

No. 32588

**UNITED NATIONS
and
BOSNIA AND HERZEGOVINA**

**Exchange of letters constituting an agreement on the status of
the Liaison Office of the Prosecutor of the International
Tribunal and its personnel. New York, 30 January and
16 February 1996**

Authentic text: English.

Registered ex officio on 16 February 1996.

**ORGANISATION DES NATIONS UNIES
et
BOSNIE-HERZÉGOVINE**

**Échange de lettres constituant un accord relatif au statut du
Bureau de liaison du Procureur du Tribunal interna-
tional et de son personnel. New York, 30 janvier et 16 fé-
vrier 1996**

Texte authentique : anglais.

Enregistré d'office le 16 février 1996.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED NATIONS AND BOSNIA AND HERZEGOVINA ON THE STATUS OF THE LIAISON OFFICE OF THE PROSECUTOR OF THE INTERNATIONAL TRIBUNAL AND ITS PERSONAL

I

THE SECRETARY-GENERAL

30 January 1996

Dear Mr. Ambassador,

I have the honour to refer to resolution 827 (1993) of 25 May 1993² by which the Security Council decided to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991 (hereinafter referred to as the "International Tribunal").

I further have the honour to refer to the Memorandum of Understanding Regarding Cooperation between the Government of the Republic of Bosnia and Herzegovina and the Prosecutor of the International Tribunal of 3 December 1994, by which the Government of the Republic of Bosnia and Herzegovina agreed to assist the International Tribunal to establish a liaison office in suitable secure accommodation to be used by investigators of the Prosecutor's Office as a base for their operations in the territory of the Republic of Bosnia and Herzegovina.

Accordingly, and in order to facilitate the fulfilment of the purposes of the Liaison Office, I propose that your Government, in implementation of its obligation under Article 105 of the Charter of the United Nations, extend to the Liaison Office, as an

¹ Came into force on 16 February 1996 by the exchange of the said letters.

² United Nations, *Official Records of the Security Council, Forty-eighth Year, Resolutions and Decisions of the Security Council 1993 (S/INF/49)*, p. 29.

organ of the United Nations, its property, funds, assets and personnel, the privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations¹ (the Convention) to which the Republic of Bosnia and Herzegovina is a party.

In view of the importance of the functions which the Liaison Office will perform in the Republic of Bosnia and Herzegovina, I propose that your Government extend to:

- the Liaison Officer, the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law;
- the officials of the Prosecutor's Office assigned to serve with the Liaison Office, the privileges and immunities provided under Article V and VII of the Convention;
- other persons assigned to serve with the Liaison Office whose names will be communicated to the Government for that purpose, the privileges and immunities accorded to experts on mission for the United Nations under Article VI of the Convention.

The privileges and immunities necessary for the fulfilment of the functions of the Liaison Office also include the following rights and facilities:

- (i) the unrestricted freedom of entry and exit without delay or hindrance of its personnel, property, supplies, equipment and means of transport;
- (ii) the unrestricted freedom of movement throughout the country of personnel, property, equipment and means of transport;
- (iii) access to all documentary material relevant for the effective operation of the Liaison Office;

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