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**United Nations (United Nations University)
and
Portugal**

Agreement between the United Nations University and the Portuguese Republic concerning the United Nations University operating unit on policy-driven electronic governance in Guimarães, Portugal. Lisbon, 23 May 2014

Entry into force: *30 September 2015 by notification, in accordance with article 18*

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**Organisation des Nations Unies (Université des Nations Unies)
et
Portugal**

Accord entre l'Université des Nations Unies et la République portugaise concernant l'unité d'exploitation sur la gouvernance électronique axée sur les politiques de l'Université des Nations Unies à Guimarães, Portugal. Lisbonne, 23 mai 2014

Entrée en vigueur : *30 septembre 2015 par notification, conformément à l'article 18*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN
THE UNITED NATIONS UNIVERSITY
AND
THE PORTUGUESE REPUBLIC
CONCERNING
THE UNITED NATIONS UNIVERSITY
OPERATING UNIT ON POLICY-DRIVEN ELECTRONIC GOVERNANCE IN
GUIMARÃES, PORTUGAL**

WHEREAS the United Nations University was established as a subsidiary organ of the United Nations by General Assembly resolution 2951 (XXVII) of 11 December 1972;

WHEREAS the Council of the United Nations University decided at its 61st session in Rome, Italy, on 12-13 May 2014, to establish the United Nations University Operating Unit on Policy-Driven Electronic Governance, as an Operating Unit of the University in Guimarães, Portugal and to accept the offer of the Portuguese Republic to host the Operating Unit at Guimarães, Portugal;

WHEREAS the United Nations University Operating Unit on Policy-Driven Electronic Governance is an integral part of the United Nations University in accordance with its Charter;

WHEREAS the Portuguese Republic is party to the Convention on the Privileges and Immunities of the United Nations since 14 October 1998;

WHEREAS the said Convention is applicable to the United Nations University;

DESIRING to conclude an agreement to regulate the questions arising as a result of the establishment of a United Nations University Operating Unit on Policy-Driven Electronic Governance;

**THE UNITED NATIONS UNIVERSITY AND THE PORTUGUESE REPUBLIC,
HAVE AGREED** as follows:

ARTICLE 1
DEFINITIONS

For the purpose of this Agreement:

- a) “the Parties” means the United Nations University and the Portuguese Republic;
- b) “the Convention” 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;
- c) “the University” means the United Nations University, established by the United Nations General Assembly resolution 2951(XXVII) of 11 December 1972;
- d) “the Charter of the University” means the Charter of the University adopted by the United Nations General Assembly resolution 3081 (XXVIII) of 6 December 1973;
- e) “the Government” means the Government of the Portuguese Republic;
- f) “the Operating Unit” means the United Nations University Operating Unit on Policy-Driven Electronic Governance, an Operating Unit of the University in Guimarães, Portugal;
- g) “the Secretary-General” means the Secretary-General of the United Nations;
- h) “the Rector” means the Rector of the University or, in his/her absence, any official designated to act on his/her behalf;
- i) “the Head” means the Head of the Operating Unit or, in his/her absence, any official designated to act on his/her behalf;
- j) “the competent authorities” means the national or local authorities as the context may require, under the laws and regulations of the Portuguese Republic;
- k) “personnel of the Operating Unit” means persons who are appointed in accordance with Article VIII, paragraph 7 of the Charter of the University;

- l) "officials" means officials of the United Nations who fall within Article V of the Convention;
- m) "members of the family forming part of the household" means i) spouses of officials and personnel or ii) children of the officials and personnel who are under 18 years of age, or children under 23 years of age who are in full-time education and economically dependent, or children of any age who are dependent due to disability;
- n) "experts" means experts on mission, within the meaning of Article VI of the Convention;
- o) "premises of the Operating Unit" means the building or buildings, or a part of buildings occupied permanently or temporarily by the University or by meetings convened in the Portuguese Republic by the University for the purposes of the Operating Unit;
- p) "archives" means all records, correspondence, manuscripts, photographs, films and recordings whether in hard copy or in the electronic format belonging to or held by the University, wherever located.

ARTICLE 2 LEGAL STATUS

The University shall have the legal status specified in Article XI of the Charter of the University and in this Agreement.

ARTICLE 3 ACADEMIC FREEDOM

The University, including the Operating Unit, shall enjoy the academic freedom required for the achievement of its objectives, with particular reference to the choice of subjects and methods of research and training, the selection of persons and institutions to share in its tasks, and freedom of expression.

ARTICLE 4 INVOLABILITY AND PROTECTION

1. a) The premises of the Operating Unit shall be inviolable. The competent authorities shall not enter the premises to perform any official duties therein except with the express consent of and under conditions approved by the Head, or at his/her request;

b) The University shall not permit its premises to become a refuge from justice for persons who are avoiding arrest or service of legal process or against whom an order of extradition or deportation has been issued by the competent authorities;

c) Nothing in this Agreement shall prevent the reasonable application by the competent authorities of measures for the protection of the premises against fire or other emergency requiring prompt protective action;

d) The premises shall be used solely to further the purposes and activities of the University as specified in the Statute of the Operating Unit.

2. The competent authorities shall take steps, as may be required, to protect the premises of the Operating Unit against any intrusion or damage and to prevent any disturbance of the peace of the premises of the Operating Unit or impairment of the dignity of the University.

3. Except as otherwise provided in this Agreement or in the Convention, the laws of the Portuguese Republic shall apply within the premises of the Operating Unit. However, the premises of the Operating Unit shall be under the immediate control and authority of the University which may establish regulations for the execution of its functions therein.

4. The archives of the University shall be inviolable.

5. The University shall be entitled to display its emblem on the premises of the Operating Unit and its means of transport.

ARTICLE 5 PUBLIC SERVICES

1. The Portuguese Republic shall use its best efforts in consultation with the University to ensure under the terms and conditions set out in a separate agreement between the competent authorities and the University of Minho, that the premises of the Operating Unit shall be supplied with the necessary public utilities and services, including electricity, water, sewerage, gas, internet access, drainage, collection of refuse and fire protection free of charge.

2. In the case of interruption or threatened interruption of any such services, the competent authorities shall consider the needs of the Operating Unit as being of equal importance with those of the government departments of the Portuguese Republic and shall take steps accordingly to ensure that the work of the Operating Unit is not prejudiced.