

No. 53799*

**United Nations (United Nations High Commissioner for Refugees)
and
Denmark**

Agreement between the Office of the United Nations High Commissioner for Refugees and the Government of Denmark relating to the UNHCR Office in Denmark. New York, 23 September 2014

Entry into force: *23 September 2014 by signature, in accordance with article 25*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *ex officio, 1 July 2016*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Organisation des Nations Unies (Haut Commissariat des Nations
Unies pour les réfugiés)
et
Danemark**

Accord entre le Bureau du Haut Commissariat des Nations Unies pour les réfugiés et le Gouvernement du Danemark relatif au Bureau du HCR au Danemark. New York, 23 septembre 2014

Entrée en vigueur : *23 septembre 2014 par signature, conformément à l'article 25*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *d'office, 1^{er} juillet 2016*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN

THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

AND

THE GOVERNMENT OF DENMARK

RELATING TO THE UNHCR OFFICE IN DENMARK

CONSIDERING that the Office of the United Nations High Commissioner for Refugees was established by the United Nations General Assembly Resolution 319 (IV) of 3 December 1949;

CONSIDERING that the Statute of the Office of the United Nations High Commissioner for Refugees, adopted by the United Nations General Assembly in its resolution 428 (V) of 14 December 1950, provides, inter alia, that the High Commissioner, acting under the authority of the General Assembly, shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the Statute and of seeking permanent solutions for the problem of refugees by assisting governments and, subject to the approval of the governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities;

CONSIDERING the Office of the United Nations High Commissioner for Refugees, a subsidiary organ established by the General Assembly pursuant to Article 22 of the Charter of the United Nations, is an integral part of the United Nations whose status, privileges and immunities are governed by the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which Denmark acceded on 10 June 1948, without reservation;

CONSIDERING that the Office of the United Nations High Commissioner for Refugees and the Government of Denmark wish to establish the terms and conditions under which the Office shall establish, in the country, a presence dedicated to the support of UNHCR's global activities and without prejudice to the roles and responsibilities of the Regional Representation of UNHCR for Northern Europe which include Denmark;

NOW THEREFORE, the Office of the United Nations High Commissioner for Refugees and the Government of Denmark in the spirit of friendly co-operation, have entered into this Agreement.

Article 1

Definitions

In the present Agreement,

- a) "UNHCR" means the Office of the United Nations High Commissioner for Refugees.

- b) "High Commissioner" means the United Nations High Commissioner for Refugees or the officials to whom the High Commissioner has delegated authority to act on his behalf.

- c) "Government" means the Government of Denmark.

- d) "Host Country" or "Country" means Denmark.

- e) "Danish Authorities" means national, departmental, local and other competent authorities under the laws and regulations of Denmark.

- f) "Parties" means UNHCR and the Government.

- g) "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.

- h) "UNHCR Office" means all the offices and premises, installations and facilities made available to or occupied, maintained or used by UNHCR in the UN City in Copenhagen and any sub-offices which may be established in Denmark, with the written consent of the Government.

- i) "Head of the UNHCR Office" means the UNHCR official in charge of the UNHCR Office in the Country.

- j) "UNHCR officials" means all members of the staff of UNHCR employed under the Staff Regulations and Rules of the United Nations, with the exception of those who are recruited locally and assigned to hourly rates.

- k) "UNVs" means individuals assigned to UNHCR and who are subject to the Conditions of Service for United Nations Volunteers.

- l) "Experts on Mission" means individuals, other than UNHCR officials, performing missions on behalf of UNHCR within the scope of Articles 6 and 7 of the General Convention.

- m) "UNHCR personnel" means UNHCR officials, UNVs and Experts on Mission.

Article 2

Juridical personality and capacity

The United Nations, acting through UNHCR, shall have the capacity:

- (a) To contract;
- (b) To acquire and dispose of immovable and movable property;
- (c) To institute legal proceedings.

Article 3

Purpose

The purpose of this Agreement is to regulate the status of UNHCR Office and its personnel, and to ensure the availability of the necessary privileges and immunities, facilities and courtesies to enable UNHCR to perform fully and effectively its functions, including its scheduled programmes of work and any related activities.

Article 4

Mandate, general objectives and standards of operation of UNHCR

In Resolution 319 (IV), of 3 December 1949, the United Nations General Assembly decided to establish a High Commissioner's Office for Refugees as of 1 January 1951. The Statute of the Office of the United Nations High Commissioner for Refugees was adopted by the General Assembly on 14 December 1950.

Article 5

Status of the UNHCR Office

1. The UNHCR Office shall operate without prejudice to the roles and responsibilities of the Regional Representation of UNHCR for Northern Europe.
2. UNHCR, its property, funds and assets wherever located and by whomsoever held, shall be immune from every form of legal process, except insofar as in any particular case where the

Secretary-General of the United Nations has expressly waived its immunity. It is understood, however, that no waiver of immunity shall extend to any measure of execution.

3. The premises of UNHCR shall be inviolable. The property, funds and assets of UNHCR, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

4. The archives of UNHCR, and in general all documents belonging to or held by it, shall be inviolable.

5. The appropriate Danish Authorities shall not enter the UNHCR Office premises to perform any official duties, except with the express consent of the High Commissioner and under conditions agreed to by him or her.

6. UNHCR shall have the power to make regulations, operative within the UNHCR Office, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No law of Denmark which is inconsistent with a regulation of UNHCR authorized by this paragraph shall, to the extent of such inconsistency, be enforceable within the UNHCR Office. Any dispute between UNHCR and the Government as to whether a regulation of UNHCR is authorized by this paragraph or as to whether a law of Denmark is inconsistent with any regulation of UNHCR authorized by this paragraph, shall promptly be settled by the procedure set out in Article 24.2. The regulations set out in this Article shall not prevent the reasonable application of protective measures to be taken by the competent Danish authorities in case of an emergency such as a fire.

7. Juridical actions, including service of legal process and the seizure of private property, shall not take place within the UNHCR Office, except with the consent of, and under conditions approved by the High Commissioner.

8. Without prejudice to the provisions of the General Convention or this Agreement, UNHCR shall prevent the UNHCR Office from being used as a refuge by persons who are avoiding arrest under any law of Denmark, who are required by the Government for extradition to another country, or who are endeavouring to avoid service of legal process.

9. The appropriate Danish authorities shall make every possible effort to secure upon the request of the High Commissioner the public services needed by UNHCR, including, without limitation by reason of this enumeration, postal, telephone, and telegraph services and power, water and fire protection services. Such public services shall be supplied on equitable terms.

10. In case of any interruption or threatened interruption of the aforesaid services, the appropriate Danish authorities shall consider the needs of the UNHCR Office as being of equal importance with those of essential agencies of the Government, and shall take steps accordingly to ensure that the work of UNHCR is not prejudiced.

11. Any location in or outside Copenhagen which may be used temporarily for meetings by UNHCR or the United Nations shall be deemed, with the written concurrence of the Government, to be included in the UNHCR Office district for the duration of such meetings.