

**United Nations
and
Tajikistan**

Exchange of letters constituting an agreement between the United Nations and the Republic of Tajikistan on the status of the United Nations Mission of Observers in Tajikistan ("UNMOT") and its members. Dushanbe, 24 January 1995, and New York, 24 January 1995

Entry into force: *24 January 1995, in accordance with the provisions of the said letters*

Authentic texts: *English and Russian*

Registration with the Secretariat of the United Nations: *ex officio, 1 August 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
et
Tadjikistan**

Échange de lettres constituant un accord entre l'Organisation des Nations Unies et la République du Tadjikistan sur le statut de la Mission des observateurs des Nations Unies au Tadjikistan et ses membres. Douchanbé, 24 janvier 1995, et New York, 24 janvier 1995

Entrée en vigueur : *24 janvier 1995, conformément aux dispositions desdites lettres*

Textes authentiques : *anglais et russe*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *d'office, 1^{er} août 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.*

I

Dushanbe
24 January 1995

Sir,

Security Council resolution 968 (1994) of 16 December 1994 was welcomed by us in Tajikistan, which I already had the honour to inform you about. The document bears witness to the constant attention which the United Nations has given to my country's problems.

I consider that the establishment in Tajikistan of the United Nations Mission of Observers will play a positive role in ensuring the implementation of the Agreement of 17 September 1994 on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country. Implementation of the Agreement by the parties, in my view, will serve as a starting-point for further progress in inter-Tajik talks in order to achieve peace and complete stability in Tajikistan.

With regard to the question of safeguarding the activities of the United Nations Mission of Observers, the Government of Tajikistan is prepared to carry out all the provisions which were set forth in your note and are laid down in the Convention on the Privileges and Immunities of the United Nations with respect to both the personnel of the Mission as well as its premises, property, equipment and means of communication and transport and will take all necessary measures to ensure their security and the proper implementation by the Mission of its mandate.

Availing myself of this opportunity, I should also like to inform you that on 9 January 1995 I issued a decree on the accession of the Republic of Tajikistan to that Convention and that after its adoption by the Parliament the relevant document will be submitted to you. None the less, the Government of the Republic of Tajikistan is already prepared now to fulfil its requirements with regard to United Nations institutions and missions.

We also agree that your note and this reply should be considered as an agreement between the United Nations and the Republic of Tajikistan, which, in my view, will expedite efforts to resolve the organizational questions relating to the activities of the United Nations Mission of Observers in the Republic.

Accept, Sir, the assurances of my highest consideration.

(Signed) Emomali RAKHMONOV
President of the Republic of Tajikistan

His Excellency Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations
New York

24 January 1995

Excellency,

I have the honour to refer to resolution 968 (1994) of 16 December 1994 by which the Security Council decided to establish a United Nations Mission of Observers in Tajikistan ("UNMOT"), in accordance with the plan outlined by the Secretary-General in his report of 30 November 1994 on the situation in Tajikistan, contained in document S/1994/1363. In the above-mentioned resolution, the Security Council entrusted the Mission with the following mandate:

(a) To assist the Joint Commission to monitor the implementation of the Agreement of 17 September 1994;

(b) To investigate reports of cease-fire violations and to report on them to the United Nations and to the Joint Commission;

(c) To provide its good offices as stipulated in the Agreement of 17 September 1994;

(d) To maintain close contacts with the parties to the conflict, as well as close liaison with the CSCE Mission in Tajikistan and with the collective Peace-keeping Forces of the Commonwealth of Independent States in Tajikistan and with the border forces;

His Excellency
Mr. Emomali Rakhmonov
Head of State,
Chairman of the Supreme Council
of the Republic of Tajikistan
Dushanbe

(e) To provide support for the efforts of the Secretary-General's Special Envoy;

(f) To provide political liaison and coordination services which could facilitate expeditious humanitarian assistance by the international community.

In order to facilitate the fulfilment of UNMOT's mandate, functions, I propose that your Government, in implementation of its obligations under Article 105 of the Charter of the United Nations, extend to UNMOT, its property, funds and assets, the status, privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations (the Convention).

In view of the importance of the functions which UNMOT will perform, I propose that your Government extend to:

- the Head of UNMOT and other high ranking members of UNMOT whose names shall be communicated in due course to the Government for this purpose, the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law;
- the officials of the United Nations Secretariat assigned to serve with UNMOT, the privileges and immunities to which they are entitled under Article V and VII of the Convention;
- other persons assigned to serve with UNMOT including military observers, whose names shall be communicated to the Government for this purpose, the privileges and immunities accorded to experts performing missions for the United Nations under Article VI of the Convention.

The privileges and immunities necessary for the fulfilment of the functions of UNMOT also include:

- (i) the unrestricted freedom of entry and exit without delay or hindrance of its personnel, property, supplies, equipment, spare parts and means of transport;

- (ii) the unrestricted freedom of movement throughout the territory of the Republic of Tajikistan, on land, sea and air of personnel, property, supplies, equipment, spare parts and means of transport;
- (iii) the exemption from all direct taxes, import and export duties and registration fees, landing fees, parking fees, port fees and charges;
- (iv) the right to fly the United Nations flag on premises and vehicles as well as aircraft;
- (v) the acceptance of United Nations registration of means of transport on land, sea and in the air and United Nations licensing of the operators thereof; and
- (vi) the right to unrestricted communication by radio, satellite or any other forms of communication, including coded messages within the area of operations and to connect with the United Nations radio and satellite network, as well as by telephone, telegraph or any other means; and
- (vii) the right to make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNMOT. The Government of Tajikistan shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of UNMOT or its personnel.

It is understood that your Government shall provide at no cost to the United Nations, all such premises as may be necessary for the accommodation and fulfilment of the functions of UNMOT. All such premises shall be inviolable and subject to the exclusive control and authority of the United Nations. Without prejudice to the use by the United Nations of its own means of transport and communication, it is understood that UNMOT shall, when required, be provided at no cost to the United Nations, with necessary means of transport and communication.