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**United Nations
and
Colombia**

Agreement between the United Nations and the Government of the Republic of Colombia concerning the Status of the United Nations Mission in Colombia. New York, 15 September 2016

Entry into force: *15 September 2016 by signature, in accordance with article XI*

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**Organisation des Nations Unies
et
Colombie**

Accord entre l'Organisation des Nations Unies et le Gouvernement de la République de Colombie concernant le statut de la Mission des Nations Unies en Colombie. New York, 15 septembre 2016

Entrée en vigueur : *15 septembre 2016 par signature, conformément à l'article XI*

Textes authentiques : *anglais et espagnol*

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**AGREEMENT BETWEEN
THE UNITED NATIONS AND THE GOVERNMENT OF THE REPUBLIC
OF COLOMBIA
CONCERNING THE STATUS OF THE
UNITED NATIONS MISSION IN COLOMBIA**

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply:
 - (a) "the Mission" means the United Nations Mission in Colombia, established in accordance with Security Council resolution 2261 (2016) of 25 January 2016.
 - (b) "Special Representative" means the Special Representative of the Secretary-General and Head of the United Nations Mission in Colombia appointed by the Secretary-General of the United Nations. Any reference to the Special Representative in this Agreement shall, except in paragraph 23, include any member of the Mission to whom he or she delegates a specified function or authority. It shall also include, including in paragraph 23, any member of the Mission whom the Secretary-General may designate as acting Head of Mission of the Mission following the death or resignation of the Special Representative.
 - (c) "member of the Mission" means:
 - (i) the Special Representative;
 - (ii) officials of the United Nations assigned to serve with the Mission;
 - (iii) United Nations Volunteers recruited through the United Nations Volunteer programme assigned to serve with the Mission;
 - (iv) unarmed international observers assigned to serve with the Mission pursuant to Security Council resolution 2261 (2016);
 - (v) other persons assigned to perform missions for the Mission and who fall within the scope of Article VI of the Convention;
 - (d) "the Government" means the Government of the Republic of Colombia;
 - (e) "the territory" means the territory of the Republic of Colombia;
 - (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 the Republic of Colombia is a Party;
 - (g) "contractors" means persons, other than members of the Mission, engaged by the United Nations, including juridical as well as natural persons and their employees and sub-contractors, to perform services for the Mission or to supply equipment, provisions, supplies, fuel, materials or other goods, including spare parts and means of transport, in support of the Mission activities. Exemptions

and facilities that are to be accorded with respect to the provision of such services and the supply of such goods must be solicited by the Mission. Such contractors shall not be considered beneficiaries of the present Agreement;

- (h) "vehicles" means vehicles of the United Nations and operated by members of the Mission or contractors in support of the Mission activities;
- (i) "aircraft" means aircraft of the United Nations and operated by members of the Mission or contractors in support of the Mission activities;
- (j) "vessels" means maritime or riverine vessels of the United Nations and operated by members of the Mission or contractors in support of the Mission activities;
- (k) "Standard Basic Assistance Agreement" means the Agreement between the Government of Colombia and the United Nations Development Programme concerning assistance by the United Nations Development Programme to the Government of Colombia, which was signed on 29 May 1974 and entered into force on 23 January 1975.

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 the Mission or to any member of the Mission or to contractors, when solicited by the Mission, shall apply in Colombia only.

III. APPLICATION OF THE CONVENTION

3. The Mission, 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 THE MISSION

4. 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 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 the Mission.

United Nations flag, markings and identification

6. The Government recognizes the right of the Mission to display the United Nations flag on its headquarters and other premises, on its vehicles and vessels and otherwise as decided

by the Special Representative.

7. Vehicles, aircraft and vessels of the Mission shall carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

8. The Mission 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) the Mission 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 Colombia 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 the Mission with the Government, the Government shall immediately allocate suitable frequencies to the Mission for this purpose. The Mission shall be exempt from any and all taxes on the allocation of frequencies for this purpose, as well as from any and all taxes on, and all fees for, their use. However, the Mission will not claim exemption from fees which are in fact no more than charges for services rendered;

(b) the Mission shall enjoy, within the territory of Colombia, 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, 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. If no decision has been reached fifteen (15) working days after the matter has been raised by the Mission with the Government, the Government shall immediately allocate suitable frequencies or land, as the case may be, to the Mission for these purposes. The Mission shall be exempt from any and all taxes on the allocation of frequencies for this purpose, as well as from any and all taxes on, and any and all fees for, their use. However, the Mission will not claim exemption from fees which are in fact no more than charges for services rendered. Connections with local telephone and electronic data systems may be made only after consultation and in accordance with arrangements made with the Government;

(c) the Mission shall have the right to disseminate to the public in Colombia 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 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;

(d) the Mission shall have the right to disseminate to the public in Colombia information relating to its mandate through official printed materials and publications, which the Mission may produce itself or through private publishing companies in Colombia. The content of such materials and publications 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 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 Colombia which the Mission may use for the production, publication or dissemination of such materials or publications;

(e) the Mission may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of the Mission. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of the Mission or its members. In the event that postal arrangements applying to private mail of members of the Mission are extended to transfer of currency or the transport of packages and parcels, the conditions under which such operations are conducted shall be agreed with the Government.

Travel and transport

10. The Mission, its members and contractors, together with their property, equipment, provisions, supplies, fuel, materials and other goods, including spare parts, as well as vehicles and aircraft, including the vehicles and aircraft of contractors used exclusively in the performance of services for the Mission, shall enjoy full freedom of movement without delay throughout Colombia by the most direct route possible for the purpose of executing the tasks defined in the Mission's mandate and without the need for travel permits or prior authorization or notification, except in the case of movements by air, which shall comply with the generally applicable procedural requirements for flight planning and operations within the airspace of Colombia as promulgated, and as specifically notified to the Mission, by the civil aviation authority of Colombia. The Government shall, where necessary, provide the Mission with maps and other information, where available, including maps of and information on the location of minefields and other dangers and impediments, which may be useful in facilitating the Mission's movements and ensuring the safety and security of its members.

11. Vehicles, aircraft, and vessels shall not be subject to registration or licensing by the Government, it being understood that copies of all relevant certificates issued by appropriate authorities in other States in respect of aircraft shall be provided by the Mission to the civil aviation authority of Colombia and that all vehicles, vessels and aircraft shall carry third party insurance. The Mission shall provide the Government, from time to time, with updated lists of the Mission vehicles.