

**No. 55943\***

---

**United Nations (World Food Programme)  
and  
Somalia**

**Basic Agreement between the Government of the Federal Republic of Somalia and the United Nations World Food Programme (WFP). Mogadishu, 9 December 2015**

**Entry into force:** *9 December 2015 by signature, in accordance with article 18(1)*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *ex officio, 1 September 2019*

*\*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 (Programme alimentaire  
mondial)  
et  
Somalie**

**Accord de base entre le Gouvernement de la République fédérale de Somalie et le Programme alimentaire mondial de l'Organisation des Nations Unies (PAM). Mogadiscio, 9 décembre 2015**

**Entrée en vigueur :** *9 décembre 2015 par signature, conformément au paragraphe 1 de l'article 18*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *d'office, 1<sup>er</sup> septembre 2019*

*\*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 ]

**BASIC AGREEMENT BETWEEN**  
**THE GOVERNMENT OF FEDERAL REPUBLIC OF SOMALIA**  
**AND**  
**THE UNITED NATIONS WORLD FOOD PROGRAMME (WFP)**

**PREAMBLE**

The Government of Federal Republic of Somalia, hereinafter referred to as “the Government”;  
and the World Food Programme, hereinafter referred to as “WFP”;

In pursuance of the provisions of the United Nations General Assembly Resolutions 1714 (XVI), 2095 (XX), 3348 (XXIX), 3404 (XXX), 46/22 and 52/449 and Resolutions 1/61, 4/65, 22/75, 9/91 and 11/97 of the Conference of the Food and Agriculture Organization of the United Nations, regarding the establishment of the institutional, financial and operational arrangements of WFP;

Recalling United Nations General Assembly Resolutions 43/131 and 45/100 on humanitarian assistance to victims of natural disasters and similar emergency situations;

Recognizing the humanitarian and developmental character of the activities of WFP and its important role in fighting hunger and poverty in the world;

Recalling the Convention on the Privileges and Immunities of the United Nations, adopted by the United Nations General Assembly on 13 February 1946 and the Convention on the Privileges and Immunities of the Specialized Agencies and its Annex II, concerning the Food and Agriculture Organization of the United Nations, adopted by the United Nations General Assembly on 21 November 1947, which are both applicable to WFP; and

Desiring to supplement the provisions of the Conventions with a view to regulating the relations between the Government and WFP, taking into account the special requirements of humanitarian and food assistance;

Therefore the Parties hereby agree to the following:

**ARTICLE 1**  
**Definitions**

1. In this Agreement:
  - a. "WFP" means the autonomous joint subsidiary programme of the United Nations and FAO established by the United Nations General Assembly Resolution 1714 of 19 December 1961 and by FAO Conference Resolution 1/61 of 24 November 1961
  - b. "the Country" means the Federal Republic of Somalia;
  - c. "the Government" means the Government of the Country;
  - d. the expression "appropriate Somali authorities" means such national or other authorities in the Federal Republic of Somalia as may be responsible in the context and in accordance with the laws and customs applicable to the Federal Republic of Somalia;
  - e. the expression "the Parties" means the Government and WFP;
  - f. "United Nations" means the United Nations established by the Charter of the United Nations on 26 June 1945;
  - g. "FAO" means the Food and Agriculture Organization of the United Nations;
  - h. the expression "the Conventions" 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 and the Convention on the Privileges and Immunities of the Specialized Agencies adopted by the United Nations General Assembly on 21 November 1947, and its Annex II concerning FAO;
  - i. the expression "Executive Director" means the Executive Director of WFP or any officer designated to act as such on his/her behalf;
  - j. the expression "the Representative" means the WFP official representing the Executive Director in the Country;
  - k. the expression "Officials of WFP" means the Executive Director and all staff assigned to the Country Office, including experts employed by WFP, serving on committees or on mission, with the exception of locally recruited staff who are paid on the basis of hourly rates as provided for in the United Nations General Assembly Resolution 76 (1) of 7 December 1946 and FAO Conference Resolution 71/59;
  - l. the expression "Country Office" means any location used by WFP in the Country to perform its official functions

- m. the expression "property of WFP" means all property, including funds, incomes and other assets, belonging to WFP or held or administered by WFP in furtherance of its constitutional functions;
- n. the expression "archives of WFP" includes all records, correspondence, documents, manuscripts, computer records, still and motion pictures, films, and sound recordings, belonging to or held by WFP in furtherance of its constitutional functions;
- o. the expression "WFP Assisted Activities" means any operational or project activity undertaken by WFP, including but not limited to Country Programme, Development Activity, Development Project, Emergency Operation, Protracted Relief and Recovery Operation or Special Operation;
- p. the expression "WFP Activity Agreements" means any agreement under which a WFP Assisted Activity is implemented, and includes but is not limited to a Country Programme Agreement, Operational Contract, Plan of Operations, Letter of Understanding and Memorandum of Understanding;
- q. "vehicles" means landside vehicles, including cars, motorcycles, trucks and railway wagons, that are owned, chartered or leased by, or provided to WFP for use in connection with WFP Assisted Activities;
- r. "vessels" means vehicles of transportation on waterways that are owned, chartered or leased by, or provided to WFP for use in connection with WFP Assisted Activities;
- s. "aircraft" means aircraft that are chartered or leased by, or provided to WFP, for use in connection with WFP Assisted Activities; and
- t. "telecommunications" means any emission, transmission or reception of written or verbal information, images, sound or information of any nature by wire, radio, satellite, optical fibre or any other electronic or electromagnetic means.

## **ARTICLE 2**

### **Juridical Personality and Freedom of Assembly**

- 1. The Government recognizes the juridical personality of WFP, and in particular its capacity:
  - a) to contract;
  - b) to acquire and dispose of immovable and movable property; and
  - c) to be a party to judicial proceedings
- 2. WFP shall enjoy in the furtherance of its official functions, treatment equal to that accorded to other organizations, funds and programmes of the United Nations. WFP

shall have the right to display its flag, and/or other United Nations identifiers, on its premises, vehicles, aircraft and vessels.

3. The Government recognizes the right of WFP to convene meetings within the Country Office and with the concurrence of the appropriate Somali authorities, elsewhere in the Country. The Government shall take all proper steps to ensure that no impediment is placed on the full freedom of discussion and decision-taking at such meetings.

### **ARTICLE 3** **The Country Office**

1. The Government shall grant free of charge to WFP, as of the date of entry into force and during the life of this Agreement, the use and occupancy of premises and use of installations suitable for the operation of the Country Office, as defined in Article 1 of this Agreement. In the implementation of this Article:
  - a. the appropriate Somali authorities shall exercise due diligence to ensure the security and tranquillity of the Country Office is not disturbed by any person or group of persons attempting unauthorized entry or creating disturbances in the immediate vicinity of the Country Office;
  - b. if so requested by the Representative, the appropriate Somali authorities, shall provide such number of police as may be considered necessary for the preservation of order in the Country Office;
  - c. in case of any interruption, or threatened interruption, of any of the above services, the appropriate Somali authorities shall consider the needs of WFP as being of equal importance to those of essential agencies of the Government and shall take steps accordingly to ensure that the work of WFP is not prejudiced.
  - d. The Government accepts in principle to contribute a portion of the costs of the Country Office in kind and in cash. The contributions may include the emoluments of locally recruited staff; maintenance of office accommodation, including furniture, equipment and supplies, electricity and water, internal and external communication facilities; petrol; repairs; maintenance and insurance of vehicles. The Government's contribution towards the administrative and operating costs of the Country Office shall be finalized through an exchange of letters between the Government and WFP at an opportune time.

### **ARTICLE 4** **Inviolability of the Country Office**

1. The Country Office shall be inviolable. No officer or official of the Country, or person exercising any public authority within Federal Republic of Somalia, shall enter the Country Office to perform any duties therein except with the consent of and under conditions approved by the Executive Director. The Executive Director's consent to such entry shall be presumed in the event of fire or other analogous emergency requiring urgent action. The service of legal process, including the seizure of private property, may