UNSOM or to supply equipment, provisions, supplies, fuel, materials or other goods, including spare parts and means of transport, in support of UNSOM 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 UNSOM or contractors in support of UNSOM activities;

(i) “aircraft” means aircraft in use by the United Nations and operated by members of UNSOM or contractors in support of UNSOM activities.

(j) “vessels” means vessels in use by the United Nations and operated by members of UNSOM or contractors in support of UNSOM 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 UNSOM or to any member of UNSOM or to its contractors shall apply in Somalia only.

III. APPLICATION OF THE CONVENTION

3. UNSOM, 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 UNSOM

4. UNSOM 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. UNSOM 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 UNSOM.

United Nations flag, markings and identification

6. The Government recognizes the right of UNSOM to display the United Nations flag on its headquarters and other premises, on its vehicles, aircraft, vessels and otherwise as decided by the Special Representative.
7. Vehicles, vessels and aircraft of UNSOM shall carry a distinctive United Nations identification, which shall be notified to the Government by the Special Representative.

Communications

8. UNSOM 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) UNSOM shall have the right to establish, install and operate United Nations radio stations under its exclusive control to disseminate to the public in Somalia information relating to its mandate and promote understanding among the public of UNSOM's role. Programmes broadcast on such stations shall be under the exclusive editorial control of UNSOM and shall not be subject to any form of censorship. UNSOM will make the broadcast signal of such stations available to the state broadcaster upon request for further dissemination through the state broadcasting system. Such United Nations radio stations shall be operated in accordance with the International Telecommunication Convention and Regulations. The frequencies on which such stations may operate shall be decided upon in cooperation with the Government. If no decision has been reached fifteen (15) working days after the matter has been raised by UNSOM with the Government, the Government shall immediately allocate suitable frequencies for use by such stations. UNSOM shall be exempt from any taxes on and fees for the allocation of frequencies for use by such stations, as well as from any taxes on or fees for their use. However, UNSOM 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) UNSOM shall have the right to disseminate to the public in Somalia and to the public abroad information relating to its mandate through electronic media, including websites, social media, webcasts, data feeds and online and messaging services. The content of data disseminated through such media shall be under the exclusive editorial control of UNSOM and shall not be subject to any form of censorship. UNSOM shall be exempt from any prohibitions or restrictions regarding the production or dissemination of such data, including any requirement that permits be obtained or issued for such purposes.

(c) UNSOM shall have the right to disseminate to Somalia information relating to its mandate through official printed materials and publications, which UNSOM may produce itself or through private publishing companies in Somalia. The content of such materials and publications shall be under the exclusive editorial control of UNSOM and shall not be subject to any form of censorship. UNSOM shall be exempt from any prohibitions or restrictions regarding the production or the publication or dissemination of such official materials and publications, including any requirement that permits be obtained or issued for such purposes. This exemption shall also apply to private publishing companies in Somalia which UNSOM may use for the production, publication or dissemination of such materials or publications.

(d) UNSOM 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 Somalia 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 if no decision has been reached fifteen (15) working days after the matter has been raised by UNSOM with the Government, the Government shall immediately allocate suitable frequencies to UNSOM for this purpose. UNSOM 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 from any and all fees for, their use. However, UNSOM 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.

(e) UNSOM shall enjoy, within the territory of Somalia, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, electronic mail, facsimile or any other means, and the right to establish the necessary facilities for maintaining such communications within and between premises of UNSOM, 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. The Government shall, within fifteen (15) working days of being so requested by UNSOM, allocate suitable frequencies to UNSOM for this purpose. UNSOM 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 from any and all fees for, their use. However, UNSOM will not claim exemption from fees which are in fact no more than charges for services rendered, it being understood that