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**United Nations
and
Guinea**

Agreement between the United Nations and the Government of the Republic of Guinea on the Status of the United Nations Mission for Ebola Emergency Response. New York, 4 November 2014

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**Organisation des Nations Unies
et
Guinée**

Accord entre l'Organisation des Nations Unies et la République de Guinée relatif au statut de la Mission des Nations Unies pour l'action d'urgence contre l'Ebola. New York, 4 novembre 2014

Entrée en vigueur : *4 novembre 2014 par signature, conformément à l'article XI*

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**Agreement between the United Nations
and the Government of the Republic of Guinea
on the Status of the United Nations Mission for Ebola Emergency Response**

I. Definitions and composition

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

(a) “The Mission” means the United Nations Mission for Ebola Emergency Response (UNMEER) established by the Secretary-General of the United Nations in his identical letters to the Presidents of the Security Council and the General Assembly of 17 September 2014 and welcomed by the General Assembly in its resolution 69/1 of 19 September 2014.

(i) The “Secretary-General’s Special Envoy” means the Special Envoy appointed by the Secretary-General of the United Nations, in consultation with the Director-General of the World Health Organization (hereinafter, “WHO”);

(ii) The “Special Representative of the Secretary-General” means the Special Representative appointed by the Secretary-General (hereinafter, the “SRSG”) who shall also be the Head of the Mission. Any reference to the SRSG in this Agreement shall, except in paragraph 29 below, include any member of the Mission to whom he or she delegates a specified function or authority. It shall also include, including in paragraph 29 below, any member of the Mission whom the Secretary-General of the United Nations may designate as acting SRSG.

(b) A “member of the Mission” means the Special Representative of the Secretary-General and any member of the Mission including officials, experts on mission and other personnel of the United Nations and its funds and programmes, or of United Nations System Organizations;

(c) “The Government” means the Government of the Republic of Guinea;

(d) “The territory” means the territory of the Republic of Guinea;

(e) “The UN 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 the Republic of Guinea is a Party;

(f) “The Specialized Agencies Convention” means the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations on 21 November 1947, to which the Republic of Guinea is a Party;

(g) A “contributing State or organization” means a Member State of the United Nations or an intergovernmental organization (other than a UN System Organization), or a non-governmental organization designated by the SRSG, providing personnel, equipment, services, provisions, supplies, materials or other goods, including spare parts and means of transport, including vehicles, aircraft and vessels, as well as medical items, equipment or supplies, to or for the purposes of the Mission; Such contributing States and organizations shall not be considered third party beneficiaries to this Agreement;

(h) “Contractors” means persons, other than members of the Mission, engaged by the United Nations, its funds and programmes, or by the UN System Organizations, including juridical as well as natural persons and their employees and subcontractors, to perform services for the Mission or for purposes of the Mission and/or to supply equipment, provisions, supplies, materials or other goods, including spare parts and means of transport, in support of the activities and purposes of the Mission. Such contractors shall not be considered third party beneficiaries to this Agreement;

(i) “Vehicles” means civilian and military vehicles in use by or for purposes of the Mission and operated by members of the Mission, contributing States or organizations or contractors in support of the activities and purposes of the Mission;

(j) “Aircraft” means civilian and military aircraft in use by or for purposes of the Mission and operated by members of the Mission, contributing States or organizations or contractors in support of the activities and purposes of the Mission;

(k) “Vessels” means civilian and military vessels in use by or for purposes of the Mission and operated by members of the Mission, contributing States or organizations or contractors in support of the activities and purposes of the Mission;

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, facility or concession granted to and for purposes of the Mission or to any member thereof or to contractors thereunder shall apply in the Republic of Guinea.

3. Without prejudice to existing agreements regarding their legal status and operations in the Republic of Guinea, the provisions of the present Agreement shall apply to offices, funds and programmes of the United Nations, their property, funds and assets and their officials and experts on mission that perform functions in relation to or for purposes of the Mission.

4. Without prejudice to existing agreements regarding their legal status and operations in the Republic of Guinea, the provisions of the present Agreement shall apply to the United Nations System Organizations, their property, funds and assets and their officials and experts on mission that perform functions in relation to or for purposes of the Mission.

5. Without prejudice to existing agreements regarding their legal status and operations in the Republic of Guinea, the provisions of the present Agreement, where so provided, shall also apply, *mutatis mutandis*, to contributing States or other organizations, their personnel, services, equipment, provisions, supplies, materials or other goods, including spare parts and means of transport, including vehicles, aircraft and vessels provided to or for the purposes of the Mission.

III. Application of the UN General Convention

6. The Mission, its property, funds and assets, and its members shall enjoy the privileges and immunities specified in the present Agreement, as well as those provided for in the UN General Convention in addition to any privileges and immunities that may be conferred to the WHO and other specialized agencies under the Specialized Agencies Convention. In addition, the Secretary-General’s Special Envoy as well as the SRSG and all members of the Mission shall be accorded the same repatriation facilities in time of international crisis as diplomatic envoys.

7. Article II of the UN General Convention shall apply to the Mission and to the property, funds and assets of contributing States and organizations used for purposes of the Mission.

IV. Status of the Mission

8. The Mission shall enjoy such status and such privileges and immunities as are necessary to ensure the independent exercise of its activities and the fulfilment of its purposes. The Mission 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. The Mission and its members shall respect all local laws and regulations. The SRSG shall take all appropriate measures to ensure the observance of these obligations.

9. The Government undertakes to respect the exclusively international nature of the Mission.

Flags, markings and identification

10. The Government recognizes the right of the United Nations and the United Nations System Organizations to display their respective flags on the headquarters of the Mission and its other premises and on vehicles, aircraft and vessels and otherwise as decided by the SRSG. Other flags or pennants may be displayed only in exceptional cases. In such cases, the Mission shall give sympathetic consideration to observations or requests of the Government.

11. Vehicles, aircraft and vessels of the Mission shall carry a distinctive United Nations identification and/or UN System Organization identification, which shall be notified to the Government.

Communications

12. In addition to the privileges and immunities enjoyed by the UN and the other United Nations System Organizations respectively under the UN General Convention and the Specialized Agencies Convention, the Mission shall enjoy in the territory for its official communications treatment not less favourable than that accorded by the Government to any other government including its diplomatic mission in the matter of priorities, rates and taxes on its communications by mail, telephone, electronic mail, facsimile, radio, satellite or other means of communication and press rates for information to the media, including press and radio. No censorship shall be applied to the official correspondence and other official communications of the Mission. All communications directed to the Mission and all outward communications of the Mission, by whatever means or whatever form transmitted, shall be unrestricted and inviolable. The Mission shall have the right to use codes and to dispatch and receive its correspondence and other official communications by courier or in bags, which shall have the same privileges and immunities as diplomatic couriers and bags.

13. Subject to the provisions of paragraph 12:

(a) The Mission shall have the right to establish, install and operate United Nations radio stations under its exclusive control to disseminate information relating to its mandate to and promote understanding of its role among the public in the Republic of Guinea and abroad. Programmes broadcast on such stations shall be under the exclusive editorial control of the Mission and shall not be subject to any form of censorship. The Mission shall make the broadcast signal of

such stations available to the national broadcaster upon request for further dissemination through the national 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 two (2) working days after the matter has been raised by the SRSB with the Government, the Government shall immediately allocate suitable frequencies for use by such stations. The Mission 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.

(b) The Mission shall have the right to disseminate to the public in the Republic of Guinea and to the public abroad information relating to its mandate and its role through any means, including electronic media, websites, social media, webcasts, data feeds and online and messaging services, including short messaging services (SMS) as well as through radio and television programmes. The content of data disseminated through such media shall be under the exclusive editorial control of the Mission and shall not be subject to any form of censorship. The Mission 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) The Mission shall have the right to disseminate to the public in the Republic of Guinea and to the public abroad information relating to its mandate and its role through official printed documents and publications, which it may produce itself or through private publishing companies in the Republic of Guinea. The content of such documents and publications shall be under the exclusive editorial control of the United Nations and shall not be subject to any form of censorship. The Mission shall be exempt from any prohibitions or restrictions regarding the production or the publication or dissemination of such official documents and publications, including any requirement that permits be obtained or issued for such purposes. This exemption shall also apply to private publishing companies in the Republic of Guinea which the Mission may use for the production, publication or dissemination of such materials or publications.

(d) The Mission shall have the right to install and operate radio sending, receiving and repeater stations, as well as satellite systems, in order to connect appropriate points within the territory of the Republic of Guinea with each other and with United Nations and United Nations System offices in other countries, and to exchange telephone, voice, facsimile and other electronic data with United Nations and United Nations System global telecommunications networks. 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 two (2) working days after the matter has been raised by the SRSB with the Government, the Government shall immediately allocate suitable frequencies to the Mission for this purpose. The Mission shall be exempt from any taxes on, and 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.

(e) The Mission shall enjoy, within the territory of the Republic of Guinea, 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 the Mission or of the United Nations and United Nations System Organizations respectively, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The sites on which sending, receiving and repeater stations may be erected (if not on the aforementioned premises) shall be decided upon in cooperation with the Government and shall be