

**UNITED NATIONS
and
INTERNATIONAL FUND
FOR AGRICULTURAL DEVELOPMENT**

Special Agreement extending the jurisdiction of the Administrative Tribunal of the United Nations to the International Fund for Agricultural Development with respect to applications by staff members of the International Fund for Agricultural Development alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund. Signed at Rome on 24 July 1980 and at New York on 25 August 1980

Authentic texts: English and French.

Filed and recorded by the Secretariat on 25 August 1980.

**ORGANISATION DES NATIONS UNIES
et
FONDS INTERNATIONAL
DE DÉVELOPPEMENT AGRICOLE**

Accord spécial étendant la juridiction du Tribunal administratif des Nations Unies au Fonds international de développement agricole, en ce qui concerne les requêtes de fonctionnaires de cette organisation invoquant l'inobservation des statuts de la Caisse commune des pensions du personnel des Nations Unies. Signé à Rome le 24 juillet 1980 et à New York le 25 août 1980

Textes authentiques : anglais et français.

Classé et inscrit au répertoire par le Secrétariat le 25 août 1980.

SPECIAL AGREEMENT¹ EXTENDING THE JURISDICTION OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT WITH RESPECT TO APPLICATIONS BY STAFF MEMBERS OF THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT ALLEGING NON-OBSERVANCE OF THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

WHEREAS, in accordance with article 3 of the Regulations of the United Nations Joint Staff Pension Fund, the General Assembly of the United Nations, upon the recommendation of the United Nations Joint Staff Pension Board, and after acceptance by the International Fund for Agricultural Development (IFAD) of the Regulations of the Pension Fund and agreement reached with the Board as to the conditions governing the admission of IFAD to membership in the Pension Fund, decided by its resolution 32/74, part III, of 9 December 1977² to admit the International Fund for Agricultural Development to membership in the United Nations Joint Staff Pension Fund,

WHEREAS, by resolution 678 (VII) of 21 December 1952,³ the General Assembly of the United Nations recommended that the specialized agencies which are member organizations of the United Nations Joint Staff Pension Fund accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the Fund,

WHEREAS the Executive Board of the International Fund for Agricultural Development, by a decision taken at its ninth session in May 1980, authorized the acceptance by the International Fund for Agricultural Development of the jurisdiction of the United Nations Administrative Tribunal in the matters referred to above,

WHEREAS the United Nations Joint Staff Pension Board, at its annual meeting in April 1953, recorded its understanding that for matters involving the Regulations of the United Nations Joint Staff Pension Fund full faith, credit and respect shall be given to the proceedings, decisions and jurisprudence of the Administrative Tribunal, if any, of the agency concerned relating to the staff regulations of that agency, as well as to the established procedures for the interpretation of such staff regulations.

NOW, THEREFORE, it is agreed as follows:

Article I. 1. The United Nations Administrative Tribunal shall be competent to hear and pass judgment, in accordance with the applicable provisions of its Statute and its Rules, upon applications alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund presented by:

- (a) Any staff member of the International Fund for Agricultural Development, eligible under article 21 of the Regulations as a participant in the Fund, even

¹ Came into force on 25 August 1980 by signature.

² United Nations, *Official Records of the General Assembly, Thirty-second Session, Supplement No. 9 (A/32/9 and A/32/9/Add.1)*, p. 188.

³ *Ibid.*, *Seventh Session, Supplement No. 8 (A/2285)*, p. 51.

after his employment has ceased, and any person who has succeeded to such staff member's rights on his death;

- (b) Any other person who can show that he is entitled to rights under the Regulations of the United Nations Joint Staff Pension Fund by virtue of the participation in the Fund of a staff member of the International Fund for Agricultural Development.

2. In the event of a dispute as to whether the tribunal has competence, the matter shall be settled by the decision of the Tribunal.

Article II. The judgments of the Tribunal shall be final and without appeal, and the International Fund for Agricultural Development agrees, insofar as it is affected by any such judgment, to give full effect to its terms.

Article III. 1. The administrative arrangements necessary for the functioning of the Tribunal with respect to cases arising under this Agreement shall be made by the Secretary-General of the United Nations in consultation with the President of the International Fund for Agricultural Development.

2. The additional expenses which may be incurred by the United Nations in connexion with the proceedings of the Tribunal relating to cases arising under this Agreement shall be borne by the United Nations Joint Staff Pension Fund. These additional expenses shall include:

- (a) Any travel and subsistence expenses of the members of the Tribunal and of the Tribunal staff when such expenses are specially required for dealing with cases under this Agreement and are in excess of those required by the Tribunal for dealing with cases relating to staff members of the United Nations;
- (b) Any wages of temporary staff, cables, telephone communications and other "out of pocket" expenses when such expenses are specially required for dealing with cases under this Agreement.

Article IV. This Agreement, of which the English and French texts are equally authentic, has been duly signed in duplicate in each of these languages at the sites and on the dates appearing under the respective signatures.

For the United Nations:

[Signed]

KURT WALDHEIM
Secretary-General

Done at New York on 25 August 1980

For the International Fund
for Agricultural Development:

[Signed]

ABDELMUHSIN M. AL-SUDEARY
President

Done at Rome on 24 July 1980