

No. 4742

**UNITED NATIONS
and
FEDERATION OF MALAYA**

Agreement for the provision of operational and executive personnel. Signed at Kuala Lumpur, on 21 May 1959, and at Bangkok, on 29 May 1959

Official text: English.

Registered ex officio on 10 June 1959.

**ORGANISATION DES NATIONS UNIES
et
FÉDÉRATION DE MALAISIE**

Accord régissant l'envoi de personnel d'administration et de direction. Signé à Kuala Lumpur, le 21 mai 1959, et à Bangkok, le 29 mai 1959

Texte officiel anglais.

Enregistré d'office le 10 juin 1959.

No. 4742. AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE FEDERATION OF MALAYA FOR THE PROVISION OF OPERATIONAL AND EXECUTIVE PERSONNEL. SIGNED AT KUALA LUMPUR, ON 21 MAY 1959, AND AT BANGKOK, ON 29 MAY 1959.

The UNITED NATIONS and the GOVERNMENT OF THE FEDERATION OF MALAYA (hereinafter called "the Government"), desiring to join in furthering the development of the administrative services of the Federation of Malaya, have entered into this Agreement in a spirit of friendly co-operation.

Article I

SCOPE OF THIS AGREEMENT

1. This Agreement embodies the conditions under which the United Nations shall provide the Government with the services of administrative officers or specialists (hereinafter referred to as "officers"). It also embodies the basic conditions which govern the relationship between the Government and the officers. The Government and the officers may enter into agreements between themselves or adopt such arrangements as may be appropriate concerning their mutual relationship. However, any such agreement or arrangement shall be subject to the provisions of this Agreement, and shall be communicated to the United Nations.
2. The relationship between the United Nations and the officers shall be defined in contracts which the United Nations may enter into with such officers. A copy of the contract which the United Nations intends to use for this purpose is herewith transmitted for the Government's information as annex I² of this Agreement. The United Nations undertakes to furnish the Government with copies of individual contracts actually concluded between the United Nations and the officers within one month after such contracts are concluded.

Article II

FUNCTIONS OF THE OFFICERS

1. The officers to be provided under this Agreement shall be available to perform operational, executive or managerial functions, including training, for the Government, or, if so agreed by the United Nations and the Government, in

¹ Came into force on 29 May 1959, upon signature, in accordance with article VI.

² For the text of this annex, see United Nations, *Treaty Series*, Vol. 319, No. 4629.

other public agencies or public corporations or public bodies, or in national agencies or bodies other than those of a public character.

2. In the performance of the duties assigned to them by the Government, the officers shall be solely responsible to, and under the exclusive direction of, the Government; they shall not report to nor take instructions from the United Nations or any other person or body external to the Government except with the approval of the Government. In each case the Government shall designate the authority to which the officer will be immediately responsible.

3. The Parties hereto recognize that a special international status attaches to the Officers made available to the Government under this Agreement, and that the assistance provided the Government hereunder is in furtherance of the purposes of the United Nations. Accordingly, the officers shall not be required to perform any function incompatible with such special international status or with the purposes of the United Nations.

4. In implementation of the preceding paragraph, but without restricting its generality or the generality of the last sentence of paragraph 1 of Article I, any agreements entered into by the Government with the officers shall embody a specific provision to the effect that the officer shall not perform any functions incompatible with his special international status or with the purposes of the United Nations.

Article III

OBLIGATIONS OF THE UNITED NATIONS

1. The United Nations undertakes to provide, in response to the Government's requests, experienced officers to perform the functions described in Article II above.

2. The United Nations undertakes to provide such officers in accordance with any applicable resolutions and decisions of its competent organs, and subject to the availability of the necessary funds.

3. The United Nations undertakes, within the financial resources available to it, to provide administrative facilities necessary to the successful implementation of this Agreement, specifically including the payment of stipends and allowances to supplement, as appropriate, the salaries paid the officers by the Government under Article IV, paragraph 1, of this Agreement, and upon request, effecting payments in currencies unavailable to the Government, and making arrangements for travel and transportation outside the Federation of Malaya when the officer, his family or belongings are moved under the terms of this contract.