

No. 26126

**UNITED NATIONS
and
ISLAMIC REPUBLIC OF IRAN**

**Exchange of letters constituting an agreement establishing
the United Nations Iran-Iraq Military Observer Group
(UNIIMOG). New York, 19 August 1988, and Tehran,
28 March 1989**

Authentic texts: English and Persian.

Registered ex officio on 20 August 1988.

**ORGANISATION DES NATIONS UNIES
et
RÉPUBLIQUE ISLAMIQUE D'IRAN**

**Échange de lettres constituant un accord instituant le
Groupe d'observateurs militaires irano-iraquiens des
Nations Unies (UNIIMOG). New York, 19 août 1988, et
Téhéran, 28 mars 1989**

Textes authentiques : anglais et persan.

Enregistré d'office le 20 août 1988.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED NATIONS AND THE ISLAMIC RE-
PUBLIC OF IRAN ESTABLISHING THE UNITED NATIONS
IRAN-IRAQ MILITARY OBSERVER GROUP (UNIIMOG).

I

THE SECRETARY-GENERAL

19 August 1988

Sir,

I have the honour to refer to Resolution 619 (1988) of 9 August 1988² by which the United Nations Security Council requested the Secretary-General to establish the United Nations Iran-Iraq Military Observer Group (hereinafter referred to as "UNIIMOG") along the Iran-Iraq border as defined by him in his report and statements to the Security Council.

In order to facilitate the fulfilment of UNIIMOG'S purposes, I propose that your Government, in implementation of its obligations under Article 105 of the Charter of the United Nations, extend to UNIIMOG, its property and assets the status, privileges and immunities provided in the Convention on the Privileges and Immunities of the United Nations³ to which Iran acceded on 8 May 1947. Furthermore, in view of the special importance and difficult nature of the functions which UNIIMOG will perform, I would propose that your Government extend to the Chief Military Observer the privileges and immunities, exemptions and facilities which are enjoyed by diplomatic envoys in accordance with international law, and extend to the military personnel serving under the Chief Military Observer the same privileges and immunities accorded to experts performing missions for the United Nations under Article VI of the Convention.

The privileges and immunities necessary for the fulfilment of the functions of UNIIMOG also include freedom of entry and exit without delay or hindrance, of property, supplies, equipment and spare parts; freedom of movement on land, sea and in the air of personnel, equipment and means of transport; the acceptance of United Nations registration of means of transport (on land, sea and in the air) and the United Nations licensing of the operators thereof; the right to fly the United Nations flag on premises, observation posts, vehicles, aircraft and vessels; and the right of unrestricted communication by radio or by satellite, within the area of operations and to connect with the United Nations radio and satellite network, as well as by telephone, telegraph or other means.

It is understood that the Government of Iran shall provide at its own expense, in agreement with the Chief Military Observer, all such premises as may be necessary for the accommodation and fulfilment of the functions of UNIIMOG,

¹ Came into force on 20 August 1988, in accordance with the provisions of the said letters.

² United Nations, *Official Records of the Security Council, Forty-third year, Resolutions and Decisions of the Security Council 1988 (S/INF/44)*, p. 11.

³ United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

including office space and areas for observation posts and field centres. All such premises shall be inviolable and subject to the exclusive control and authority of the Chief Military Observer. Without prejudice to the use by the United Nations of its own means of transport and communication, it is understood that your Government shall, upon the request of the Chief Military Observer, provide any necessary means of transport and communication.

If these proposals meet with [your] approval, I would suggest that this letter and your reply should constitute an agreement between the United Nations and Iran to take effect as of 0300 GMT on 20 August 1988.

Accept, Sir, the assurances of my highest consideration.

[Signed]

JAVIER PÉREZ DE CUÉLLAR

His Excellency Dr. Ali Akbar Velayati
Minister for Foreign Affairs
of the Islamic Republic of Iran
Tehran

[TRANSLATION — TRADUCTION]

ISLAMIC REPUBLIC OF IRAN
MINISTER FOR FOREIGN AFFAIRS

IN THE NAME OF GOD, THE COMPASSIONATE, THE MERCIFUL

Date: 68,1,8
(28/3/89)

No. 598/300-1/854

Your Excellency,

With reference to the letter of 19 August 1988 (corresponding to 28 Mordad 1367) and with regard to Article 105 of the United Nations Charter, and also in accordance with the provisions of the Security Council Resolution 619, it is hereby agreed to grant on temporary basis to UNIIMOG the privileges and immunities as stipulated in the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly on 13 February 1946, which Iran acceded on 8 May 1947, and the aims of which have been explained in Clauses 22 and 23 of Article 6 of the aforesaid Convention.

It is evident that conclusion of the Final Agreement is conditional on the implementation of the provisions of the Security Council Resolution 598¹ and the implementation plan of the Secretary-General concerning the withdrawal of the Iraqi forces to the internationally recognized boundaries, determined by the Treaty concerning the State Frontier and Neighbourly Relations between Iran and Iraq and annexes thereof of 13 June 1975.²

Undoubtedly, the UNIIMOG forces will observe the codes and norms of the Islamic society of Iran.

[Signed]

Dr. ALI AKBAR VELAYATI
Minister for Foreign Affairs
of the Islamic Republic of IranHis Excellency Mr. Javier Pérez de Cuéllar
The Secretary-General of the United Nations Organization

¹ United Nations, *Official Records of the Security Council, Forty-second year, Resolutions and Decisions of the Security Council 1987 (S/INF/43)*, p. 5.

² United Nations, *Treaty Series*, vol. 1017, p. 54.