

ACORD

încheiat prin schimb de scrisori, dintre Guvernul Republicii Moldova și Oficiul Națiunilor Unite pentru Servicii de Proiecte (UNOPS) privind aplicarea *mutatis mutandis* a Acordului dintre Guvernul Republicii Moldova și Programul Națiunilor Unite pentru Dezvoltare (PNUD), încheiat la 2 octombrie 1992 și amendat la 2 iulie 1997, față de Oficiul Națiunilor Unite pentru Servicii de Proiecte și membrii săi în Republica Moldova



Chișinău, 7 septembrie 2023

**COPIE CERTIFICATĂ
TEXT ÎN LIMBA ENGLEZĂ**





Copenhagen, 8 December 2022

His Excellency Mr. Nicolae Popescu
Deputy Prime Minister, Minister of Foreign Affairs
and European Integration of the Republic of Moldova

Excellency,

I have the honour to refer to the proposed establishment of an Office of the United Nations Office for Project Services (UNOPS) in the Republic of Moldova. It is to be recalled that by General Assembly decision 48/501, UNOPS was established as a subsidiary organ of the United Nations to provide, *inter alia*, sustainable project, procurement and infrastructure management services for the benefit of the member countries of the United Nations.

I also have the honour to refer to the Standard Basic Assistance Agreement (SBAA) between the Government of the Republic of Moldova and the United Nations Development Programme (UNDP), concluded on 2 October 1992 (the "Agreement"), and propose that the terms of the Agreement apply, *mutatis mutandis*, to UNOPS as well as its personnel, activities, property, funds and assets.

Moreover, I have the honour to propose that in applying the Agreement, *mutatis mutandis*:

- I. The Government shall grant all persons performing services (as that term is defined in the Agreement) on behalf of UNOPS the same privileges and immunities as officials of the United Nations;
- II. The Government confirms that the treatment afforded to UNOPS shall be equal and the same as afforded to any accredited diplomatic mission or international organization in the Republic of Moldova; and
- III. The Government shall provide to UNOPS and its personnel, throughout the Republic of Moldova, such security as is required for the effective performance of its activities. To this end, the appropriate authorities of the Republic of Moldova shall ensure the security and protection of the premises and personnel, and exercise due diligence to ensure that the tranquility of the premises is not disturbed by the unauthorized entry

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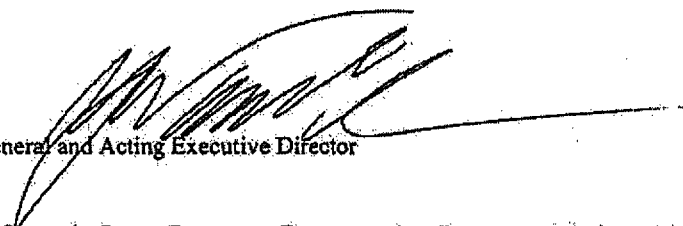


of persons or groups of persons from outside or by disturbances in its immediate vicinity.

I propose that, upon receipt of your confirmation in writing of the above, this Exchange of Letters shall constitute an Agreement between the United Nations and the Government of the Republic of Moldova which shall enter into force on the date of your reply, regulating matters relating to, and arising out of, the establishment and proper functioning of the UNOPS Office in the Republic of Moldova.

Please accept, Excellency, the assurances of my highest consideration.

Jens Wandel
Under-Secretary-General and Acting Executive Director

A large, stylized handwritten signature in black ink, appearing to read "Jens Wandel", is written over the name and title.

Cc:

His Excellency Mr. Gheorghe Leuca, Permanent Representative, Permanent Mission of the Republic of Moldova to the United Nations

Ms. Natalia Vremea, Chargé d'Affaires, Embassy of the Republic of Moldova to the Kingdom of Netherlands and the Kingdom of Denmark

Mr. Simon Springett, UN Resident Coordinator, United Nations Republic of Moldova

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MINISTRY OF FOREIGN AFFAIRS
AND EUROPEAN INTEGRATION
OF THE REPUBLIC OF MOLDOVA

*Deputy Prime Minister,
Minister*

Chisinau, September 7th, 2023

Dear Mr. Jorge Moreira da Silva,

I have the honor to confirm the receipt of the letter dated 8 December 2022 which provides the following:

" Excellency,

I have the honour to refer to the proposed establishment of an Office of the United Nations Office for Project Services (UNOPS) in the Republic of Moldova. It is to be recalled that by General Assembly decision 48/501, UNOPS was established as a subsidiary organ of the United Nations to provide, *inter alia*, sustainable project, procurement and infrastructure management services for the benefit of the member countries of the United Nations.

I also have the honour to refer to the Standard Basic Assistance Agreement (SBAA) between the Government of the Republic of Moldova and the United Nations Development Programme (UNDP), concluded on 2 October 1992 (the "Agreement"), and propose that the terms of the Agreement apply, *mutatis mutandis*, to UNOPS as well as its personnel, activities, property, funds and assets.

Moreover, I have the honour to propose that in applying the Agreement, *mutatis mutandis*:

- I. The Government shall grant all persons performing services (as that term is defined in the Agreement) on behalf of UNOPS the same privileges and immunities as officials of the United Nations;
- II. The Government confirms that the treatment afforded to UNOPS shall be equal and the same as afforded to any accredited diplomatic mission or international organization in the Republic of Moldova; and
- III. The Government shall provide to UNOPS and its personnel, throughout the Republic of Moldova, such security as is required for the effective performance of its activities. To this end, the appropriate authorities of the Republic of Moldova shall ensure the security and protection of the premises and personnel, and exercise due diligence to ensure that the tranquility of the premises is not disturbed by the

unauthorized entry of persons or groups of persons from outside or by disturbances in its immediate vicinity.

I propose that, upon receipt of your confirmation in writing of the above, this Exchange of Letters shall constitute an Agreement between the United Nations and the Government of the Republic of Moldova which shall enter into force on the date of your reply, regulating matters relating to, and arising out of, the establishment and proper functioning of the UNOPS Office in the Republic of Moldova.

Please accept, Excellency, the assurances of my highest consideration."

On behalf of the Government of the Republic of Moldova, I have further the honor to confirm that your letter, together with this reply letter, will constitute an Agreement concluded by exchange of letters on the application, *mutatis mutandis*, of the Agreement between the Government of the Republic of Moldova and the United Nations Development Programme (UNDP), concluded on 2 October 1992 and amended on 2 July 1997 (SBAA), to the Office of the United Nations Office for Project Services and its members in the Republic Moldova with the exception of Articles V and VI of the UNDP Agreement.

This Agreement shall enter into force on the date of notification by the Ministry of Foreign Affairs and European Integration to the United Nations Office for Project Services about the fulfillment of the internal procedures necessary for its entry into force. Pending the completion of the procedures necessary for its entry into force, this Agreement by exchange of letters shall be applied on a provisional basis as from the date of this letter.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

Sincerely,



Nicu Popescu

Jorge Moreira da Silva
Under-Secretary-General and Executive Director

~~Prezenta~~ confirm că, textul alăturat este o copie autentică a Acordului încheiat prin schimb de scrisori, dintre Guvernul Republicii Moldova și Oficiul Națiunilor Unite pentru Servicii de Proiecte (UNOPS) privind aplicarea *mutatis mutandis* a Acordului dintre Guvernul Republicii Moldova și Programul Națiunilor Unite pentru Dezvoltare (PNUD), încheiat la 2 octombrie 1992 și amendat la 2 iulie 1997, față de Oficiul Națiunilor Unite pentru Servicii de Proiecte și membrii săi în Republica Moldova (Chisinau, 7 septembrie 2023), originalul fiind depozitat la Arhiva Tratatelor a Ministerului Afacerilor Externe și Integrării Europene.



Violeta AGRICI
Șefa Direcției Drept Internațional
a Ministerului Afacerilor Externe și
Integrării Europene