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**Argentina
and
Permanent Court of Arbitration**

Host Country Agreement between the Government of the Argentine Republic and the Permanent Court of Arbitration. The Hague, 12 May 2009

Entry into force: *21 September 2013, in accordance with article 15*

Authentic texts: *English and Spanish*

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**Argentine
et
Cour permanente d'arbitrage**

Accord de siège entre le Gouvernement de la République argentine et la Cour permanente d'arbitrage. La Haye, 12 mai 2009

Entrée en vigueur : *21 septembre 2013, conformément à l'article 15*

Textes authentiques : *anglais et espagnol*

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[ENGLISH TEXT – TEXTE ANGLAIS]

HOST COUNTRY AGREEMENT

BETWEEN

THE GOVERNMENT OF

THE ARGENTINE REPUBLIC

AND

THE PERMANENT COURT OF ARBITRATION

THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE PERMANENT COURT OF ARBITRATION, CONSIDERING THAT:

The Permanent Court of Arbitration was established by the 1899 Convention for the Pacific Settlement of International Disputes (the “1899 Convention”), a product of the first Hague Peace Conference, which was convened at the initiative of Czar Nicholas II of Russia, “with the object of seeking the most objective means of ensuring to all peoples the benefits of a real and lasting peace, and, above all, of limiting the progressive development of existing armaments”;

As the first global mechanism for the settlement of inter-state disputes, the Permanent Court of Arbitration was created to facilitate immediate recourse to arbitration for countries seeking peaceful resolution of their differences through third-party intervention;

The 1899 Convention was revised and refined by the 1907 Convention for the Pacific Settlement of International Disputes (the “1907 Convention”), adopted at the second Hague Peace Conference;

The Argentine Republic is a Contracting Party to the 1899 Convention;

In recognition of the Argentine Republic’s support for the peaceful resolution of disputes in compliance with international law, the Secretary-General of the Permanent Court of Arbitration has invited the Argentine Republic to become a host country for Permanent Court of Arbitration-administered dispute resolution through arbitration, mediation, conciliation, and fact-finding commissions of inquiry;

The Government of the Argentine Republic has accepted the invitation of the Secretary-General of the Permanent Court of Arbitration;

HAVE AGREED AS FOLLOWS:

Article 1

The Argentine Republic shall be a host country for the Permanent Court of Arbitration in order to facilitate the work of the Permanent Court of Arbitration in the peaceful resolution of international disputes through arbitration, mediation, conciliation, and fact-finding commissions of inquiry and in providing other appropriate assistance to governments, inter-governmental organizations, and other entities.

For the purposes of the present Agreement:

“Argentina” shall mean the Argentine Republic;

The “Government” shall mean the Government of Argentina;

The “Ministry of Foreign Relations” shall mean the Ministry of Foreign Relations, International Trade and Worship of Argentina;

The “Permanent Court of Arbitration” or “PCA” shall mean the Permanent Court of Arbitration, based in The Hague;

The “International Bureau” shall mean the International Bureau of the Permanent Court of Arbitration;

The “Secretary-General” shall mean the head of the International Bureau;

“Officials of the PCA” shall mean the Secretary-General and all members of the staff of the International Bureau;

“PCA Proceedings” shall mean any dispute resolution proceedings administered by or under the auspices of the PCA, whether or not pursuant to the 1899 Convention or any of the PCA’s optional rules of procedure;

“PCA Adjudicator” shall mean any arbitrator, mediator, conciliator, or member of a commission of inquiry taking part in a hearing, meeting, or other activity in relation to PCA Proceedings;

“Participant in Proceedings” shall mean any counsel, party, agent, or other party representative, witness, expert, as well as any interpreters, translators, or court reporters taking part in a hearing, meeting, or other activity in relation to PCA Proceedings;

“PCA Meeting” shall mean any meeting, including conferences, convened by the PCA;

“UN Convention” shall mean the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946.

Article 2

The Permanent Court of Arbitration shall have the legal capacity necessary to fulfill its purposes and objectives in Argentina.

Article 3

The Government shall make available, on an as-needed basis and at no cost to the PCA, such office and meeting space (including all public utilities therefor) and such secretarial services as may reasonably be deemed necessary by the Secretary-General or other Officials of the PCA for activities undertaken in connection with PCA Proceedings, as well as for PCA Meetings, in Argentina.

Article 4

The Ministry of Foreign Relations shall coordinate on behalf of the Government all issues that may arise with respect to implementation of this Agreement with the Permanent Court of Arbitration.

Article 5

The working languages of the PCA are English and French.

Article 6

(1) The Permanent Court of Arbitration, including any office space provided and used pursuant to Article 3, shall enjoy, *mutatis mutandis*, the same privileges and immunities as those accorded to the United Nations in Argentina pursuant to Article II of the UN Convention, as provided for in the applicable legislation of Argentina.

(2) Officials of the PCA and PCA Adjudicators shall enjoy, *mutatis mutandis*, the same immunities and privileges as those accorded officials of the United Nations in Argentina, in conformity with Article V of the UN Convention. Officials of the PCA and PCA Adjudicators shall continue to enjoy immunity from legal process and inviolability in respect of words spoken or written and all acts done in the discharge of their duties, even after the person has ceased to exercise her or his functions in connection with the PCA.

(3) Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the work of the PCA, which immunity shall continue even after the person has ceased to exercise her or his functions in connection with the PCA.

Article 7

(1) Participants in Proceedings shall be accorded the following privileges and immunities necessary for the independent exercise of their functions:

- (a) immunity from criminal, civil, and administrative jurisdiction in respect of words spoken or written and all acts done by them in discharging their functions in PCA Proceedings; said immunity shall continue even after they have ceased to exercise their functions;
- (b) inviolability of documents and papers;
- (c) the right to receive papers or correspondence by courier or in sealed bags;
- (d) repatriation facilities in time of international crises.

(2) Upon receipt of notification from parties to PCA Proceedings as to the appointment of a Participant in Proceedings, a certification of the status of such person shall be provided to the Government under the signature of an Official of the PCA and limited to a period reasonably required for the Proceedings.