

AGREEMENT

**BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF LITHUANIA**

AND

THE WORLD HEALTH ORGANIZATION

on the organization in Vilnius, the Republic of Lithuania of the
sixty-fifth Session of the WHO Regional Committee for Europe
14-17 September 2015

The Government of the Republic of Lithuania (hereinafter referred to as “the Government”) and

The World Health Organization (hereinafter referred to as “the Organization”),

Desiring to give effect to the invitation of the Republic of Lithuania to hold the sixty-fifth session of the Regional Committee for Europe of the World Health Organization in Vilnius, from 14-17 September 2015 and the resolutions adopted at the sixty-third and sixty-fourth session of the Regional Committee.

Desiring to conclude an agreement for the purpose of determining the facilities and services and the legal status afforded to the Organization on the occasion of the holding of the sixty-fifth session of the Regional Committee for Europe (hereinafter referred to as “the Session”),

HAVE AGREED AS FOLLOWS:

ARTICLE I: Obligations of the Organization and of the Government

The Organization shall make available at its own expense for the Session the personnel necessary for the effective functioning of the Session.

The Government shall provide the local facilities and bear the expenses directly attributable to the holding of the Session in Vilnius, except for those which would normally be borne by the Organization if the Session was held at the WHO Regional Office for Europe, as specified in the subsequent Articles and in the attached Annexes I, II and III which constitute an integral part of this Agreement.

ARTICLE II: Facilities, Services, Premises and Equipment

1. The Government shall make available to the Organization, free of charge, for the duration of the Session such personnel, meeting and office premises, fixtures, furniture, equipment and supplies as are required by the Organization and specified in the enclosed Annexes II and III. The Session is understood to include associated meetings held within the timeframe given for availability of rooms as given in Annex II (e.g. meetings of the Standing Committee of the Regional Committee, briefing meetings with groups of Member States, press conferences etc).

2. The Government shall also provide, free of charge, suitably equipped offices for those officials of the Organization whose presence in the Republic of Lithuania, both before the opening of the Session and until the end of the day indicated in Annex II, is required by the Organization for the effective functioning of the Session.

3. The Government in accordance with the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies will allow the temporary importation, tax-free and duty-free, of all necessary equipment, including technical equipment of accompanying representatives of the information media, and will waive import duties and taxes on supplies necessary for the Session. It will issue without delay any necessary import and export permits for this purpose.
4. The Government shall make arrangements to provide a programme for accompanying persons, social events, and official events outside the core programme of work of the Regional Committee.
5. The Government shall provide information for the Guide for Participants as early as possible in advance of the Session.

ARTICLE III: Accommodation

1. The Government shall take the necessary steps to reserve accommodation in hotels for representatives, alternates and advisers of Members of the Region, members of the WHO Secretariat, as well as the persons accompanying them.
2. The WHO Regional Office shall inform the Government of hotel accommodation requirements in good time; firm reservations will be confirmed by the deadline agreed upon between the Organization and the Government.

ARTICLE IV: Transport

1. The Government shall take the necessary steps to facilitate the arrival in the Republic of Lithuania and the departure from the Republic of Lithuania of all persons who are participating in an official capacity in the work of the Session and their accompanying persons.
2. The Government shall take the necessary steps so that a special reception desk at the Vilnius International Airport be set up in order to meet representatives, alternates and advisers of Members of the Region, officials of the Organization and other persons referred to in Article VIII.1 of this Agreement upon arrival and arrange transportation to their hotels as well as back to the airport on departure.
3. The Government shall make available to the Organization, free of charge, the vehicles necessary for local transportation of equipment, materials and documents required in connection with the Session. The Government shall be responsible for all expenses connected with such transport, such as the provision of petrol and servicing of vehicles.

4. The Government shall also make available to the Organization, free of charge, a special transport service between the official premises of the Session and the hotels where representatives, alternates and advisers of Members of the Region and members of the Secretariat will be accommodated. The timetable of this service will be established in consultation with the Organization

ARTICLE V: Communications

The Government shall take the necessary measures to provide all facilities required for the effective functioning of the Session as indicated in Annex II and shall meet the cost of communications made by the Organization, including communications sent by it for the purposes of the Session and containing matter intended for publication by the press or broadcasting.

ARTICLE VI: Legal Status

For the purposes of this Agreement, the Government shall apply the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies adopted on 21 November 1947 to which the Republic of Lithuania is a party, (with any reservation made by the Republic of Lithuania to the said Convention), and Annex VII adopted on 17 July 1948 thereof (hereinafter referred to as "the Convention"), as well as the provisions set forth in the following Articles.

ARTICLE VII: Inviolability and Protection of the Premises Placed at the Disposal of the Organization

1. The premises placed at the disposal of the Organization in connection with the Session shall, throughout the period they are being used by the Organization, be considered as the premises of the Organization and shall thereby enjoy the benefits of inviolability referred to in Section 5 of Article III of the Convention.

2. The premises of the Organization shall be placed under the control and authority of the Organization which shall have the exclusive right to authorize or prohibit entry thereto of any person and may also cause any person to be removed therefrom.

3. The Government shall take appropriate measures to ensure that the premises of the Organization are not disturbed by the entry of unauthorized persons or groups of persons, by disorder or by any unreasonable noise in the immediate vicinity thereof. To this end, the Government shall, as necessary, station police officers outside the premises of the Organization and take any other measure deemed by it to be necessary.

4. At the request of the Regional Director, the Government shall provide the necessary police officers to give assistance for maintaining order, if the need arises, within the premises of the Organization, and to expel any person who may disturb it and to provide general security services within the premises.

5. Intellectual property – material (recordings, minutes, reports, documents, etc.) to remain the legal property of the Organization.

ARTICLE VIII: Right to Enter and to Remain in the Republic of Lithuania and Legal Status of Participants in the Session

1. The competent authorities of the Republic of Lithuania shall in a timely fashion deal with the applications of visas, when required, of the following persons:

- a) Representatives, alternates and advisers of Members of the Region as well as observers of other States invited by the Organization to attend the session in accordance with established practice, who shall, while attending the Session, enjoy the privileges and immunities provided for in Article V of the Convention;
- b) Officials of the Organization, who shall, while acting in their official capacity in connection with the Session, enjoy the privileges and immunities provided for in Article VI of the Convention;
- c) Experts (other than officials) performing missions for the Organization, who shall, while acting in their official capacity in connection with the Session, enjoy the privileges and immunities provided for in Paragraph 2 of Annex VII to the Convention;
- d) Representatives of the United Nations and of the specialized agencies, and of international governmental and nongovernmental organizations with which, in accordance with Articles 69 to 71 of the WHO Constitution, the Organization has entered into relationships, and which are participating in the session, who shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. This provision is without prejudice to the privileges and immunities that the Republic of Lithuania may have to apply to representatives of the United Nations, the specialized agencies and the international governmental organizations referred to above in compliance with relevant international agreements;
- e) Any other persons invited by the Organization to attend the Session in an official capacity, who shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- f) Persons accompanying the persons referred to in sub-paragraphs a) to e) of paragraph 1 of the present Article.

2. An exhaustive list of the names of the persons referred to in paragraph 1. above and of the country and the Organization which they represent shall be forwarded by the Organization to the Government prior to the commencement of the Session.

3. Without prejudice to the special immunities which they might otherwise enjoy, the persons referred to under Articles V and VI of the Convention, and Paragraph 2

of Annex VII to this Convention, and under d)-e) of Paragraph 1. above, shall not throughout the duration of their functions or mission, including the time required by travel on the territory of the Republic of Lithuania, be subject to any measure of arrest or expulsion, for the conduct in the exercise of their function or mission.

ARTICLE IX: Foreign Exchange

Without prejudice to the provisions of Section 7 of Article III of the Convention, the Organization, may, by means of a bank account in the name of the Organization, transfer funds to the Republic of Lithuania for the purposes of the Session in the quantities required to cover the expenses of the Organization in the Republic of Lithuania and, at the end of the Session, transfer out of any such bank account or accounts established in the Republic of Lithuania, any balance of funds of the Organization not utilized in the course of the Session.

ARTICLE X: Liability

The Government shall hold harmless the Organization and its officials and shall be responsible for dealing with any action, claim or other demand against the Organization or its officials resulting from activities covered by this Agreement, except where such action, claim or demand arise from gross negligence or willful misconduct of the officials of the Organization.

ARTICLE XI: Intellectual Property

The Government assigns full copyright in any work created by it for the purposes of the Regional Committee to WHO, including any photography taken or recordings made. The Government shall further ensure that any author hired by it shall transfer copyright to it in order to fulfill its obligation under this clause, by inserting a clause to that effect in subsequent contracts.

ARTICLE XII: Settlement of Disputes

Any dispute regarding the interpretation or application of this Agreement shall be resolved through consultations or negotiations between the Government and the Organization.

ARTICLE XIII: Final Provisions

The Government and the Organization may agree, in writing, to amend this Agreement.

This Agreement shall enter into force on the date of its signature by the Government and the Organization and shall remain in force until the Government and the Organization have fulfilled all obligations arising from it. Whether these obligations shall be regarded as fulfilled shall be determined in consultation between the Government and the Organization.

IN WITNESS THEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

Done in Geneva on 19 May 2015 in two original copies in the English language

For the Government
of the Republic of Lithuania

For the World Health Organization

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Rimantė Šalaševičiūtė
Minister of Health
of the Republic of Lithuania

.....
Zsuzsanna Jakab
Regional Director