

MEMORANDUM OF UNDERSTANDING BETWEEN
THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AND
THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

PREAMBLE

WHEREAS the Office of the United Nations High Commissioner for Refugees (hereinafter referred to as "the High Commissioner") was established by the General Assembly with responsibilities for extending international protection to refugees and for mobilizing, co-ordinating and providing humanitarian assistance to refugees under Resolution 428(v) of 14 December 1950 constituting the Statute of the High Commissioner and for displaced persons under subsequent resolutions of the General Assembly with a view to providing emergency relief and to promoting lasting solutions to their problems through voluntary repatriation, assistance in rehabilitation, integration in countries of asylum or resettlement in other countries as Feasible;

WHEREAS the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as "the Government") has

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appealed to the international community for assistance in the rehabilitation of returnees and displaced persons in Sri Lanka. MOF

WHEREAS representatives of the Government and the High Commissioner have, from 16 to 29 August 1987, held meetings in Colombo relating to the assistance required for the returnees and displaced persons in Sri Lanka

AND WHEREAS the High Commissioner in response to the appeal made by the Government has agreed to allocate an amount of US Dollars Two million from his Emergency Fund as an initial amount towards carrying out assistance measures for the rehabilitation of returnees and displaced persons.

NOW THEREFORE the Government and the High Commissioner have agreed hereto as follows;

PART I

The Role of the Government

The Government shall;

1. ensure, through the designated Ministry or Department (hereinafter referred to as the "Implementing Agency") the overall co-ordination of humanitarian aid accorded by the High

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Commissioner to the returnees and displaced persons in Sri Lanka.

The High Commissioner shall conclude separate project agreements with the Implementing Agency.

1. submit to the High Commissioner all copies of the
2. make available to the High Commissioner the basic ~~and~~ infrastructure required for the execution of programmes of assistance favouring returnees and displaced persons in Sri Lanka.
3. Exempt from import duty supplies and equipment such as food, clothing, medical supplies, agricultural equipment and vehicles contributed by bilateral and multilateral sources or private donors and required for the implementation of the programmes.
4. take all necessary steps to ensure reception, unloading, storage, transportation and distribution of all supplies and other relief items included in the programme, whether purchased by the Government or the High Commissioner, or donated by third parties.
5. ensure that the Implementing Agency
 - i. maintain separate accounts for each of the projects financed by the High Commissioner. These accounts and the supporting vouchers will be accessible to the representatives of the High Commissioner and to

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the auditors of the United Nations

in the event additional needs are identified jointly by the Government and the Government, ...

ii. submit to the High Commissioner all copies of the Government, inter governmental organizations, specialized agencies of the United Nations system, voluntary organizations and agencies and the inter-personal community in general

iii. submit to the High Commissioner interim and final financial and narrative reports on the activities undertaken on the utilization of funds provided by the High Commissioner.

The Government of Sri Lanka will grant facilities to the UNHCR to station such number of officials as may be agreed between the UNHCR and the Government of Sri Lanka, in Sri Lanka for the purpose of monitoring the expending of funds granted by the UNHCR to the Sri Lanka Government for the purpose of rehabilitation and reconstruction

PART II

The Role of the High Commissioner

the High Commissioner shall;
1. in co-ordination with the Implementing Agency assess the need and develop programmes for the rehabilitation of returnees and displaced persons on the basis of which the initial allocation of the High Commissioner of US Dollars Two Million could be utilized.

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of project and under this Memorandum of

8. In the event additional needs are identified jointly by the High Commissioner and the Government, seek to obtain from ~~the~~ Governments, inter-governmental organizations, specialized agencies of the United Nations system, voluntary organizations and agencies and the international community in general, additional contributions in cash, goods and services with a view to ensuring the financing of the programme, as well as other contributions that could help to achieve the objectives of the programme.

9. collaborate with the Government in developing the above programmes of assistance through Technical Missions.

10. procure, in consultation with the Government, the necessary goods, equipment and materials for the programme of assistance.

PART III

Third Party Liability

The High Commissioner shall;

11. not be liable to indemnify any third party in respect of any claim, debt, damage or demand arising out of the implementation

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of any project agreement under this Memorandum of Understanding;

12. not accept liability for compensation for the death, disability or other hazards that may be suffered by employees of the Government or by any other persons as a result of their employment on work associated with the programme.

PART IV

Consultations and Communications

The Government and the High Commissioner shall;

13. hold regular consultations on policy and operational issues relating to the programme of assistance as and when required.

14. keep each other fully informed of any action they are taking on matters pertaining to the programme of assistance.

PART V

Entry Into Force, Amendment and Duration

14. It is further agreed that this Memorandum of Understanding

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will enter into force upon its signature by the Government and the High Commissioner or their respective representatives and may be amended by mutual agreement. It will remain operative until such times as it is terminated by mutual consent or by one party giving the other three months' written notice of termination.

SECRETARY GENERAL, REPUBLIC BUILDING, COLOMBO 1, SRI LANKA

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have on behalf of the parties hereto signed this Memorandum of Understanding at Colombo on the thirty first day of August of the year one thousand nine hundred and eighty seven.

For

For

THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Signature *A. Mohamed*

Signature *R. Sampat Kumar*

Name: A. MOHAMED

Name: R SAMPATKUMAR

Title: Director, Department of External Resources, Ministry of Finance

Title: Deputy Head Regional Bureau For Asia and Oceania