

No. 7

**UNITED NATIONS
and
SWISS CONFEDERATION**

Agreement on the Ariana Site. Signed at Berne, on 11 June 1946, and at New York, on 1 July 1946. Approved by the General Assembly of the United Nations on 14 December 1946

French and English official texts communicated by the Secretary-General of the United Nations. The filing and recording took place on 14 December 1946.

**ORGANISATION DES NATIONS UNIES
et
CONFEDERATION SUISSE**

Convention sur l'Ariana. Signée à Berne, le 11 juin 1946, et à New-York, le 1er juillet 1946. Approuvée par l'Assemblée générale des Nations Unies, le 14 décembre 1946

Textes officiels français et anglais communiqués par le Secrétaire général de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 14 décembre 1946.

No. 7. AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE SWISS CONFEDERATION ON THE ARIANA SITE. SIGNED AT BERNE, ON 11 JUNE 1946 AND AT NEW YORK, ON 1 JULY 1946

The United Nations and the Swiss Confederation, acting for the Canton and Town of Geneva, have agreed to the following provisions:

Article 1

Nothing in the provisions hereinafter set forth shall affect the rights of ownership which now are or may in the future be registered on behalf of the United Nations and the Town of Geneva respectively in regard to the land which is the subject of the present Agreement.

Article 2

(a) The United Nations may erect such buildings as it thinks fit on the plot shown on the annexed plan as No. 2070, sheets 76, 77, 78 and 79 of the Cadastral Survey of the Town of Geneva, Petit-Saconnex district, covering an area of 24 hectares, 89 ares and 52 metres.

These buildings, as well as those already erected, shall be the property of the United Nations, and the land on which they are erected, including the soil surrounding them over a width of 100 metres, shall be subject to a transferable and exclusive real right of user of the surface by the United Nations.

The area over which this right may be exercised shall be extended, on the same conditions and within the limits of Plot 2070, as and when buildings are constructed on it. The right shall be of indefinite duration and shall continue as long as the buildings themselves.

(b) The Town of Geneva shall have rights, identical with those recognized and conferred on the United Nations by the present article with regard to Plot 2070, in the Secheron lands belonging to the United Nations, and shown on the annexed plan as Plots 243, sheet 18, and 244, sheet 19 of the Cadastral Survey of the Town of Geneva, Petit-Saconnex district, covering a total area of 6 hectares, 68 ares and 20 metres.

¹ Came into force 1 July 1946 by signature.

Article 3

(a) The two carriage roads connecting the United Nations buildings with the Avenue de la Paix, on the one hand, and the Place des Nations, on the other hand, shall be considered as accessory to the aforesaid buildings, and the United Nations shall have over the parts of those roads lying within the limits of Plot 2070 a transferable and exclusive real right of user which shall continue in existence as long as the buildings themselves.

Outside Plot 2070, these roads are part of the public domain and shall be maintained as such during such time as the buildings referred to in the present Agreement remain in existence on Plot 2070.

(b) The Town of Geneva may ensure access to buildings erected in virtue of article 2 (b) from the Rue de Lausanne and the Lake by roads of which it shall be free to determine the lay-out.

Article 4

(a) The United Nations shall enjoy a *servitude personnelle* of non-transferable and exclusive user of all the parts of Plot 2070 not covered by the real right conferred on the United Nations under Article 2 (a).

This right of user shall cease if the United Nations ceases to occupy the buildings of which it is the owner.

(b) The Town of Geneva shall enjoy a *servitude personnelle* of non-transferable exclusive and perpetual user of all the parts of Plots 243 and 244 (Sécheron lands) not covered by the real rights referred to in the foregoing articles.

Article 5

The public shall be admitted to the grounds comprised in Plot 2070 covered by the servitude by virtue of which the United Nations has the right of user under article 4 (a), unless it should be necessary to restrict or prohibit public access to these grounds in order to safeguard peaceful working conditions and security.

Article 6

The United Nations may modify the present state of Plot 2070 as it thinks fit or necessary, and in particular may construct new roads and avenues thereon.

Such roads and avenues may debouch on the public highway (Avenue de la Paix).

The Town of Geneva may also modify as it thinks fit or necessary the present state of Plots 243 and 244, which are subject to the rights conferred on the Town of Geneva.

Article 7

The eastern boundary of Plot 2070 is formed by the railway line, which has been moved and sunk into a cutting in order that trains should not be visible from the terrace on which the Palais des Nations has been erected.

Article 8

The United Nations shall bear the cost of all the work and constructions carried out on Plot 2070 in application of the present Agreement.

The Geneva authorities having completed, in accordance with the agreements which were made, the construction of the public ways of access (roads and avenues, bridges, the public square) necessitated by the erection of the Palais des Nations, shall have no further costs to bear.

Article 9

The real property referred to in the present Agreement shall be exempt from all servitudes or charges liable to interfere in any way with the exercise of the rights granted to the United Nations and to the Town of Geneva under the present Agreement.

Article 10

The Town of Geneva undertakes not to erect without the previous consent of the United Nations any buildings other than those already existing in the Botanic Gardens, that is to say on Plot 2098, sheet 84, of the Cadastral Survey of the Town of Geneva, Petit-Saconnex district, situated between the railway line and the Route de Lausanne.

Article 11

Should the United Nations exercise its rights or transfer under article 2 (a) of the present Agreement, the Canton of Geneva shall have preference over any other purchaser, provided the terms offered are the same.

Article 12

The present Agreement shall be interpreted in accordance with the general principles of law.

Article 13

Any disputes which may arise with regard to the execution or interpretation of the present Agreement shall be referred to a Tribunal composed of three arbitrators.

The United Nations and the Swiss Federal Council shall each appoint an arbitrator. The third arbitrator, who will preside over the Tribunal, shall be appointed by the President of the International Court of Justice.

Either party may have recourse to the Tribunal by an application in writing.

The Tribunal shall determine its own procedure.

The awards of the Tribunal shall be final.

Article 14

The powers conferred on the Swiss Confederation by the Canton and Town of Geneva have a permanent character and shall subsist as long as the present Agreement.

Accordingly, the United Nations may at all times approach the Swiss Confederation with a view to the settlement of any questions arising between it and the Geneva authorities in connexion with the present Agreement.

Done and signed at Berne, on 11 June 1946, and at New York, on 1 July 1946, in four copies, two in French and two in English, the texts in both languages being equally authentic.

For the United Nations:

Trygve LIE

For the Swiss Confederation:
The Head of the Federal Political
Department:

MAX PETITPIERRE