



Secretariat

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ST/AI/342
8 May 1987

ADMINISTRATIVE INSTRUCTION

To: All heads of departments and offices
All executive officers and administrative officers

From: The Under-Secretary-General for Administration and Management

Subject: GUIDELINES FOR THE PREPARATION OF HOST GOVERNMENT
AGREEMENTS FALLING UNDER GENERAL ASSEMBLY
RESOLUTION 40/243

INTRODUCTION

1. By section I, paragraph 5, of resolution 40/243 of 18 December 1985, the General Assembly decided that United Nations bodies might hold sessions away from their established headquarters when a Government issuing an invitation for a session to be held within its territory had agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved.
2. The purpose of the present instruction is to provide detailed guidelines to Secretariat officials who are responsible for preparing and finalizing agreements with host Governments in order to ensure that additional costs to be borne by host Governments are determined in a consistent manner. Departures from these guidelines will require the prior approval of the Controller. This instruction is to be read in conjunction with bulletin ST/SGB/160 on the planning, preparation and servicing of special conferences and instruction ST/AI/249/Rev.2 and Amend.1 on the standard of accommodation, travel time and rest stopovers.

I. DEFINITION OF TERMS

3. For purposes of the present instruction, "United Nations bodies" means:
 - (a) All legislative bodies established by the General Assembly, the Economic and Social Council, the Security Council, the Trusteeship Council or by one of its duly constituted subsidiary bodies;

(b) All legislative bodies that constitute an integral part of the decision-making process of the Organization, i.e. those that contribute to the work of the Organization either by rendering advice or adopting decisions or resolutions within their spheres of competence.

4. This instruction does not apply to the following:

(a) The regular sessions of the Economic Commission for Africa (ECA), the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and Social Commission for Western Asia (ESCWA), which may be held away from their established headquarters subject to the approval of the Economic and Social Council and of the General Assembly;

(b) The meetings of subsidiary bodies of ECA, ECLAC, ESCAP and ESCWA, which may be held away from their established headquarters when the commissions concerned so decide;

(c) Seminars, workshops, ad hoc expert group meetings or other meetings of a similar nature convened and arranged by the Secretariat itself under a general mandate or programme established by a representative organ of the United Nations. As a practical example, technical assistance seminars or workshops arranged by the Department of Technical Co-operation for Development, whether financed from the regular budget, the United Nations Development Programme (UNDP), or the United Nations Fund for Population Activities (UNFPA) or a Government.

5. The term "established headquarters" is defined as the same locale as that of the substantive organizational unit that services the body that is separately identified in the Secretary-General's bulletin on the organization of the Secretariat. In certain circumstances, however, when a meeting has a largely regional orientation, the term "established headquarters" is to be interpreted to mean the headquarters of the regional commission to which the meeting is orientated. Moreover, venue, financial and administrative arrangements for such meetings, as well as subsequent changes concerning the venue or dates, are decided upon expressly by the competent deliberative principal organ and not by the regional commission. An example would be regional preparatory meetings for special conferences.

6. The term "conference-servicing headquarters" is identified as the office providing conference services. The established principle is that, for meetings of United Nations held away from their established headquarters, with the exception of regular sessions of ECA, ECLAC, ESCAP and ESCWA, its respective subsidiary bodies and related meetings, the Department of Conference Services is responsible for servicing meetings in North, South and Central America, the Caribbean and in Asia; and the United Nations Office at Geneva is responsible for those held in Europe, Africa and the Middle East.

II. RESPONSIBILITIES

A. Responsible substantive organizational unit

7. The substantive organizational unit responsible for servicing the meeting or the conference will provide a draft agreement to the host Government either in the form of a treaty (for intergovernmental conferences) or an exchange of letters (for intergovernmental meetings) which should include:

(a) The applicable standard clauses outlined in the annex to present instruction;

(b) An annex showing the estimates of additional costs directly and indirectly involved in holding the meeting in the host country instead of at the established headquarters;

(c) An annex indicating the facilities, local staff, equipment, supplies, etc. to be provided by the host Government.

8. In its determination of the appropriate draft agreement, the conference service requirements and additional costs directly or indirectly involved, the substantive organizational unit will consult with the department and offices required to attend or service the meeting/conference as to their needs in respect of international and local staff, meeting rooms, facilities, equipment, supplies, freight and communications and other requirements necessary for the smooth functioning of the meeting or conference. The departments/offices normally involved in servicing a meeting are: the responsible conference headquarters, the Office of General Services and the office providing secretariat services for the meeting or conference. The Office of Legal Affairs and the Department of Public Information and other related substantive departments and offices should also be consulted for their requirements and, in cases of meetings having largely regional orientation, the regional commissions concerned. For all meetings or conferences held away from established headquarters, a finance officer from the Accounts Division is required in order to ensure the proper recording of charges to be borne by the host Government and those of the United Nations, as well as to manage other financial and related aspects of the meeting.

9. After consultation with the relevant Departments and Offices, the substantive organizational unit shall include in the annex referred to in paragraph 7 (b) above, the following requirements:

(a) International staff, consisting of the number and function (by level) of each staff required to travel to, and the number of days required by each staff member to be at, the conference site, including preparations and winding-up for the meeting or conference;

(b) Estimated travel costs, including 10 kilograms excess baggage each way;

(c) Estimated subsistence costs, including maximum rest stopovers and transit allowances in accordance with United Nations rules and regulations regarding standard of accommodation, travel time and rest stopovers;

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(d) Freight and related charges for transporting documentation, equipment and supplies to the meeting site;

(e) Communications costs;

(f) Provision for contingency, representing 10 per cent of the estimated costs;

(g) Cost of planning missions, with an indication of the number of staff and the number of days needed for each planning mission required.

10. It is the responsibility of the substantive organizational unit to ensure that all drafts of host country agreements that are to be concluded by or under the auspices of the United Nations are submitted simultaneously to the Office of Legal Affairs, the Department of Conference Services and the Office of Financial Services, for review, before negotiations with host Government are undertaken. To ensure sufficient time for its review and for negotiations between the United Nations and the host Government, it is essential that the draft agreement be received by these offices shortly after the decision regarding the location of the meeting or conference is taken. Prior to the presentation of the agreement for signature by representatives of the Government, the final text of the agreement should be submitted simultaneously to the Office of Legal Affairs, the Department of Conference Services and the Office of Financial Services for final clearance.

B. Conference-servicing headquarters

11. The conference-servicing headquarters is responsible for ensuring that the conference-servicing staff assigned to the meeting or conference conforms with the standards approved by the General Assembly, that the conditions of employment of short-term conference staff, conforms to that agreed upon by all member organizations and the International Association of Conference Interpreters (AIIC) and the International Association of Conference Translators (AITC), and that they are reflected in the host Government agreement. In cases where conference staff are provided by the host Government, the conference-servicing headquarters is responsible for determining the suitability of such staff for servicing the meeting.

C. Office of General Services

12. The Office of General Services is responsible for determining the required security, transportation, communication, freight and related costs chargeable to the host Government. In addition, any deviation from the standards of travel and accommodation should have the prior approval of this Office.

D. Office of Legal Affairs

13. The Office of Legal Affairs is responsible for the legal clauses (as indicated in the annex to the present instruction) in the agreement and in ensuring that the participation of representatives is in accordance with relevant resolutions and

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decisions, and that they are included in the agreement. It is also specially responsible for the liability clauses and for ensuring that the appropriate privileges and immunities, including visa and transit rights, are accorded to all the participants in meetings and conferences held by the United Nations. During its review, the Office will make adjustments to the draft agreement, as may be required. No modification may be made to the agreement without the approval of the Office of Legal Affairs.

E. Office of Financial Services

14. The Office of Financial Services is responsible for the financial clauses in the agreement. The Office reviews the estimates of additional costs submitted by the substantive organizational unit and ensures that the financial arrangements in the agreement are in accordance with United Nations rules and regulations. During its review, the Office will make adjustments to the draft agreement, as may be required, for financial reasons. No modification of the financial clauses in the agreement may be made without the clearance of the Office of Financial Services.

III. INDIRECT COSTS

15. The indirect costs to be borne by the host Government are indicated in articles III, IV, V, VI, VII and VIII in part A of the annex to the present instruction.

16. Any other readily identifiable additional costs resulting from holding the meeting away from the headquarters location of the secretariat unit servicing the meeting shall be borne by the host Government. These include, but are not limited to, local transportation and police protection required for the meeting.

IV. DIRECT COSTS

A. Cost of travel, including excess baggage

17. United Nations rules and practices governing travel shall apply in determining the mode and standard of transportation.

18. The cost of travel and subsistence of staff involved in planning or winding-up missions shall be included in the estimates of additional costs to be borne by the host Government.

19. In the case of conference-servicing staff, the host Government shall be responsible for the lowest amount from among the following alternatives:

(a) Actual travel costs between the staff member's duty station (or place of recruitment in the case of temporary staff) and the meeting site; or

(b) Estimated travel costs between the conference-servicing headquarters location and the meeting site; or

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(c) Where it could be determined in advance by the conference-servicing headquarters responsible for the meeting that established staff or suitable staff are available from sources nearest to the location of the meeting, estimated travel costs between the conference-servicing location servicing the meeting and the meeting site.

20. For other staff, the host Government shall be responsible for the travel costs up to the extent that actual travel costs to the meeting site exceed estimated travel costs between the staff member's duty station (or place of recruitment in the case of temporary staff recruited for the meeting) and the established headquarters locations.

21. As regards representatives and participants in meetings travelling at the expense of the United Nations pursuant to relevant resolutions and decisions of the General Assembly, the host Government shall also be responsible for the difference, if any, by which actual travel costs to the meeting site exceed estimated travel costs between the representative's domicile and the established headquarters location.

22. In the event that travel of staff is undertaken jointly with other missions, appropriate cost-sharing arrangements for travel costs shall be determined by the Secretariat. Such arrangements would, however, be reflected in the final statement of accounts rather than in the estimates indicated in the agreement.

B. Subsistence allowances

23. Rates of subsistence allowances and terminal expenses at the site of the meeting shall be determined by the United Nations. Should the host Government provide, at its expense, suitable accommodations and/or meals for staff, the rates of subsistence allowances shall be adjusted according to the relevant rules and practices of the United Nations. Such adjustments are the responsibility of the Office of Financial Services.

24. The cost of subsistence allowance for staff members, as well as for representatives and participants entitled to such payment under relevant decisions and resolutions of the General Assembly, resulting from moving the site of the meeting away from the headquarters location of the substantive organizational unit servicing the meeting, shall be borne by the host Government. This would include subsistence allowances paid to the following:

(a) All conference-servicing staff;

(b) All other staff members required at the meeting whose duty station is the established headquarters location;

(c) Staff members other than conference-servicing staff who have travelled from duty stations other than the established headquarters location to the extent that the rates of subsistence allowance at the site of the meeting exceed the rates at the established headquarters location;

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(d) Representatives and participants entitled to such allowances under relevant resolutions and decisions of the General Assembly at the established headquarters location to the extent that the rates of subsistence allowance at the site of the meeting exceed the rates at the established headquarters location;

(e) Staff involved in planning or winding-up missions before or after the meeting.

25. The subsistence allowance referred to in paragraph 24 includes subsistence paid in transit and authorized rest stopovers. For purposes of costing, the maximum rest stopovers indicated in the related annexes to instruction ST/AI/249/Rev.2 and Amend.1 should be used.

C. Terminal expenses

26. Terminal expenses incurred for each trip between the airport or other point of arrival or departure and the hotel or place of dwelling in connection with the approved itinerary shall be borne by the host Government. For purposes of calculation, the terminal expenses should be based on the maximum authorized rest stopovers. This would be applied as follows:

(a) Terminal expenses allowed for conference-servicing staff and all other staff members required at the meeting whose duty station is the established headquarters location;

(b) Terminal expenses paid to staff members, representatives and participants who are required to travel from duty stations other than the established headquarters location and/or the representatives' and participants' domicile to the extent that the rates of terminal expenses to and from the site of the meeting exceed the rates to and from the established headquarters location;

(c) Terminal expenses for planning missions.

D. Salaries

27. The host Government shall bear the salary costs of short-term conference-servicing staff for additional days of required travel, including authorized rest stopovers, to and from the meeting site. (Short-term daily salary rates at the conference-servicing headquarters servicing the meeting, referred to in paragraph 19, corresponding to their grades and functions shall be used in this respect.)

28. Secretariat units which prefer using alternative methods for charging salary costs to the host Government must obtain the concurrence of the Office of Financial Services prior to any consultations on the matter with a potential host Government.

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E. Replacement staff

29. If the need arises to replace administrative, supervisory and other staff assigned to the meeting, not including direct conference-servicing staff, the costs involved (salaries, travel, subsistence, etc.) will be charged to the host Government. In certain cases, overtime may be charged in lieu of replacement costs.

F. Local staff

30. Should the host Government prefer to provide local General Service staff (which the United Nations has found to be suitable) to service the meeting, rather than those being provided by the United Nations, it should be understood that the costs related to such staff, including overtime, shall be borne by the host Government.

G. Expendable supplies and other materials

31. Freight and insurance costs incurred by the United Nations for sending any supplies or other materials to and from the meeting site shall be borne by the host Government. Supplies of a quality acceptable to the United Nations may be provided by the host Government, the cost of which shall be reimbursed by the United Nations provided that the reimbursement does not exceed the prevailing costs at the established headquarters location.

H. Communications and miscellaneous expenses

32. The host Government shall bear the cost of all utility services and miscellaneous expenses necessary for the functioning of the conference, including photocopying, telegrams, telex, long distance telephone calls, facsimile transmission, postage and pouch communications between the host country and the established headquarters location or the responsible conference services location.

I. Administrative support costs

33. Administrative support costs representing five per cent of the estimated expenditures for holding the meeting away from established headquarters would be collected in advance from the host Government. The money thus collected would be used for substantive and administrative backstopping and would be deposited into a special account.

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Annex

MODEL AGREEMENTS

A. Model conference agreement

AGREEMENT BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF [State]
REGARDING THE ARRANGEMENTS FOR THE [CONFERENCE ON]

WHEREAS* at its ___ meeting, held on [date] the [convening organ] accepted the invitation of the Government of [State] (the "Government") to hold the [Conference on] (the "Conference") at [city, State], and

WHEREAS the General Assembly of the United Nations, by paragraph 5 of section I of its resolution 31/140 of 17 December 1976, decided that sessions of United Nations bodies may be held away from their established headquarters when the Government issuing the invitation for a session to be held within its territory has agreed to defray, after consultations with the Secretary-General of the United Nations as to their nature and possible extent, the actual additional costs directly or indirectly incurred,

NOW THEREFORE, the United Nations and the Government hereby, agree as follows:

Article I

Date and place of the Conference

The Conference shall be held at [city], from _____ to _____.

Article II

Attendance at the Conference

1. As specified [by the convening or the preparatory organ or in the rules of procedure of the Conference], the Conference shall be open to participation by the representatives or observers of:

- (a) States;
- (b) Namibia, represented by the United Nations Council for Namibia;

* When appropriate, further preambular paragraphs may be inserted concerning the decisions authorizing the Conference or concerning its motivation and objectives.

(c) Organizations that have received standing invitations from the General Assembly to participate in conferences in the capacity of observers, and national liberation movements;

(d) Specialized and related agencies of the United Nations;

(e) Other intergovernmental organizations;

(f) Intergovernmental organs of the United Nations;

(g) Non-governmental organizations;

(h) Officials of the United Nations Secretariat;

(i) Other persons invited by the United Nations.

2. The Secretary-General of the United Nations shall designate the officials of the United Nations assigned to attend the Conference for the purpose of servicing it.

3. The public meetings of the Conference shall be open to representatives of information media accredited by the United Nations at its discretion after consultation with the Government.

Article III

Premises, equipment, utilities and supplies*

1. The Government shall provide the necessary premises, including conference rooms for informal meetings, office space, working areas and other related facilities, as specified in the schedule hereto. The Government shall at its expense furnish, equip and maintain in good repair all these premises and facilities in a manner that the United Nations considers adequate for the effective conduct of the Conference. The conference rooms shall be equipped for reciprocal simultaneous interpretation between [number] languages and shall have facilities for sound recording in that number of languages as well as facilities for press, television, radio and film operations, to the extent required by the United Nations. The premises shall remain at the disposal of the United Nations 24 hours a day from two weeks prior to the Conference until a maximum of six days after its close.

* Depending on the practical requirements and arrangements for the Conference, the details of this article, and of articles IV and V, may vary to some extent. The schedule referred to at the end of the first sentence of paragraph 1 is to be prepared separately for each conference to reflect its special requirements and the particular facilities that are to be made available.

2. The Government shall provide, if possible within the conference area: bank, post office, telephone and telegram facilities, as well as appropriate eating facilities, a travel agency and a secretarial service centre, equipped in consultation with the United Nations, for the use of delegations to the conference on a commercial basis.*

3. The Government shall bear the cost of all necessary utility services, including local telephone communications, of the secretariat of the Conference and its communications by telex or telephone with United Nations [Headquarters in New York or other established headquarters or appropriate United Nations offices] when such communications are authorized by or on behalf of the Executive Secretary of the Conference.

4. The Government shall bear the cost of transport and insurance charges, from any established United Nations office to the site of the Conference and return, of all United Nations equipment and supplies required for the adequate functioning of the Conference. The United Nations shall determine the mode of shipment of such equipment and supplies.

Article IV

Accommodation

The Government shall ensure that adequate accommodation in hotels or residences is available at reasonable commercial rates for persons participating in or attending the Conference.

Article V

Medical facilities

1. Medical facilities adequate for first aid in emergencies shall be provided by the Government within the conference area.

2. For serious emergencies, the Government shall ensure immediate transportation and admission to a hospital.

Article VI

Transport

1. The Government shall provide transport between the _____ airport and the conference area and principal hotels for the members of the United Nations Secretariat servicing the Conference upon their arrival and departure.

* Based on General Assembly resolution 35/10 C, annex, para. 10.

2. The Government shall ensure the availability of transport for all participants and those attending the Conference between the _____ airport, the principal hotels and the conference area.

3. The Government shall provide an adequate number of cars with drivers for official use by the principal officers and the secretariat of the Conference, as well as such other local transportation as is required by the secretariat in connection with the Conference.

Article VII

Police protection

The Government shall furnish such police protection as may be required to ensure the effective functioning of the Conference in an atmosphere of security and tranquillity free from interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with a designated senior official of the United Nations.

Article VIII

Local personnel

1. The Government shall appoint a liaison officer who shall be responsible, in consultation with the United Nations, for making and carrying out the administrative and personnel arrangements for the Conference as required under this Agreement.

2. The Government shall recruit and provide an adequate number of secretaries, typists, clerks, personnel for the reproduction and distribution of documents, assistant conference officers, ushers, messengers, bilingual receptionists, telephone operators, cleaners and workmen required for the proper functioning of the Conference, as well as drivers for the cars referred to in article VI, paragraphs 1 and 3. The exact requirements in this respect will be established by the United Nations in consultation with the Government. Some of the persons shall be available at least one week before the opening of the Conference and until a maximum of six days after its close, as required by the United Nations.

Article IX

Financial arrangements

1. The Government, in addition to the financial obligations provided for elsewhere in this Agreement, shall, in accordance with General Assembly resolution 31/140, section I, paragraph 5, bear the actual additional costs directly or indirectly involved in holding the Conference in [host State] rather than at [name

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of city in which the established headquarters of the United Nations organ or body holding the Conference is located]. Such costs, which are provisionally estimated at approximately \$US _____, shall include, but not be restricted to, the actual additional costs of travel and staff entitlements of the United Nations officials assigned to plan for or attend the Conference, as well as the costs of shipping any necessary equipment and supplies. Arrangements for the travel of United Nations officials required to plan for or service the Conference and for the shipment of any necessary equipment and supplies shall be made by the Secretariat in accordance with the Staff Regulations and Rules of the United Nations and its related administrative practices regarding travel standard, baggage allowances, subsistence payments and terminal expenses.

2. The Government shall, not later than [date], deposit with the United Nations the sum of \$US _____, representing the total estimated costs referred to in paragraph 1. If necessary, the Government shall make further advances as requested by the United Nations so that the latter will not at any time have to finance temporarily from its cash resources the extra costs that are the responsibility of the Government.

3. The deposit and the advances required by paragraph 2 shall be used only to pay the obligations of the United Nations in respect of the Conference.

4. After the Conference, the United Nations shall give the Government a detailed set of accounts showing the actual additional costs incurred by the United Nations and to be borne by the Government pursuant to paragraph 1. These costs shall be expressed in United States dollars, using the United Nations official rate of exchange at the time the payments are made. The United Nations, on the basis of this detailed set of accounts, shall refund to the Government any funds unspent out of the deposit or the advances required by paragraph 2. Should the actual additional costs exceed the deposit, the Government shall remit the outstanding balance within one month of the receipt of the detailed accounts. The final accounts shall be subject to audit as provided in the Financial Regulations and Rules of the United Nations, and the final adjustment of accounts shall be subject to any observations which may arise from the audit carried out by the United Nations Board of Auditors, whose determination shall be accepted as final by both the United Nations and the Government.

Article X

Liability

1. The Government shall be responsible for dealing with any action, claim or other demand against the United Nations or its officials and arising out of:

(a) Injury to persons or damage to or loss of property in the premises referred to in article III that are provided by or are under the control of the Government;

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(b) Injury to persons or damage to or loss of property caused by, or incurred in using, the transport services referred to in article VI that are provided by or are under the control of the Government;

(c) The employment for the Conference of the personnel provided by the Government under article VIII.

2. The Government shall indemnify and hold harmless the United Nations and its officials in respect of any such action, claim or other demand.

Article XI

Privileges and immunities

1. The Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which the [host State] is a party,* shall be applicable in respect of the Conference. In particular, the representatives of States and of the intergovernmental organs referred to in article II, paragraph 1 (a) and (b), above, shall enjoy the privileges and immunities provided under article IV of the Convention, the officials of the United Nations performing functions in connection with the Conference referred to in article II, paragraphs 1 (g) and 2, above, shall enjoy the privileges and immunities provided under articles V and VII of the Convention and any experts on mission for the United Nations in connection with the Conference shall enjoy the privileges and immunities provided under articles VI and VII of the Convention.

2. The representatives or observers referred to in article II, paragraph 1 (c), (e), (f) and (h), above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation in the Conference.

3. The personnel provided by the Government under article VIII, above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Conference.

4. The representatives of the specialized or related agencies, referred to in article II, paragraph 1 (d), above, shall enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, as appropriate.**

* Include this clause only if the host State is a party.

** If the host State is not a party to these agreements, application of the United Nations convention, mutatis mutandis, may be provided for instead.

5. Without prejudice to the preceding paragraphs of the present article, all persons performing functions in connection with the Conference, including those referred to in article VIII and all those invited to the Conference, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Conference.

6. All persons referred to in article II shall have the right of entry into and exit from [host State], and no impediment shall be imposed on their transit to and from the conference area. They shall be granted facilities for speedy travel. Visas and entry permits, where required, shall be granted free of charge, as speedily as possible and not later than two weeks before the date of the opening of the Conference, provided the application for the visa is made at least three weeks before the opening of the Conference; if the application is made later, the visa shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Conference are delivered at [specified point(s) of entry] to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the Conference.

7. For the purpose of the Convention on the Privileges and Immunities of the United Nations, the conference premises specified in article III, paragraph 1, above, shall be deemed to constitute premises of the United Nations in the sense of section 3 of the Convention and access thereto shall be subject to the authority and control of the United Nations. The premises shall be inviolable for the duration of the Conference, including the preparatory stage and the winding-up.

8. All persons referred to in article II, above, shall have the right to take out of [host State] at the time of their departure, without any restriction, any unexpended portions of the funds they brought in to [host State] in connection with the Conference and to reconvert any such funds at the rate at which they had originally been converted.*

9. The Government shall allow the temporary importation, tax-free and duty-free, of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes on supplies necessary for the Conference. It shall issue without delay any necessary import and export permits for this purpose.

* This paragraph is not required if the Conference is held in a State with a freely convertible currency.

Article XII

Settlement of disputes

Any dispute between the United Nations and the Government concerning the interpretation or application of this Agreement that is not settled by negotiation or other agreed mode of settlement shall be referred at the request of either party for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one to be named by the Government and the third, who shall be the chairman, to be chosen by the first two; if either party fails to appoint an arbitrator within 60 days of the appointment by the other party, or if these two arbitrators should fail to agree on the third arbitrator within 60 days of their appointment, the President of the International Court of Justice may make any necessary appointments at the request of either party. However, any such dispute that involves a question regulated by the Convention on the Privileges and Immunities of the United Nations shall be dealt with in accordance with section 30 of that Convention.

Article XIII

Final provisions

1. This Agreement may be modified by written agreement between the United Nations and the Government.
2. This Agreement shall enter into force immediately upon signature by the Parties and shall remain in force for the duration of the Conference and for such a period thereafter as is necessary for all matters relating to any of its provisions to be settled.

SIGNED this _____ day of _____ 19____ at [city] in duplicate in [English or French], both texts being equally authentic.

For the United Nations

For the Government of _____

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B. Agreement in the form of an exchange of letters

(Standard clauses to be included in draft ad hoc agreements for seminars/symposia/workshops and other meetings convened and arranged by the Secretariat away from an established headquarters)

Sir,*

I have the honour to refer to the arrangements for the seminar/symposium/workshop that the United Nations is arranging in [city, country] from _____ to _____. With the present letter I wish to obtain your Government's acceptance of the following arrangements:

[In this place should follow a brief description of the practical aspects of the arrangements, including: (a) the categories and numbers of participants and staff; (b) the meeting premises; (c) any transportation arrangements; and (d) financial arrangements and contributions in and by the host Government and the United Nations.** The description will of necessity vary in accordance with the particular circumstances of each seminar/symposium/workshop.*** The description is followed by the standard clauses below.]

* The letter normally would be addressed to the Permanent Representative to the United Nations of the Member State concerned.

** As in article IX of the agreement in a form of a treaty.

*** In the case of seminars/symposia/workshops and other meetings financed under the United Nations Regular Programme of Technical Co-operation, the standard practice is to require the host Government to assume responsibility for the following minimum services:

(a) Counterpart staff responsible for the advance planning and for conducting the actual Seminar;

(b) Administrative support personnel including secretarial assistance;

(c) Office supplies, stationery, office and reproduction equipment such as typewriters, xerox and duplicating machines;

(d) Transportation between the hotel and conference facilities, if required;

(e) Telephone and telex services;

(f) Conference rooms, meeting facilities and office space as required.

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I wish to propose that the following terms shall apply to the seminar/symposium/workshop:

- (a) (i) The Convention on the Privileges and Immunities of the United Nations shall be applicable in respect of the seminar/symposium/workshop. The participants invited by the United Nations shall enjoy the privileges and immunities accorded to experts on mission for the United Nations by article VI of the Convention. Officials of the United Nations participating in or performing functions in connection with the seminar/symposium/workshop shall enjoy the privileges and immunities provided under articles V and VII of the Convention. Officials of the specialized agencies participating in the seminar/symposium/workshop shall be accorded the privileges and immunities provided under articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies;
- (ii) Without prejudice to the provisions of the Convention on the Privileges and Immunities of the United Nations, all participants and persons performing functions in connection with the seminar/symposium/workshop shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the seminar/symposium/workshop;
- (iii) Personnel provided by the Government pursuant to this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the seminar/symposium/workshop;
- (b) All participants and all persons performing functions in connection with the seminar/symposium/workshop shall have the right of unimpeded entry into and exit from (host country). Visas and entry permits, where required, shall be granted free of charge. When applications are made four weeks before the opening of the seminar/symposium/workshop, visas shall be granted not later than two weeks before the opening of the seminar/symposium/workshop. If the application is made less than four weeks before the opening, visas shall be granted as speedily as possible and not later than three days before the opening;
- (c) It is further understood that your Government will be responsible for dealing with any action, claim or other demand against the United Nations arising out of:
- (i) Injury or damage to person or property in conference or office premises provided for the seminar/symposium/workshop;
- (ii) The transportation provided by your Government;

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- (iii) The employment for the seminar/symposium/workshop of personnel provided or arranged by your Government;

and your Government shall hold the United Nations and its personnel harmless in respect of any such action, claim or other demand;

(d) Any dispute concerning the interpretation or implementation of this Agreement, except for a dispute subject to the appropriate provisions of the Convention on the Privileges and Immunities of the United Nations or of any other applicable agreement, shall, unless the parties otherwise agree, be submitted to a tribunal of three arbitrators, one of whom shall be appointed by the Secretary-General of the United Nations, one by the Government and the third, who shall be the chairman, by the other two arbitrators. If either party does not appoint an arbitrator within three months of the other party having notified the name of its arbitrator or if the first two arbitrators do not within three months of the appointment or nomination of the second one of them appoint the chairman, then such arbitrator shall be nominated by the President of the International Court of Justice at the request of either party to the dispute. Except as otherwise agreed by the parties, the tribunal shall adopt its own rules of procedure, provide for the reimbursement of its members and the distribution of expenses between the parties, and take all decisions by a two-thirds majority. Its decisions on all questions of procedure and substance shall be final and, even if rendered in default of one of the parties, be binding on both of them.

I further propose that upon receipt of your confirmation in writing of the above this exchange of letters shall constitute an Agreement between the United Nations and the Government of [host country] regarding the provision of host facilities by your Government for the seminar/symposium/workshop.

Accept, Sir, the assurances of my highest consideration.
