

No. 16737

**UNITED NATIONS
(UNITED NATIONS SOCIAL DEFENCE
RESEARCH INSTITUTE)
and
ITALY**

Exchange of letters constituting an agreement concerning the modalities of application to the United Nations Social Defence Research Institute of the Convention on the Privileges and Immunities of the United Nations. Geneva, 18 October 1977, and Rome, 16 November 1977

Authentic text: French.

Registered ex officio on 5 June 1978.

**ORGANISATION DES NATIONS UNIES
(INSTITUT DE RECHERCHE DES NATIONS UNIES
SUR LA DÉFENSE SOCIALE)
et
ITALIE**

Échange de lettres constituant un accord relatif aux modalités d'application à l'Institut de recherche des Nations Unies sur la défense sociale de la Convention sur les privilèges et les immunités des Nations Unies. Genève, 18 octobre 1977, et Rome, 16 novembre 1977

Texte authentique : français.

Enregistré d'office le 5 juin 1978.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED NATIONS AND ITALY CONCERNING THE MODALITIES OF APPLICATION TO THE UNITED NATIONS SOCIAL DEFENCE RESEARCH INSTITUTE OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

I

Geneva, 18 October 1977

Sir,

I have the honour to refer to the Agreement signed at Rome on 15 January 1968² between the Government of the Italian Republic and the United Nations for the establishment and maintenance at Rome of the United Nations Social Defence Research Institute (UNSDRI), to which effect was given in Italy by Act No. 414 of 28 March 1968 and which entered into force when the Parties notified each other that they had carried out the formalities required by their respective legislation or statute.

The Agreement provides that “the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946,³ to which the Italian Republic is a Party, shall be applicable to the Institute.” It further specifies that “supplementary arrangements may, if necessary, be concluded in order to further the purposes of the Institute.”

In reference to the foregoing and also to the consultations that have taken place during the past several months between the representatives of the Italian Government and the representatives of the United Nations with a view to determining the modalities of application to UNSDRI of the Convention on the Privileges and Immunities of the United Nations, I have the honour to propose the following provisions:

1. (a) UNSDRI shall be exempt from all customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported for its official use, including an automobile for the official use of the Institute and its spare parts. Motor fuel and lubricants intended for the official use of the Institute, as limited by a quota established by mutual agreement between the Italian Finance Administration and UNSDRI, shall be exempt from import duties and production taxes.

(b) Goods imported free of duties, taxes and fees in accordance with the preceding paragraph may not be transferred to third parties, either for payment or free of charge, or be used for other purposes, without the prior authorization of the competent authorities and unless the applicable duties, taxes or fees are paid. In such a case, the duties,

¹ Came into force on 5 June 1978, the date when the Parties had notified each other of the fulfilment of their respective legal or statutory procedures, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 635, p. 11.

³ *Ibid.*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

taxes and fees will be calculated on the basis of the value and the rates in force at the time of the transfer.

2. (a) Staff members of UNSDRI, or officials seconded for service with UNSDRI for a period of not less than one year who are not Italian nationals or residents of Italy at the time they assume their functions at the Institute, shall be accorded the right to import free of customs duties and all other taxes and fees and without restrictions their furniture and personal effects, including an automobile, in one or several shipments, from the country of which they are nationals or from their last country of residence, at the time of first taking up their posts and in the course of the first year.

(b) The officials mentioned in paragraph (a) of this article shall have the right, during the year following their separation from the Institute, to export free of customs duties and all other taxes and fees and without restrictions their furniture and personal effects, including an automobile, subject to the provisions for the protection of the Italian artistic and cultural heritage.

3. In addition to the immunities, exemptions, privileges and facilities to which officials of the Institute are entitled, the Director and Deputy Director of UNSDRI shall have the usual privileges and the same facilities accorded by the Italian Government to diplomatic envoys of comparable rank.

4. All UNSDRI officials, together with dependent family members living in their household, shall receive from the competent Italian authorities a special identity card which will certify their status and the privileges and immunities they enjoy.

If your Government is in agreement with the foregoing, I have the honour to propose that this exchange of letters shall be deemed to constitute an agreement between the Italian Government and the United Nations which will enter into force when the Parties notify each other that they have carried out the formalities required by their respective legislation or statute.

This Agreement will have the same duration as the aforementioned Agreement of 15 January 1968 between the United Nations and the Government of the Italian Republic for the establishment and maintenance at Rome of the United Nations Social Defence Research Institute.

Accept, Sir, etc.

[Signed]

VITTORIO WINSPEARE GUICCIARDI
Director-General of the United Nations
Office at Geneva

President Giuseppe Manzari
Chief, Diplomatic Legal Service
Ministry of Foreign Affairs
Rome

II

MINISTRY OF FOREIGN AFFAIRS

Rome, 16 November 1977

Sir,

In your letter of 18 October 1977 you wrote to me as follows:

[See letter I]

I have the honour to confirm that the Italian Government is in agreement with the foregoing and that your letter and this reply constitute an agreement between the Italian Government and the United Nations.

Accept, Sir, etc.

[Signed]

GIUSEPPE MANZARI
Chief of the Diplomatic
Legal Affairs Service

Mr. Vittorio Winspeare Guicciardi
Director-General of the United Nations
Office at Geneva
