

AGREEMENT BETWEEN THE UNITED NATIONS HIGH COMMISSIONER  
FOR REFUGEES AND THE GOVERNMENT OF THE REPUBLIC OF THE  
SUDAN CONCERNING THE ESTABLISHMENT OF A BRANCH OFFICE  
OF THE HIGH COMMISSIONER IN KHARTOUM

WHEREAS the United Nations High Commissioner for Refugees (hereinafter referred to as "the High Commissioner" or alternatively "UNHCR") has decided to establish a Branch Office of the United Nations High Commissioner for Refugees (hereinafter referred to as "the Branch Office") in Khartoum, the Sudan, and



WHEREAS the Sudanese Government (hereinafter referred to as "the Government") welcomes the establishment of the Branch Office and undertakes to assist the UNHCR in securing all the necessary facilities for its establishment and

WHEREAS on 13 February 1946 the General Assembly of the United Nations adopted the Convention on the Privileges and Immunities of the United Nations (hereinafter referred to as "the Convention"); and

WHEREAS the UNHCR, a subsidiary organ established by the General Assembly pursuant to Article 22 of the Charter of the United Nations, is an integral part of the United Nations Organizations whose status, privileges and immunities are regulated by the Convention;

IT IS HEREBY AGREED AS FOLLOWS:

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ARTICLE I

FUNCTION

The Branch Office will exercise functions as assigned by the High Commissioner in relation to the activities of the UNHCR in the Sudan including the establishment and maintenance of relations between the UNHCR and the other International Organizations functioning in the Sudan.

ARTICLE 2

STATUS OF THE STAFF

1) In addition to the privileges and immunities conferred upon the staff of the UNHCR under Article 5, Section 18 of the Convention, the staff of the Branch Office, excepting those that are assigned to hourly rates, shall enjoy in the Sudan the following privileges, immunities and exemptions:

- a) Immunities from seizure of their personal or official baggage;
- b) Inviolability for all papers and documents belonging to the staff;
- c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;
- d) The right for the staff, other than Sudanese nationals, to take out of the Sudan funds of non-Sudanese currencies without any restrictions or limitations, provided that they can show good cause for their lawful possession of such funds;
- e) Exemption for the staff, other than Sudanese nationals and permanent foreign residents of the Sudan, from import duty and other levies and from prohibitions and restrictions on imports for their furniture and personal effects, including vehicles for personal use. It is understood, however, that articles imported under such exemption will not be sold in the Sudan except under conditions agreed with the Government;

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f) In addition to the immunities, privileges and exemptions for which provisions are made herein, the Representative of the High Commissioner having the status of Chief Mission shall enjoy, in respect of him, his spouse and minor children, such privileges, exemptions and facilities as are accorded in international law and practice to diplomatic representatives of comparable rank. The Representative of the High Commissioner shall, for this purpose be incorporated by the Sudanese Ministry of Foreign Affairs into the Diplomatic List.

ii) The privileges and immunities for which provision is made in this agreement are granted for the purpose of carrying out effectively the aims and purposes of the Branch Office. The Representative of the High Commissioner shall have the right and duty to waive the immunity of any staff in any case where the immunity would impede the course of justice and can be waived without prejudice to the interests of the Branch Office. In the case of the Representative of the High Commissioner, the High Commissioner himself shall have the right to waive the immunity.

ARTICLE 3

PREMISES AND PROPERTY OF THE BRANCH OFFICE

- i) Premises of the Branch Office and of the residence of the Chief of Mission shall be inviolable.
- ii) The property and assets of the Branch Office, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administration, judicial or legislative action.
- iii) The archives of the Branch Office and, in general, all documents belonging to it or held by it shall be inviolable wherever located.

*[Handwritten signature]*

#### ARTICLE 4

##### FACILITIES AND SERVICES TO BE PROVIDED BY THE SUDANESE GOVERNMENT

- i) The exemptions and arrangements provided for in Article 2 Sections 7 and 8 of the Convention shall also apply, and under the same conditions to items for use in the official programmes of assistance to refugees in the Sudan.
- ii) The Government shall provide the following facilities and services free of cost:
  - a) appropriate office space, furnishing and equipment for the Branch Office
  - b) appropriate residential housing, furnishing and equipment for the Representative of the High Commissioner.

#### ARTICLE 5

##### INTERPRETATION AND APPLICATION

The provisions of the Convention and of this Agreement shall, where they relate to the same subject matter, be treated wherever possible as complementary, so that the provisions of both shall be applicable and neither narrow the effect of the other.

#### ARTICLE 6

##### FINAL PROVISIONS

- i) This Agreement shall come into force on the date of its signature by both parties as shown below.
- ii) This Agreement shall remain in force as long as the Branch Office remains established in Khartoum, the Sudan.
- iii) - This Agreement may be modified by mutual consent. Each Party shall give full and sympathetic consideration to any request by the other Party for its modification.

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IN WITNESS WHEREOF, the High Commissioner and the undersigned duly authorized representative of the Government have signed this agreement in Geneva and Khartoum respectively, in two copies in the English language

THE UNITED NATIONS HIGH  
COMMISSIONER FOR REFUGEES

FOR THE GOVERNMENT OF THE  
REPUBLIC OF THE SUDAN

*Sadrudin Aga Khan*      *Ibrahim El Mufti*

PRINCE SADRUDDIN AGA KHAN

IBRAHIM EL MUFTI  
ACTING MINISTER OF FOREIGN AFFAIRS

Geneva . . . . . 1 August 1968 . . . . . 1968

Khartoum 15th . . . . . September . . . . . 1968