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**United Nations
and
Republic of Korea**

**Agreement between the Government of the Republic of Korea and the United Nations
regarding the United Nations Project Office on Governance. New York, 2 June 2016**

Entry into force: *12 July 2016, in accordance with article 20*

Authentic text: *English*

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**Organisation des Nations Unies
et
République de Corée**

**Accord entre le Gouvernement de la République de Corée et l'Organisation des Nations
relatif au Bureau de projets des Nations Unies pour la gouvernance. New York, 2 juin
2016**

Entrée en vigueur : *12 juillet 2016, conformément à l'article 20*

Texte authentique : *anglais*

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**AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND
THE UNITED NATIONS REGARDING THE UNITED NATIONS
PROJECT OFFICE ON GOVERNANCE**

WHEREAS, the Government of the Republic of Korea (hereinafter referred to as “the Government”) and the United Nations, represented by the Department of Economic and Social Affairs (hereinafter referred to as the “United Nations” and, collectively, as the “Parties”), having recognized that participatory and transparent governance and public administration play a key role in achieving the objectives of the United Nations;

WHEREAS, the Parties have agreed to cooperate on the implementation of the “Project on the United Nations Project Office on Governance” (hereinafter referred to as the “Project”);

WHEREAS, the Government has agreed to provide the facilities and funds necessary for carrying out the Project;

WHEREAS, the Government and the United Nations had concluded a Trust Fund Agreement on 23 June 2006 to establish a trust fund to support the implementation of the Project;

WHEREAS, there is a necessity to enhance governance and public administration capacity for achieving the 2030 Agenda for Sustainable Development, which was adopted at the United Nations Sustainable Development Summit 2015 and marked an important milestone in international cooperation for development over the next 15 years, in view of which the Parties have agreed to continue the operation of the United Nations Project Office on Governance (hereinafter referred to as “the Office”) and assume its second phase of work in line with the 2030 Agenda for Sustainable Development;

WHEREAS, the Parties have agreed that this Agreement shall constitute an agreement concerning the establishment of the Office in accordance with Article 7.2 of the Trust Fund Agreement;

NOW THEREFORE, the Parties hereby agree as follows:

Article 1. Definition

The term “Office” means the United Nations Project Office on Governance which was established by the United Nations Department of Social Affairs (UNDESA) as part of the United Nations presence in the Republic of Korea in accordance with Article 1.1 of the Trust Fund Agreement.

Article 2. Objective and Functions

1. The objective of the Office is to strengthen public institution and governance in order to advance the implementation of the 2030 Agenda for Sustainable Development through knowledge sharing, exchange of lessons learned and best practices, research and multilateral

cooperation, by implementing the programme of activities described in this Agreement.

2. The Office shall perform the following functions:
 - (a) Conducting research on promoting transparent, inclusive and accountable public services for sustainable development equipped to support the implementation of the Sustainable Development Goals;
 - (b) Carrying out research on government innovation and new government paradigms to address development challenges and improve well-being of all people;
 - (c) Promoting and supporting e-government development in developing countries;
 - (d) Networking with government officials, academia and civil society in Member States in the area addressed by the Office;
 - (e) Building partnerships with other international and regional organizations, domestic institutions and think tanks to develop and implement cooperative projects;
 - (f) Holding and supporting regional and international meetings in the fields of governance and public administration to enhance governance capacity of Member States;
 - (g) Subordinate duties, including publication of materials related to the activities set out in subparagraphs (a) to (f); and
 - (h) Other related duties as agreed between the Parties

Article 3. Legal Capacity

The United Nations, acting through the Office, shall possess juridical personality and shall have the capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, in particular:

- (a) To enter into agreements and contracts;
- (b) To acquire and dispose of movable and immovable property; and
- (c) To institute legal proceedings.

Article 4. Personnel

1. The Office shall be headed by an internationally-recruited official (hereinafter referred to as the “Head of the Office”) and shall be comprised of other United Nations staff. Both the Head of the Office and all other United Nations staff shall be United Nations officials, irrespective of nationality. All United Nations officials shall be recruited and appointed under the Staff Rules and Regulations of the United Nations, with the exception of persons who are recruited locally and assigned to hourly rates, as provided for in General Assembly Resolution 76(I) of 7 December 1946.

2. The United Nations shall notify the Government, from time to time, in writing, of the list of the officials and their families and any changes thereto.

3. As appropriate, the United Nations may engage the services of non-staff personnel in accordance with United Nations regulations, rules, policies, and procedures.

4. The Head of the Office shall be responsible to the United Nations for the coordination and implementation of the programme of activities of the Office.

Article 5. Financing

The Government shall finance the programme of activities to be conducted by the Office in accordance with the Technical Cooperation Trust Fund Agreement between the Government of the Republic of Korea and the United Nations concluded on 23 June 2006, as amended.

Article 6. Applicability of the Convention to the Office

The Convention on the Privileges and Immunities of the United Nations of 1946 (hereinafter referred to as the "Convention"), to which the Government has been party since 9 April 1992, without prejudice to the reservation made by the Government upon its accession thereto, shall be applicable to the United Nations, including the Office, its property and assets and its officials and experts on mission in the Republic of Korea.

Article 7. Premises and Security

1. For the purposes of this Agreement, the premises offered by the Government for the Office shall be deemed to constitute premises of the United Nations in the sense of Section 3 of the Convention.
2. The premises of the Office shall be used solely to further its functions. The Head of the Office may also permit, in a manner compatible with the functions of the Office, the use of the premises and facilities for meetings, seminars, exhibitions and related purposes which are organized by the United Nations, including the Office, and other related organizations.
3. In case of fire or other emergency requiring prompt protective action, the consent of the Head of the Office or his/her representative to any necessary entry into the premises shall be presumed if neither of them can be reached in time.
4. (a) The appropriate authorities of the Government shall exercise due diligence to ensure the security, protection and tranquility of the premises of the Office. They shall also take all possible measures to ensure that the tranquility of the Office is not disturbed by the unauthorized entry of persons or groups of persons from outside or by disturbances in its immediate vicinity.
(b) Without prejudice to and notwithstanding the foregoing, the United Nations may make any provisions relating to its security and the security of its personnel as it deems relevant and necessary in accordance with the relevant decisions and resolutions of the United Nations.
5. Except as otherwise provided in this Agreement or in the Convention, the laws applicable in the Republic of Korea shall apply within the premises of the Office.
6. The premises of the Office shall be under the control and authority of the United Nations, which may establish regulations for the execution of its functions therein.