

**No. 54810\***

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**United Nations  
and  
Jordan**

**Exchange of letters constituting an agreement between the United Nations and the Hashemite Kingdom of Jordan concerning the activities in Jordan of the United Nations Office of the Special Envoy for Yemen (with Supplementary Agreement). New York, 23 March 2017 and 28 July 2017**

**Entry into force:** *28 July 2017 by the exchange of the said letters, in accordance with their provisions*

**Authentic text:** *English*

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**Organisation des Nations Unies  
et  
Jordanie**

**Échange de lettres constituant un accord entre l'Organisation des Nations Unies et le Royaume hachémite de Jordanie concernant les activités en Jordanie de l'Office des Nations Unies de l'Envoyé spécial pour le Yémen (avec Accord complémentaire). New York, 23 mars 2017 et 28 juillet 2017**

**Entrée en vigueur :** *28 juillet 2017 par l'échange desdites lettres, conformément à leurs dispositions*

**Texte authentique :** *anglais*

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I

23 March 2017

Excellency,

1. I have the honour to refer to the Agreement on the Implementation Mechanism for the Transition Process in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (“the Agreement”), signed in Riyadh on 23 November 2011, which requests the Secretary-General to “provide continuous assistance, in cooperation with other agencies, for the implementation of this Agreement”.

2. I also have the honour to refer to United Nations Security Council resolutions 2014 (2011) of 21 October 2011, 2051 (2012) of 12 June 2012, 2140 (2014) of 26 February 2014, 2201 (2015) of 15 February 2015, 2204 (2015) of 25 February 2015, 2216 (2015) of 14 April 2015 and 2266 (2016) of 24 February 2016, by which the Council requested the Secretary-General to continue his good offices role with respect to the situation in Yemen. In its resolution 2051 (2012), the Security Council also welcomed the political engagement of the United Nations through a small presence in Yemen, consisting of a team of experts, to support the implementation of the transition process and to provide advice to the parties in conjunction with the Government of Yemen, in particular in support of the National Dialogue process.

3. I have the further honour to refer to the letter dated 18 June 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/469), in which the Secretary-General announced his intention to establish an Office of the Special Envoy for Yemen (“OSE-Yemen”), with a presence in Yemen to, *inter alia*, exercise the Secretary-General’s good offices with a view to facilitating Yemen’s transition and assisting in the implementation of the Agreement.

Her Excellency  
Mrs. Sima Sami Bahous  
Permanent Representative of  
the Hashemite Kingdom of Jordan  
to the United Nations  
New York

4. I have the honour, moreover, to refer to the letter dated 24 May 2016 from the Secretary-General to the President of the Security Council (S/2016/488), in which the Secretary-General stated his intention to strengthen OSE-Yemen in order to undertake a number of functions and to move OSE-Yemen to Amman as soon as practicable, while maintaining the presence of OSE-Yemen in Sanaa. In a letter dated 26 May 2016 (S/2016/489), the President of the Security Council informed the Secretary-General that the members of the Security Council had taken note of the information contained in the letter of the Secretary-General and the proposed arrangement expressed therein.

5. If the temporary relocation of the headquarters of OSE-Yemen to Amman is acceptable to your Government, I trust that, consistently with its obligations pursuant to Article 2, paragraph 5, and Article 105 of the Charter of the United Nations, your Government will accord to OSE-Yemen and to its assets and members those rights, privileges and immunities, facilities and exemptions, that are necessary for the effective fulfilment of its functions. In this regard, I wish to propose that your Government accord to OSE-Yemen, its property, funds and assets and to its members the privileges and immunities, exemptions and facilities provided for in the Convention on the Privileges and Immunities of the United Nations of 13 February 1946 (the "Convention"), to which Jordan acceded on 3 January 1958 without any reservation. Facilities as provided herein are also required for the contractors and their employees engaged by the United Nations or OSE-Yemen to perform services exclusively for OSE-Yemen and/or supply exclusively to OSE-Yemen equipment, provisions, supplies, materials and other goods in support of OSE-Yemen (hereinafter referred to as "United Nations contractors").

6. I propose, in particular, that your Government extend to:

(a) the Special Envoy of the Secretary-General for Yemen, the Director of OSE-Yemen, the Chief of Staff of OSE-Yemen and such other high-ranking members of OSE-Yemen as may be agreed between the United Nations and the Government, the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law;

(b) the officials of the United Nations assigned to serve with OSE-Yemen, the privileges and immunities to which they are entitled under Articles V and VII of the Convention. Officials of Jordanian nationality or with permanent residency status in Jordan shall enjoy only those privileges and immunities provided for in Section 18 of the Convention;

(c) Experts (other than United Nations officials) performing missions for OSE-Yemen shall be accorded the privileges and immunities provided for under Article VI and Section 26, Article VII of the Convention.

Without prejudice to the above, all members of OSE-Yemen, as listed in paragraph 6 (a), (b) and (c) above, shall enjoy immunity from legal process in respect of all words spoken and written and all acts performed by them in discharging their official duties.

7. The United Nations shall, from time to time, notify the Government of the names of the members of OSE-Yemen as listed in paragraph 6 (a), (b) and (c) above. It shall also notify the Government of any changes in their status. The United Nations shall inform the Government of the names of the members of OSE-Yemen in advance of their official travel to Jordan unless, for reasons beyond its control, it is not practically possible for the United Nations to do so.

8. The Secretary-General shall have the right and duty to waive the immunity of any member of OSE-Yemen as listed in paragraph 6 (a), (b) and (c) above where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations.

9. United Nations contractors, other than local contractors, shall be accorded repatriation facilities in time of crisis and their services provided to OSE-Yemen shall be exempt from direct taxes in Jordan. However, contractors will not be exempt from taxes which are, in fact, no more than charges for public utility services.

10. The privileges and immunities necessary for the fulfilment of the functions of OSE-Yemen also include:

(i) freedom of entry and exit without undue delay or hindrance of the members of OSE-Yemen as listed in paragraphs 6 (a), (b) and (c) above as well as OSE-Yemen's property, supplies, equipment, spare parts and means of transport and, to that end, prompt issuance by the Government, free of charge and without any restrictions, of all necessary visas, residency permits, licenses and permits. The Government shall, in accordance with its national law, allow United Nations contractors, their property, supplies, equipment, spare parts and means of transport, freedom of entry and exit without undue delay or hindrance and shall speedily process free of charge all requests for visas, licenses and permits without restrictions.

(ii) freedom of movement of its members and United Nations contractors, their property, equipment and means of transport, which shall as appropriate be coordinated with the Government. OSE-Yemen, its members, United Nations contractors when providing services to OSE-Yemen, and their vehicles and aircraft shall use roads, bridges, canals, and other waters, port facilities and airfields without the payment of dues, tolls, landing fees, parking fees, overflight fees, port fees and charges, including wharfage charges. However, exemption from charges which are limited in amount to the approximate cost of services rendered will not be claimed;

- (iii) the right to import, free of duty or other restrictions, equipment (including, *inter alia*, telecommunications equipment), provisions, supplies and other goods which are for the exclusive and official use of OSE-Yemen;
- (iv) the right to re-export free of duty or other restrictions or otherwise dispose of equipment, as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared ex customs and excise warehouse which are not transferred, or otherwise disposed of, on terms and conditions to be agreed upon with the Government or an entity nominated by the Government;
- (v) issuance without undue delay by the Government of all necessary authorizations, permits and licenses for the importation or re-exportation or purchase of equipment, provisions, supplies, materials and other goods used in support of OSE-Yemen, including in respect of importation or re-exportation or purchase by United Nations contractors in support of OSE-Yemen, free of any restrictions and without payment of duties, charges or taxes including value-added tax;
- (vi) the right to be issued with diplomatic license plate numbers for the operation of vehicles used in support of OSE-Yemen, and acceptance by the Government of driving permits or licenses issued by the United Nations for the operation of those vehicles;
- (vii) acceptance by the Government, or where necessary validation without delay by the Government, free of charge and without any restriction, of licenses and certificates already issued by appropriate authorities in other States in respect of aircraft used in support of OSE-Yemen; issuance without delay by the Government, free of charge and without any restrictions, of necessary authorizations, licenses and certificates, where required, for the acquisition, use, operation and maintenance of aircraft used in support of OSE-Yemen; it being understood that aircraft used in support of OSE-Yemen shall comply with the applicable international regulations and standards;
- (viii) the right to fly the United Nations flag and place distinctive United Nations identification on premises, vehicles and aircraft used in support of OSE-Yemen;
- (ix) the right to enjoy in the territory of Jordan for its official communications treatment not less favourable than that accorded by the Government to any other Government. OSE-Yemen shall have the right to communicate by radio, satellite or other forms of communication with United Nations Headquarters and between the various offices and to connect with the United Nations radio and satellite network, and to communicate by telephone, facsimile and other electronic data systems. The frequencies on which the communication by radio