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### COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS

#### Model status-of-forces agreement for peace-keeping operations

#### Report of the Secretary-General

1. In paragraph 11 of its resolution **44/49** of 8 December 1989, the General Assembly requested the Secretary-General to prepare a model status-of-forces agreement between the United Nations and host countries and to make that model available to Member States. Basing itself upon **established practice** and **drawing** extensively upon earlier and current agreements, the Secretariat has prepared the model status-of-forces agreement annexed to the present report. The model is intended to serve as a basis **for** the drafting of individual agreements to be concluded between the United Nations and countries on whose territory peace-keeping operations are deployed. **As** such it is subject to modifications that may be agreed upon between the parties in each case.
2. The attached model, **mutatis mutandis**, will also serve as the basis for an agreement with a host country in operations **where** no United Nations military personnel are deployed.

ANNEX

~~Draft model status-of-forces agreement between the United Nations  
and host countries a/~~

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply: ~~b/~~

II. APPLICATION OF THE PRESENT AGREEMENT

2. Unless ~~specifically~~ provided otherwise, the provisions of the present Agreement and any obligation undertaken by [Government] ~~c/~~ or any privilege, immunity, facility or concession granted to the United Nations peace-keeping operation or any member thereof apply in [the area of operations/territory] only.

III. APPLICATION OF THE CONVENTION

3. The Convention on the Privileges and Immunities of the United Nations of 13 February 1946 shall apply ~~to~~ the United Nations peace-keeping operation subject to the provisions specified ~~in~~ the present Agreement. ~~d/~~

or

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~~a/~~ This ~~title~~ corresponds to the terminology used in paragraph 11 of General Assembly resolution 44/49 dated 8 December 1989. While it has been used for working purposes, the precise character of the agreement of course will vary according to the type of United Nations peace-keeping operation concerned.

~~b/~~ This section will contain definitions of the main terms used in the agreement such as:

"Participating State" means a State ~~contributing~~ personnel to the military and/or civilian components of the United Nations peace-keeping operation,

"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 term Government as used in the present Agreement will be defined to mean the Government of the host country or Administration having ~~de facto~~ authority over the territory and/or area of operations in question.

~~d/~~ As a general rule, the basic privileges and immunities of a United Nations peace-keeping operation consist of provisions that flow from the Convention on the Privileges and Immunities of the United ~~Nations~~ adopted by the General

4. The United Nations peace-keeping operation, its property, funds and assets, and its **members**, including the Special Representative/Commander, shall **enjoy** the privileges and immunities specified in the present Agreement as well **as** those provided for in the Convention, to which [host country] is **a** Party. **e/**

5. Article II of the Convention, which applies to the United Nations peace-keeping operation, shall also apply to the property, funds and assets **of** participating States used in connection with the United Nations peace-keeping **operation.**

#### IV. STATUS OF THE PEACE-KEEPING OPERATION

6. The United Nations peace-keeping operation and its members shall refrain **from** any action **or** activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit **of** the present arrangements. The United Nations **peace-keeping** operation and its members shall respect all local laws and regulations. The Special Representative/Commander shall take all appropriate measures to ensure the observance of those obligations.

7. The Government undertakes to respect the exclusively international nature of the United Nations peace-keeping operation.

#### United Nations flag and vehicle markings

8. The Government **recognizes** the right **of** the United Nations peace-keeping operation to display within [host country/territory] the United Nations flag on its headquarters, camps or other premises, vehicles, vessels and **otherwiss** **as** decided by the Special Representative/Commander. Other flags or pennants may be displayed only in exceptional cases. In these cases, the United Nations peace-keeping operation shall give sympathetic consideration to observations or requests of the Government **of** [host country].

9. Vehicles, vessels and aircraft of the United Nations peace-keeping operation shall carry a distinctive United Nations identification, which shall be notified to the Government.

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(continued)

**Assembly** on 13 February 1946. However, while the Convention is in force with respect to 124 Member States, there are a number of States that are not a party to it and there may also be United Nations operations involving relations with entities other than States. Thus, in such **cases**, the Status Agreement **itself** must provide specifically for the application of the Convention.

**e/** Provision to be used where the host country is a party to the said Convention.

/...

### Communications

10. The United Nations peace-keeping operation shall enjoy the facilities in respect to communications provided in article III of the Convention and shall, in co-ordination with the Government, use such facilities as **may** be required for the performance of its task. Issues with respect to communications which **may** arise and which are not specifically provided for in the present Agreement shall be dealt with pursuant to the relevant provisions of **the** Convention.

11. Subject to the provisions of paragraph 10:

(a) The United Nations peace-keeping operation shall have authority to install and operate radio sending and receiving stations as well as **satellite** systems to connect appropriate points within the territory of [host country/territory] with each other and with United Nations offices in other countries, and to exchange traffic with the United Nations global telecommunications network. The telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations and the frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board.

(b) The United Nations peace-keeping operation shall enjoy, within the territory of [host country/territory], the right to unrestricted communication by radio (including **satellite**, mobile and hand-held radio), telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of the United Nations peace-keeping operation, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The frequencies on which the radio will operate shall be decided upon in co-operation with the Government. It is understood that connections with the local **system** of telegraphs, telex and telephones **may** be made only after consultation and in accordance with arrangements with the Government. it being **further** understood that **the** use of **the** local system of telegraphs, telex and telephones will be charged at the **most** favourable rate.

(c) The United Nations peace-keeping operation **may make** arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from **members of** the United Nations peace-keeping operation. The Government shall be informed **of** the nature of such arrangements and shall not interfere with or apply censorship **to** the **mail of** the United Nations peace-keeping operation or its **members**. In the event that postal arrangements applying to private mail of **members** of the United Nations peace-keeping operation are extended to transfer of currency or the transport **of** packages and parcels, the conditions under which such operations are conducted shall be agreed with the Government.

## Travel and transport

12. The United Nations peace-keeping operation and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement throughout the [host country/territory]. That freedom shall, with respect to large movements **of** personnel, stores or vehicles through airports or on **railways** or roads used for general traffic within the [host country/territory], be co-ordinated with the Government. The Government undertakes to supply the United Nations peace-keeping operation, where necessary, with maps and other information, including locations of mine fields and other dangers and impediments, which may be useful in facilitating its movements.

13. Vehicles, including all military vehicles, vessels and aircraft of the United Nations peace-keeping operation shall not be subject to registration or licensing by the Government provided that all such vehicles shall carry the third party insurance required by relevant legislation.

14. The United Nations peace-keeping operation may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges, including **wharfage charges**. **However**, the United Nations peace-keeping operation will not claim exemption from charges which are in fact charges **for** services rendered.

## Privileges and immunities of the United Nations peace-keeping operation

15. The United Nations peace-keeping operation, as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the United Nations [as provided for in the present Agreement] **f/** [in accordance with the Convention]. **g/** The provision of article II of the Convention which applies to the United Nations peace-keeping operation shall also apply to the property, funds and assets of participating States used in [host country/territory] in connection with the national contingents serving in the United Nations peace-keeping operation, as provided for in paragraph 5 of the present Agreement. The Government **recognizes** the right **of** the United Nations peace-keeping -ration in **particular:**

(a) **To import, fr**, of duty or other restrictions, equipment, provisions, supplies and other goods: **which** are for the exclusive and official use of the United Nations peace-keeping operation **or** for resale in the commissaries provided for hereinafter;

(b) To establish, maintain and operate commissaries at its headquarters, camps and posts **for** the benefit of the members of the United Nations peace-keeping operation, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified in advance. The

**f/** In case the other party is not party to the Convention.

**g/** In case the other party is a party to the Convention.

Special Representative/Commander shall take all necessary measures to prevent abuse of such commissaries and the sale or resale of such goods to persons other than members of the United Nations peace-keeping operation, and he shall give sympathetic consideration to observations or requests of the Government concerning the operation **of** the commissaries;

(c) To clear **ex** customs and excise warehouse, free of duty or other restrictions, equipment, provisions, supplies and other goods which are **for** the exclusive and official use of the United Nations peace-keeping operation or for resale in the commissaries provided for above;

(d) To re-export or otherwise dispose of such equipment, as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared **ex** customs and excise warehouse which are not transferred, **or** otherwise disposed of, on terms and conditions to be agreed upon, to the competent local authorities of the [host country/territory] or to an entity nominated by them.

To the end that such importation, clearances, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, **including** documentation, shall be agreed between the United Nations peace-keeping operation and the Government at the earliest possible date.

#### V. FACILITIES FOR THE UNITED NATIONS PEACE-KEEPING OPERATION

##### Premises required for conducting the operational and administrative activities of the United Nations peace-keeping operation and for accommodating members of the peace-keeping operation

16. The Government of [host country] shall provide without cost to the United Nations peace-keeping operation and in agreement with the Special Representative/Commander such **areas for** headquarters, camps or other premises as may **be** necessary for the conduct **of** the operational and administrative activities of the United Nations peace-keeping operation and for the accommodation of the members of the United Nations peace-keeping operation. Without prejudice to the fact that all such premises remain [host country] territory, they shall be inviolable and **subject** to the exclusive control and authority **of** the United Nations. Where United Nations troops are co-located with military personnel of the host country, **a** permanent, direct and immediate access by the United Nations peace-keeping operation to those premises shall be guaranteed.

17. The Government undertakes to assist the United Nations peace-keeping operation as far as possible in obtaining and making available, where applicable, water, electricity and other facilities free of charge, or, where this is not possible, at the **most** favourable rate, and in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to **the needs** of the United Nations peace-keeping operation as to essential **government** services. Where such utilities or facilities are not provided free of **charge**, payment shall be made by the United Nations peace-keeping operation on

terms to be agreed with the **competent** authority. The United Nations peace-keeping operation shall be responsible for the maintenance and upkeep **of** facilities **so** provided,

18. The United Nations peace-keeping operation shall have the right, where necessary, to generate, within its premises, electricity for its use and to transmit and distribute such electricity.

19. The United Nations alone **may** consent to the entry of any government officials or of any other person not member of the **United** Nations peace-keeping operation to such premises.

#### **Provisions, supplies and services, and sanitary arrangements**

20. The Government undertakes to assist the United Nations peace-keeping operation as far as possible in obtaining equipment, provisions, supplies and other goods and services from local sources required for its subsistence and operations. In making purchases on the local market, the United Nations peace-keeping operation shall, **on** the basis of observations made and information provided by the Government in **that** respect, avoid any adverse effect on the **local** economy. The Government shall exempt the United Nations peace-keeping operation from general sales taxes in respect of all official local purchases.

21. The United Nations peace-keeping operation and the Government shall co-operate with respect to sanitary services and shall extend **to** each other the fullest co-operation in matters concerning health, particularly with respect **to** the control of communicable diseases, in accordance with international conventions.

#### **Recruitment of local personnel**

22. The United Nations peace-keeping operation **may** recruit locally such personnel as it requires. Upon the request of the Special Representative/Commander, the Government undertakes to facilitate the recruitment **of** qualified local staff by the United Nations peace-keeping operation and to accelerate the process **of** such recruitment.

#### **Currency**

23. The Government undertakes to make available to the United Nations peace-keeping operation, against reimbursement **in** mutually acceptable currency, [local] currency required for the use of the United Nations peace-keeping **operation**, including the pay of its members, at the rate **of** exchange **most** favourable to the United Nations peace-keeping operation.

VI. STATUS OF THE MEMBERS OF THE UNITED NATIONS PEACE-KEEPING  
OPERATION

**Privileges and immunities**

24. The Special Representative, the Commander of the military component of the United Nations peace-keeping operation, the head of the United Nations civilian police, and such high-ranking members of the Special Representative/Commander's staff as **may be** agreed upon with the Government shall have the status specified in sections 19 and 27 **of** the Convention, provided that the privileges and immunities therein referred **to** shall be those accorded to diplomatic envoys by [national or international] law.

25. Members **of** the United Nations Secretariat assigned to the civilian component to serve with the United Nations peace-keeping operation remain officials of the United Nations entitled to the privileges and immunities **of** articles V and VII of the Convention.

26. Military **observers**, United Nations civilian police and civilian personnel other than United Nations officials whose names are for the purpose notified to the Government **by** the Special Representative/Commander shall be considered as experts on mission within the meaning of article VI of the Convention.

27. Military personnel of national **contingents** assigned to the military component **of** the United Nations peace-keeping operation shall have the privileges and immunities specifically provided for in the present Agreement.

28. Unless otherwise specified in the present Agreement, locally recruited members of the United Nations peace-keeping operation shall enjoy the immunities concerning official acts and exemption from taxation and national service obligations provided for in sections 18 (a), **(b)** and **(c)** of the Convention.

29. **Members** of the United Nations peace-keeping operation shall be exempt **from** taxation on the pay and emoluments received from the United Nations or from a participating State and any income received from outside [host country/territory]. They shall also be exempt from all other direct taxes, except municipal rates for services enjoyed, and from all registration fees and charges.

30. **Members** of the United Nations peace-keeping operation shall have the right to import free of duty their personal effects in connection with **th· ir** arrival in [host country/territory]. They shall be subject to the laws and regulations of [host country/territory] governing customs and foreign exchange with respect to personal property not required by them **by** reason of their presence in [host country/territory] with the United Nations peace-keeping operation. Special facilities will be granted **by** the Government for the speedy processing of entry and exit formalities **for** all members of **the** United Nations peace-keeping operation, including the military component, upon prior written **notification.** On departure from [host country/territory], members of the United Nations peace-keeping operation **may**, notwithstanding the above-mentioned exchange regulations, take with them such funds as the Special Representative/Commander certifies were received in



pay and emoluments from the United Nations or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the **implementation** of the present provisions in the interests of the Government and the members of the United Nations peace-keeping operation.

31. The Special Representative/Commander shall co-operate with the Government and shall render **all** assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of [host country/territory] by the members of the United Nations peace-keeping operation, in accordance with the present **Agreement**.

### **Entry, residence and departure**

32. The Special Representative/Commander and **members of** the United Nations **peace-keeping** operation shall, whenever so required by the Special Representative/Commander, have the right to enter into, reside in and depart from [host country/territory].

33. The Government of [host country/territory] undertake to facilitate the entry into and departure from [host country/territory] of the Special Representative/Commander and members of the United Nations peace-keeping operation and shall be kept informed of such movement. **For that purpose**, the Special Representative/Commander and members **of** the United Nations peace-keeping operation shall be exempt from passport and visa regulations and immigration inspection and restrictions on entering into or departing **from** [host country/territory]. They shall also be exempt from any regulations governing the residence of aliens in [host country/territory], including registration, but shall not be considered as acquiring any right to permanent residence or domicile in [host country/territory].

34. For the purpose of **such** entry or departure, members **of** the United Nations peace-keeping operation **shall** only be required to have: (a) an individual or collective movement order issued by or under the authority of the Special Representative/Commander or any appropriate authority of a **participating State**; and (b) a personal identity card **issued** in accordance with paragraph 35 of the **present** Agreement, except in the case of first entry, when the personal identity card issued by the appropriate authorities **of** a participating State shall be accepted in lieu of the said identity card.

### **Identification**

35. The Special Representative/Commander shall issue to each member of the United Nations peace-keeping operation before or as soon as possible after such member's first entry into [host country/territory], as well as to all locally recruited personnel, a numbered identity card, **which** shall **show** full name, date of birth, title or rank, **service** (if appropriate) and photograph. Except as provided for in paragraph 34 of the **present** Agreement, such identity-card shall be the only **document** required of a member of the United Nations peace-keeping operation.

36. Member8 **of** the United **Nations** peace-keeping operation as well as locally recruited personnel **shall** be required to present, but not to surrender, their [United Nation8 peace-keeping operation] identity card8 upon **demand** of an appropriate official of the Government.

#### Uniform and arms

37. Military member8 and the United **Nations** civilian police of the United Nations peace-keeping operation shall wear, while performing official duties, the national military **or** police uniform of their respective States with standard United Nations accoutrements. United **Nations** Security Officer8 and Field Service Officers may wear the United Nations uniform. The wearing **of** civilian dress by the above-mentioned **members** of the United Nations peace-keeping operation **may** be authoriaed by the Special Representative/Commander at other **times**. Military member8 and civilian police of the United Nations peace-keeping operation and United **Nations** Security Officers designated by the Special Representative/Commander may **possess** and carry **arms** while on duty in accordance with their orders.

#### Permits and licences

38. The Government agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative/Commander for the operation by any member of the United Nations peace-keeping operation, including locally recruited personnel, **of** any [United Nations peace-keeping operation] transport or communication equipment and for the practice of any profession or occupation in connection with the functioning of the United Nations peace-keeping operation, provided that no licence to drive a vehicle or pilot an aircraft Shall be issued to any person who **is** not already in possession of an appropriate and valid licence.

39. Without prejudice to the provisions **of** paragraph 37, the Government further agrees to accept as valid, without tax or fee, a permit or **licence issued by** the Special **Representative/Commander** to a member of the United Nations peace-keeping operation for the carrying or use of **firearms or** ammunition in connection with the functioning **of** the United Nations peace-keeping operation.

#### Military police, arrest and transfer of custody, and mutual assistance

40. The Special Representative shall take all appropriate measures to ensure **the** maintenance of discipline and good order among members of the United Nations peace-keeping operation, as well as locally recruited personnel. To this end personnel designated by the Special Representative/Commander shall police the premise8 of the United Nations peace-keeping operation and such areas where its members are deployed. Elsewhere such personnel **shall** be employed only subject to arrangements with the Government and in liaison with it in so far as such employment is necessary to maintain discipline and order among mombers of the United Nation8 peace-keeping operation.

41. The military police of the United Nations peace-keeping operation shall have the power of arrest over the military **members** of the United Nations peace-keeping operation. Military personnel placed under arrest outside their own contingent

areas shall be transferred to their contingent Commander **for** appropriate disciplinary action. The personnel mentioned in paragraph 40 above **may take** into custody any other person on the premises of the United Nations peace-keeping operation. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.

42. Subject to the provisions of paragraphs 24 and 26, officials of the Government may take into custody any member of the United Nations peace-keeping operation;

(a) When so requested **by the Special Representative/Commander;** or

(b) When such a member **of** the United Nations peace-keeping operation is apprehended in **the** commission or attempted commission **of a** criminal offence. Such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative **of** the United Nations peace-keeping operation, whereafter the provisions of paragraph 47 shall apply **mutatis mutandis**.

43. When a person is taken into custody under paragraph 41 or paragraph 42 (b), the United Nations peace-keeping operation or the Government, as the case **may be**, **may** make a preliminary interrogation but **may not** delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation.

44. The United Nations peace-keeping operation and the Government shall assist each other in carrying out all **necessary** investigations into offences in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including **the** seizure of and, if appropriate, the handing over of items connected with an offence. The handing over of any such items **may be** made subject to **their** return within the terms specified by the authority delivering them. Each shall **notify** the other of the **disposition** of any case in the **outcome** of which the other **may** have an interest or in which there has been a transfer of custody under the provisions of paragraphs 41-43.

45. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to the United Nations peace-keeping operation or its members **which**, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

### **Jurisdiction**

46. All members of the United Nations peace-keeping operation including locally recruited personnel shall be **immune from** legal process in respect of words spoken or written and all acts performed **by them** in their official capacity. Such immunity shall continue even after they cease to be **members** of or employed by the United Nations peace-keeping operation and after **the** expiration of the other provisions of the present Agreement.

47. Should ~~the Government~~ consider that any member of the United Nations peace-keeping operation has **committed** a criminal offence, it shall promptly inform the Special Representative/Commander and present to him any evidence available to it. Subject to the provisions of paragraph 24:

(a) If the accused person is a member of the civilian component or a civilian member of ~~the~~ military component, the Special Representative/Commander shall conduct any necessary supplementary inquiry and then agree with the Government whether or not **criminal** proceedings should be instituted. Failing such agreement, the question shall be resolved as provided in paragraph 53 of the present Agreement.

(b) Military members of the military component of the United Nations peace-keeping operation shall be subject to the exclusive jurisdiction of their **respective** participating States in respect of any criminal offences which may be committed by them in [host country/territory].

48. The Secretary-General of the United Nations will obtain assurances from Governments of participating States that they will be prepared to exercise jurisdiction with respect to crimes or offences which may be committed by members of their national contingents serving with the peace-keeping operation. **h/**

49. If any civil proceeding is **instituted** against a member of the United Nations peace-keeping operation before any court of [host country/territory], the Special **Representative/Commander** shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties ~~of~~ such member: ,

(a) If the Special Representative/Commander certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions ~~of~~ paragraph 51 of the present Agreement shall **apply**.

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. If the Special Representative/Commander certifies that a member of the United Nations peace-keeping operation is unable because of official duties or authorised absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property ~~of~~ a member of the United Nations peace-keeping operation that is certified by ~~the~~ Special **Representative/Commander** to be needed by the defendant for the fulfilment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order. The personal liberty ~~of~~ a member of the United Nations peace-keeping operation shall no be restricted in a

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**h/** This provision has been inserted in the model agreement in order that all issues pertaining to this section be covered. Upon conclusion of a specific agreement, the provision in question could instead be inserted in a memorandum of understanding where further clarifications on the **terms** of an agreement are usually provided.

civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

#### Deceased members

50. The Special Representative/Commander shall have the right to take charge of and dispose of the body of a member of the United Nations peace-keeping operation who dies in [host country/territory], as well as that member's personal property located within [host country/territory], in accordance with United Nations procedures.

### VII. SETTLEMENT OF DISPUTES

51. Except as provided in paragraph 53, any dispute or claim of a private law character to which the United Nations peace-keeping operation or any member thereof is a party and over which the courts of [host country/territory] do not have jurisdiction because of any provision of the present Agreement, shall be settled by a standing claims commission to be established for that purpose. One member of the commission shall be appointed by the Secretary-General of the United Nations, one member by the Government and a chairman jointly by the Secretary-General and the Government. If no agreement as to the chairman is reached within thirty days of the appointment of the first member of the commission, the President of the International Court of Justice may, at the request of either the Secretary-General of the United Nations or the Government, appoint the chairman. Any vacancy on the commission shall be filled by the same method prescribed for the original appointment, provided that the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decision<sup>3</sup> shall require the approval of any two members. The awards of the commission shall be final and binding, unless the Secretary-General of the United Nations and the Government permit an appeal to a tribunal established in accordance with paragraph 53. The awards of the commission shall be notified to the parties and, if against a member of the United Nations peace-keeping operation, the Special Representative/Commander or the Secretary-General of the United Nations shall use his best endeavours to ensure compliance.

52. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the Special Representative/Commander.

53. Any other dispute between the United Nations peace-keeping operation and the Government, and any appeal that both of them agree to allow from the award of the claims commission established pursuant to paragraph 51 shall, unless otherwise agreed by the parties, be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the claims commission shall apply, *mutatis mutandis*, to the establishment and procedures of the tribunal. The decisions of the tribunal shall be final and binding on both parties.

54. All differences between the **United Nations** and the Government of [host **country/territory**] arising out of the interpretation or application of the present arrangements which involve a question of principle concerning the Convention shall be **dealt** with in accordance with the procedure **of** section 30 of the Convention. **i/**

#### VIII. SUPPLEMENTAL ARRANGEMENTS

55. The Special Representative/Commander and the Government **may** conclude supplemental arrangements to the present Agreement.

#### IX. LIAISON

56. The Special Representative/Commander and the Government shall take appropriate measures to ensure close **and** reciprocal liaison at every appropriate level.

#### X. MISCELLANEOUS PROVISIONS

57. **Wherever** the present **Agreement** refers to the privileges, immunities and rights of the United Nations peace-keeping operation and to the facilities the [host country/territory] undertakes to provide to the United Nations peace-keeping operation, the Government shall have the ultimate responsibility for the implementation and fulfilment of such privileges, immunities, rights and facilities by the appropriate local [host country/territory] authorities.

58. The present **Agreement** is concluded for the sole purpose of assisting in the implementation **of Security Council/General Assembly** resolution [number and **date** of resolution] and has no bearing upon **the** respective positions of **the** parties concerning the status of [territory]. **j/**

59. The present Agreement shall enter into force on . . .

60. The present Agreement shall remain in force until the departure of the final element of the United Nations peace-keeping operation from [host country/territory] except that:

(a) The provisions **of** paragraphs 46 **and** 53 [and **54**] **k/** shall remain in force.

**i/** In case the other party to the present Agreement is a party to the Convention.

**j/** The insertion of this provision in an agreement is **subject** to its relevancy.

**k/** See footnote **i**.

(b) The provisions of paragraph 51 shall remain in force until all claims have been settled that arose prior to the termination of the present Agreement and were submitted prior to or within three months of such termination.

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