

No. 7793

**UNITED NATIONS
and
NIGER**

**Agreement (with annex) concerning the establishment at
Niamey of a sub-regional office of the United Nations
Economic Commission for Africa. Signed at Niamey,
on 20 November 1963**

Official text: French.

Registered ex officio on 1 June 1965.

**ORGANISATION DES NATIONS UNIES
et
NIGER**

**Accord (avec annexe) relatif à la création d'un bureau sous-
régional de la Commission économique des Nations
Unies pour l'Afrique à Niamey. Signé à Niamey, le
20 novembre 1963**

Texte officiel français.

Enregistré d'office le 1^{er} juin 1965.

[TRADUCTION — TRANSLATION]

No. 7793. AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE REPUBLIC OF THE NIGER CONCERNING THE ESTABLISHMENT AT NIAMEY OF A SUB-REGIONAL OFFICE OF THE UNITED NATIONS ECONOMIC COMMISSION FOR AFRICA. SIGNED AT NIAMEY, ON 20 NOVEMBER 1963

The Government of the Republic of the Niger (hereinafter called "the Government") and the United Nations,

Mindful of resolution 64 (IV)² of the United Nations Economic Commission for Africa to set up a sub-regional office for Western Africa to be sited at Niamey,

Desiring to conclude an agreement for the purpose of regulating questions arising from the offer of the Government, and the acceptance thereof by the United Nations, to grant to the United Nations the use of the land, buildings, appurtenances and installations described in the annexes³ to this Agreement without charge to the United Nations,

Being concerned to ensure the effective functioning of the sub-regional office for Western Africa by supplementing, to the extent necessary, the Convention on the Privileges and Immunities of the United Nations⁴ to which the Government of the Niger acceded on 25 August 1961,⁵

Have nominated as their representatives for this purpose :

The Government of the Republic of the Niger :

Mr. Courmo Barcougne, Minister of Finance and Economic Affairs,

The United Nations :

Mr. R. K. A. Gardiner, Executive Secretary of the Economic Commission for Africa,

Who have agreed as follows :

¹ In accordance with Section 31, the Agreement came into force on 2 June 1964 upon notification by the Government of the Niger to the United Nations that the Agreement had been ratified in accordance with the constitutional procedures of the Republic of the Niger.

² United Nations, *Official Records of the Economic and Social Council, 34th session, Supplement No. 10* (E/3586-E/CN.14/168), p. 47.

³ See footnotes 1 and 2, p. 7 of this volume.

⁴ United Nations, *Treaty Series*, Vol. 1, p. 15, and Vol. 90, p. 327 (corrigendum to Vol. 1, p. 18).

⁵ United Nations, *Treaty Series*, Vol. 405, p. 275.

Article I

DEFINITIONS

Section 1

In this Agreement :

- (a) The expression "premises" means the land described in annex I¹ to this Agreement and any buildings, appurtenances and installations erected thereon ;
- (b) The expression "furnishings" means the furnishings described in annex II² to this Agreement ;
- (c) The expression "Organization" means the United Nations ;
- (d) The expression "sub-regional office" means the sub-regional office of the United Nations Economic Commission for Africa at Niamey ;
- (e) The expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations as adopted by the General Assembly of the United Nations on 13 February 1946 and acceded to by the Government of the Republic of the Niger on 25 August 1961 ;
- (f) The expression "Director" means the Director in charge of the sub-regional office, his deputy or any other official of the Organization who is in charge of the sub-regional office at the time.

Article II

TITLE TO AND USE OF PREMISES

Section 2

The title to the premises shall remain with the Government. The Government shall grant to the Organization, without compensation, the use of such premises for housing the sub-regional office or for any other United Nations purposes which the Organization deems necessary. The Organization shall not be required to give to the Government any bond or security whatsoever.

Section 3

The Government shall provide the necessary furnishings for the premises.

¹ See p. 25 of this volume.

² By agreement of the Contracting Parties, this annex was to become part of the Agreement when the schedule of furnishings had been established and approved. As at the time of registration of the Agreement, the said schedule had not yet been established.

Article III

CONTROL AND PROTECTION OF THE PREMISES

Section 4

The premises shall be inviolable and shall be under the control and authority of the Organization, as provided in this Agreement.

Section 5

(a) Officers or officials of the Government, whether administrative, judicial, military or police, shall not enter the premises to perform any official duties therein except with the consent of and under conditions agreed to by the Director.

(b) Without prejudice to the provisions of the General Convention or of this Agreement, the sub-regional office shall prevent the premises from becoming a refuge for persons who are avoiding arrest under any law of the Government, or who are required by the Government for extradition to another country or who are endeavouring to avoid service of legal process.

Section 6

(a) The Government shall exercise due diligence through its appropriate authorities to ensure that the tranquillity of the premises is not disturbed by the unauthorized entry of groups of persons from outside or by disturbance in their immediate vicinity. It shall cause to be provided on the boundaries of the premises such police protection as is required for these purposes.

(b) If so requested by the Director, the Government shall take the necessary steps for the preservation of law and order in the premises and for the removal therefrom of persons as requested under the authority of the Director.

Article IV

ACCESS TO THE PREMISES

Section 7

(a) The Government shall not impede the transit to or from the premises of the following persons :

- (i) Officials of the sub-regional office, and their families ;
- (ii) Persons, other than officials of the sub-regional office, performing missions for the sub-regional office, and their spouses ;
- (iii) Other persons invited to the premises on official business ; the Director shall communicate the names of such persons to the Government ;
- (iv) Representatives of any organs of information whom the Organization may have decided to accept after consultations with the Government.

(b) This section shall not apply to general interruptions of transport and shall not impede the enforcement of the law.

(c) This section shall not imply exemption from the obligation to produce reasonable evidence to establish that persons claiming the rights granted under this section are included in the categories specified in paragraph (a).

(d) The necessary visas shall be granted promptly and, in the case of the persons referred to in paragraph (a) above, free of charge.

Article V

REPRESENTATIVES OF GOVERNMENTS

Section 8

The representatives of Governments, participating in the work of the sub-regional office or in any conference which may be convened by the Organization at the premises of the sub-regional office, shall be entitled in the territory of the Republic of the Niger, while exercising their functions and during their journey to and from the premises of the sub-regional office, to the same privileges and immunities as are accorded to diplomatic envoys of comparable rank under international law.

Article VI

OFFICIALS OF THE ORGANIZATION

Section 9

Officials of the Organization shall enjoy in the territory of the Niger the following privileges and immunities :

- (a) Immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity ; such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the Organization ;
- (b) Immunity from personal arrest or detention ;
- (c) Immunity from seizure of their personal and official baggage ;
- (d) Exemption from taxation on the salaries and emoluments paid to them by the Organization ;
- (e) Immunity from national service obligations ;
- (f) Immunity, together with members of their families and their personal employees, from immigration restrictions and alien registration ;
- (g) The same privileges in respect of exchange facilities as are accorded to the officials of comparable rank forming part of diplomatic missions to the Government ;