

**No. 20736**

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**UNITED NATIONS  
and  
GREECE**

**Agreement regarding the headquarters of the Co-ordinating  
Unit for the Mediterranean Action Plan. Signed at  
Nairobi on 11 February 1982**

*Authentic text: English.*

*Registered ex officio on 11 February 1982.*

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**ORGANISATION DES NATIONS UNIES  
et  
GRÈCE**

**Accord relatif au siège du Groupe de coordination du Plan  
d'action pour la Méditerranée. Signé à Nairobi le  
11 février 1982**

*Texte authentique : anglais.*

*Enregistré d'office le 11 février 1982.*

# AGREEMENT<sup>1</sup> BETWEEN THE HELLENIC REPUBLIC AND THE UNITED NATIONS REGARDING THE HEADQUARTERS OF THE CO-ORDINATING UNIT FOR THE MEDITERRANEAN ACTION PLAN

The Hellenic Republic and the United Nations,

Considering 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,<sup>2</sup> to which the Hellenic Republic is a party, is *ipso facto* applicable to the United Nations Environment Programme,

Considering that it is desirable to conclude an agreement, complementary to the Convention on the Privileges and Immunities of the United Nations, to regulate questions not envisaged in that Convention arising as a result of the establishment of the headquarters of the Co-ordinating Unit for the Mediterranean Action Plan at Athens,

Have agreed as follows:

## Article I. DEFINITIONS

Section 1. In this Agreement,

(a) The expression "UNEP" means the institutional and financial arrangements for the United Nations Environment Programme established by the General Assembly of the United Nations in resolution 2997 (XXVII) of 15 December 1972;<sup>3</sup> and such other institutional and financial arrangements as may from time to time be made for the United Nations Environment Programme.

The United Nations Environment Programme shall, in particular, in accordance with resolution 2997 (XXVII), include the following:

- (i) The Governing Council of the United Nations Environment Programme;
- (ii) The Executive Director of the United Nations Environment Programme;
- (iii) The Environment Secretariat; and
- (iv) The Environment Fund;

(b) The expression "the Unit" means the Co-ordinating Unit for the Mediterranean Action Plan;

(c) The expression "Executive Director" means the Executive Director of UNEP or any officer designated to act on his behalf;

(d) The expression "Director" means the Director of the Unit and Co-ordinator of the Mediterranean Action Plan;

(e) The expression "officials of the Unit" means the officials forming part of the Unit, namely the Director and all members of the staff of the Unit except those who are locally recruited and assigned to hourly rates;

<sup>1</sup> Applied provisionally from 11 February 1982, the date of signature, in accordance with section 37.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1, p. 15, and vol. 90, p. 327 (corrigendum to vol. 1, p. 18).

<sup>3</sup> *Ibid.*, *Official Records of the General Assembly, Twenty-seventh Session, Supplément No. 30 (A/8730)*, p. 43.

(f) The expression "officials of the Environment Secretariat" means the Executive Director and all members of the staff of UNEP, including the officials of the Unit, except those who are locally recruited and assigned to hourly rates;

(g) The expression "the Government" means the Government of the Hellenic Republic;

(h) The expression "appropriate Greek authorities" means such government, municipal or other authorities in the Hellenic Republic as may be appropriate in the context and in accordance with the laws and customs applicable in the Hellenic Republic;

(i) The expression "laws of the Hellenic Republic" includes:

- (i) The Constitution of the Hellenic Republic; and
- (ii) The legislative acts, regulations and orders issued by or under authority of the Government or appropriate Greek authorities;

(j) The expression "headquarters seat" means:

- (i) The area assigned for the headquarters of the Unit, with the building or buildings upon it, as may from time to time be defined in supplemental agreements referred to in section 3 of article II hereof; and
- (ii) Any other land or buildings which may from time to time be included, temporarily or permanently, therein in accordance with this Agreement or by supplemental agreement with the Government;

(k) The expression "Member State" means a State which is a Member of the United Nations, or a member of one of the specialized agencies, or a member of the International Atomic Energy Agency, or any other State designated by the General Assembly as eligible to participate in UNEP;

(l) The expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations on 13 February 1946.

## *Article II. THE HEADQUARTERS SEAT*

*Section 2.* (a) The permanent headquarters of the Unit shall be in the headquarters seat, and shall not be removed therefrom unless the United Nations should so decide. Any transfer of the headquarters temporarily to another place shall not constitute a removal of the permanent headquarters unless there is an express decision by the United Nations to that effect.

(b) Any location in or outside of Athens which may be used with the concurrence of the Government for meetings convened by the Unit shall be temporarily included in the headquarters seat.

(c) The appropriate Greek authorities shall take whatever action may be necessary to ensure that the Unit shall not be dispossessed of all or any part of the headquarters seat without the express consent of the United Nations.

*Section 3.* The Government grants to the United Nations, and the United Nations accepts from the Government, the permanent use and occupation of a headquarters seat for the Unit as may from time to time be defined in supplemental agreements to be concluded between the United Nations and the Government.

*Section 4.* (a) The United Nations may, after prior agreement with the appropriate Greek authorities, install and operate a high frequency radio sending and receiving station or stations to connect at appropriate points and exchange traffic with the United Nations radio network. The antennae of any such radio station shall be situated within the headquarters area. The United Nations as a telecommunications administration shall operate its telecommunications services in accordance with the International Telecommunications Convention<sup>1</sup> and the regulations annexed thereto.

(b) The technical characteristics of the above-mentioned station or stations, as well as any change envisaged thereto, will be communicated by the United Nations to the Government for its agreement. If, after considering the information thus provided, the appropriate Greek authorities are of the opinion that the proposals of the United Nations would result in interference with existing or planned telecommunication services, they shall communicate their views on the matter to the Unit in order to resolve the difficulties involved through consultation.

(c) The frequencies used by the above-mentioned station or stations shall be registered and protected by the appropriate Greek authorities, which shall notify them to the International Frequency Registration Board.

(d) The Government shall ensure the availability to the Unit, for official purposes, of appropriate radio and other telecommunications facilities, in conformity with technical arrangements to be made with the International Telecommunications Union.

*Section 5.* The Unit may establish and operate research, documentation and other technical facilities. These facilities shall be subject to appropriate safeguards, in accordance with the laws of the Hellenic Republic, which, in the case of facilities which might create hazards to health or safety or interfere with property, shall be agreed with the appropriate Greek authorities.

*Section 6.* Except as provided for in section 4(b), the facilities to which sections 4 and 5 refer may, to the extent necessary for the efficient operation, be established and operated outside the headquarters area. The appropriate Greek authorities shall, at the request of the Unit, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the Unit of appropriate premises for such purposes and for the inclusion of such premises in the headquarters seat.

### *Article III. INVIOABILITY OF THE HEADQUARTERS SEAT*

*Section 7.* (a) The Government recognizes the inviolability of the headquarters seat, which shall be under the control and authority of the Unit as provided in this Agreement.

(b) Except as otherwise provided in this Agreement or in the General Convention, the laws of the Hellenic Republic shall apply within the headquarters seat.

(c) Except as otherwise provided in this Agreement or in the General Convention, the courts or other appropriate organs of the Hellenic Republic shall

<sup>1</sup> United Nations, *Treaty Series*, vol. 1209, p. 32.

have jurisdiction, as provided in applicable laws, over acts done and transactions taking place in the headquarters seat.

*Section 8.* (a) The headquarters seat shall be inviolable. No officer or official of the Hellenic Republic, or other persons exercising any public authority within the Hellenic Republic, shall enter the headquarters seat to perform any duties therein except with the consent of, and under conditions approved by, the Director. The service of legal process, including the seizure of private property, shall not take place within the headquarters seat except with the express consent of, and under conditions approved by, the Director.

(b) Without prejudice to the provisions of the General Convention or article X of this Agreement, the Unit shall prevent the headquarters seat from being used as a refuge by persons who are avoiding arrest under any law of the Hellenic Republic, who are required by the Government for extradition to another country, or who are endeavouring to avoid service of legal process.

#### *Article IV.* PROTECTION OF THE HEADQUARTERS SEAT

*Section 9.* (a) The appropriate Greek authorities shall exercise due diligence to ensure that the tranquillity of the headquarters seat is not disturbed by any person or group of persons attempting unauthorized entry into or creating disturbance in the immediate vicinity of the headquarters seat, and shall provide on the boundaries of the headquarters seat such police protection as may be required for these purposes.

(b) If so requested by the Director, the appropriate Greek authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters seat.

*Section 10.* The appropriate Greek authorities shall take all such reasonable steps as are permissible under the laws of the Hellenic Republic to ensure that the amenities of the headquarters seat are not prejudiced and that the purposes for which the headquarters seat is required are not obstructed by any use made of the land or buildings in the vicinity of the headquarters seat. The Unit shall take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters seat are not prejudiced by any use made of the land or buildings in the headquarters seat.

#### *Article V.* PUBLIC SERVICES IN THE HEADQUARTERS SEAT

*Section 11.* (a) The appropriate Greek authorities shall exercise, to the extent requested by the Executive Director, their respective power to ensure that the headquarters seat shall be supplied with the necessary public services, including, without limitation by reason of this enumeration, electricity, water, sewerage, gas, post, telephone, telegraph, local transportation, drainage, collection of refuse and fire protection, and that such public services shall be supplied on equitable terms.

(b) In case of any interruption or threatened interruption of any such services, the appropriate Greek authorities shall consider the needs of the Unit as being of equal importance with those of essential agencies of the Government, and shall take steps accordingly to ensure that the work of the Unit is not prejudiced.

(c) The Director shall, upon request, make suitable arrangements to enable duly authorized representatives of the appropriate public services bodies to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters seat under conditions which shall not unreasonably disturb the carrying out of the functions of the Unit.

(d) Where gas, electricity, water or heat is supplied by appropriate Greek authorities, or where the prices thereof are under their control, the Unit shall be supplied at tariffs which shall not exceed the lowest comparable rates accorded to Greek governmental administrations.

#### *Article VI. COMMUNICATION AND PUBLICATIONS*

*Section 12.* (a) All official communications directed to the Unit, or to any officials of the Environment Secretariat, at the headquarters seat, and all outward official communications of the Unit, by whatever means or in whatever form transmitted, shall be immune from censorship and from any other form of interception or interference with their privacy. Such immunity shall extend, without limitation by reason of this enumeration, to publications, still and moving pictures, films and sound recordings.

(b) The Unit shall have the right to use codes and to dispatch and receive correspondence and other official communications by courier or in sealed bags, which shall have the same privileges and immunities as diplomatic couriers and bags.

*Section 13.* (a) The Government recognizes the right of the Unit freely to publish and broadcast within the Hellenic Republic in the fulfilment of its purposes, it being understood that broadcasting will be effected through the national networks in accordance with the laws of the Hellenic Republic.

(b) The Unit shall, however, respect any laws of the Hellenic Republic, or any international conventions to which the Hellenic Republic is a party, relating to copyrights.

#### *Article VII. FREEDOM FROM TAXATION*

*Section 14.* (a) The Unit, its assets, income and other property shall be exempt from all forms of direct taxes, provided, however, that such tax exemption shall not extend to the owner or lessor of any property rented by the Unit and that the Unit will not claim exemption from taxes which are, in fact, no more than charges for public utility services.

(b) While the Unit will not generally claim exemption from taxes which constitute part of the cost of goods purchased by or services rendered to the Unit, including rentals, nevertheless, when the Unit is making important purchases for official use on which such taxes or duties have been charged or are chargeable, the Government shall, whenever possible, make appropriate administrative arrangements for the remission or refund of such taxes or duties. With respect to such taxes or duties, the Unit shall at all times enjoy at least the same exemptions and facilities as are granted to Greek governmental administrations or to chiefs of diplomatic missions accredited to the Hellenic Republic, whichever are the more favourable.

(c) In any transaction to which the Unit is a party, the Government shall, whenever possible, exempt the Unit from all taxes, recording fees, and documentary taxes.

(d) Articles imported or exported by the Unit for official purposes shall be exempt from customs duties and other levies, and from prohibitions and restrictions on imports and exports.

(e) The Unit shall be exempt from customs duties and other levies, prohibitions and restrictions on the importation of service automobiles, and spare parts thereof, required for its official purposes.

(f) The Government shall, if requested, grant the Unit such facilities for the procurement of gasoline or other fuels and lubricating oils for each such automobile operated by the Unit in such quantities as are required for the work of the Unit and at such special rates as may be established for diplomatic missions in the Hellenic Republic.

(g) Articles imported in accordance with sub-sections (d) and (e), or obtained from the Government in accordance with sub-section (f) of this section, may be sold by the Unit in the Hellenic Republic at any time after their importation or acquisition, subject to the Government regulations concerning payment by the buyer of customs duties and other levies.

#### *Article VIII. FINANCIAL FACILITIES*

*Section 15.* (a) Without being subject to any financial controls, regulations or moratoria of any kind, the Unit may freely:

- (i) Purchase any currencies through authorized channels and hold and dispose of them;
- (ii) Operate accounts in any currency;
- (iii) Purchase through authorized channels, hold and dispose of funds, securities and gold; and
- (iv) Transfer its funds, securities, gold and currencies to or from the Hellenic Republic, to or from any other country, or within the Hellenic Republic.

(b) The Government shall assist the Unit to obtain the most favourable conditions as regards exchange rates, banking commissions in exchange transactions and the like.

(c) The Unit shall, in exercising its rights under this section, pay due regard to any representations made by the Government in so far as effect can be given to such representations without prejudicing the interests of the Unit.

#### *Article IX. SOCIAL SECURITY*

*Section 16.* The Unit shall be exempt from all compulsory contributions to, and, subject to the provisions of section 17, officials of the Environment Secretariat shall not be required by the Government to participate in, any social security scheme of the Hellenic Republic.

*Section 17.* The Government shall make such provisions as may be necessary to enable any official of the Unit who is not afforded social security coverage by the Unit to participate in the social security scheme of the Hellenic Republic. The Unit shall arrange, under conditions to be agreed upon, for the participation in the Greek social security system of those members of its staff who do not participate in the United Nations Joint Staff Pension Fund or to whom the Unit does not grant social security protection at least equivalent to that offered under Greek law.

*Article X.* TRANSIT AND RESIDENCE

*Section 18.* (a) The Government shall take all necessary measures to facilitate the entry into and sojourn in Greek territory, and shall place no impediment in the way of the departure from Greek territory, of the persons listed below; it shall ensure that no impediment is placed in the way of their transit to or from the headquarters seat and shall afford them any necessary protection in transit:

- (i) Representatives of Member States, their families and other members of their households, as well as clerical and other auxiliary personnel and the spouses and dependent children of such personnel;
- (ii) Officials of the Environment Secretariat, their families and other members of their households;
- (iii) Officials of the United Nations, or of one of the specialized agencies or the International Atomic Energy Agency, attached to the Unit, and those who have official business with the Unit, and their spouses and dependent children;
- (iv) Representatives of other organizations with which UNEP or the Unit has established official relations who have official business with the Unit;
- (v) Persons, other than officials of the Environment Secretariat, performing missions authorized by UNEP or the Unit or serving on committees or other subsidiary organs of the Unit, and their spouses;
- (vi) Representatives of the press, film, television or other information media who have been accredited to the Unit in its discretion after consultation with the Government;
- (vii) Representatives of other organizations or other persons invited by the Unit to the headquarters seat on official business.

The Director shall communicate the names of such persons to the Government before their intended entry.

(b) This section shall not apply in the case of general interruption of transportation, which shall be dealt with as provided in section 11(b), and shall not impair the effectiveness of generally applicable laws relating to the operation of means of transportation.

(c) Visas, where required for persons referred to in subsection (a), shall be granted without charges and as promptly as possible.

(d) No activity performed by any person referred to in sub-section (a) in his official capacity with respect to the Unit shall constitute a reason for preventing his entry into or his departure from the territory of the Hellenic Republic or for requiring him to leave such territory.

(e) No person referred to in sub-section (a) shall be required by the Government to leave the Hellenic Republic save in the event of an abuse of the right of residence, in which case the following procedure shall apply:

- (i) No proceeding shall be instituted to require any such person to leave the Hellenic Republic except with the prior approval of the Minister for the time being responsible for foreign affairs of the Hellenic Republic;



- (ii) In the case of a representative of a Member State, such approval shall be given only after consultation with the Government of the Member State concerned;
  - (iii) In the case of any other person mentioned in sub-section (a), such approval shall be given only after consultation with the Executive Director, and if expulsion proceedings are taken against any such person, the Executive Director shall have the right to appear or to be represented in such proceedings on behalf of the person against whom such proceedings are instituted; and
  - (iv) Persons who are entitled to diplomatic privileges and immunities under section 22 shall not be required to leave the Hellenic Republic otherwise than in accordance with the customary procedure applicable to members, having comparable rank, of the staffs of chiefs of diplomatic missions accredited to the Hellenic Republic.
- (f) This section shall not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by this section come within the classes described in sub-section (a), or the reasonable application of quarantine and health regulations.

#### *Article XI. REPRESENTATIVES TO THE UNIT*

*Section 19.* Representatives of Member States to meetings of or convened by the Unit, and those who have official business with the Unit, shall, while exercising their functions and during their journey to and from the Hellenic Republic, enjoy the privileges and immunities provided in article IV of the General Convention.

*Section 20.* The Director shall communicate to the Government a list of persons within the scope of this article and shall revise such list from time to time as may be necessary.

#### *Article XII. OFFICIALS AND EXPERTS OF THE ENVIRONMENT SECRETARIAT*

*Section 21.* Officials of the Environment Secretariat shall enjoy within and with respect to the Hellenic Republic the following privileges and immunities:

(a) Immunity from legal process of any kind in respect of words spoken or written, and of acts performed by them in their official capacity, such immunity to continue notwithstanding that the persons concerned may have ceased to be officials of the Environment Secretariat or the Unit;

(b) Immunity from seizure of their personal and official baggage;

(c) Immunity from inspection of official baggage, and if the official comes within the scope of section 22, immunity from inspection of personal baggage;

(d) Exemption from taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by UNEP or the Unit for services past or present or in connexion with their service with UNEP or the Unit;

(e) Exemption from any form of taxation on income derived by them from sources outside the Hellenic Republic;

(f) Exemption from registration and circulation fees in respect of their automobiles;

(g) Exemption, with respect to themselves, their spouses, their dependent relatives and other members of their households, from immigration restrictions and alien registration;

(h) Exemption from national service obligations, provided that, with respect to Greek nationals, such exemption shall be confined to officials whose names have, by reason of their duties, been placed upon a list compiled by the Executive Director and approved by the Government; provided further that should officials, other than those listed, who are Greek nationals, be called up for national service, the Government shall, upon request of the Executive Director, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption of the essential work of the Unit;

(i) The right to purchase petrol free of duty for their vehicles on similar terms as are accorded to members of diplomatic missions accredited to the Hellenic Republic;

(j) Freedom to acquire or maintain within the Hellenic Republic or elsewhere foreign securities, foreign currency accounts, and other movables, and the right to take the same out of the Hellenic Republic through authorized channels without prohibition or restriction;

(k) Subject to the laws of the Hellenic Republic applicable to regions in the vicinity of frontiers, freedom to purchase one dwelling house within the Hellenic Republic for strictly personal use, and the right to finance such purchase through local mortgage arrangements under the same conditions applicable to Greek nationals; in the event of sale of such house, the right to take out of the Hellenic Republic, through authorized channels, the proceeds of the sale, after repayment of any outstanding local loan or local mortgage, in transferable currency;

(l) The same protection and repatriation facilities with respect to themselves, their spouses, their dependent relatives and other members of their households as are accorded in time of international crisis to members, having comparable rank, of the staffs of chiefs of diplomatic missions accredited to the Hellenic Republic;

(m) The right to import for personal use, free of duty and other levies, prohibitions and restrictions on imports:

- (i) Their furniture, household and personal effects, in one or more separate shipments, and thereafter to import necessary additions to the same;
- (ii) One automobile, and in the case of officials accompanied by their dependents, two automobiles every three years, unless the Unit and the Government agree in particular cases that replacements may take place at an earlier date, because of loss, extensive damage or otherwise;
- (iii) Reasonable quantities of certain articles, including liquor, tobacco, cigarettes and foodstuffs, for personal use or consumption and not for gift or sale;

(n) Automobiles imported in accordance with sub-section *m* (ii) of this section may be sold in the Hellenic Republic at any time after their importation, subject to the Government regulations concerning payments by the buyer of customs duties;

(o) Officials of the Environment Secretariat other than officials of the Unit shall not enjoy the privileges, immunities and exemptions provided for in subsections (e), (f), (h), (i), (k), (m) and (n), of this section, it being understood, however, that this limitation is without prejudice to any privilege, immunity or exemption to which they may be entitled under the General Convention;

(p) Officials of the Unit who are locally recruited shall enjoy only those privileges and immunities provided in the General Convention, it being understood, nevertheless, that such privileges and immunities include exemption from taxation on pensions paid to them by the United Nations Joint Staff Pension Fund.

*Section 22.* In addition to the privileges and immunities specified in section 21, the Director and other officials of the Environment Secretariat having the professional grade P-5 and above, and such additional categories of officials of the Unit as may be designated, in agreement with the Government, by the Executive Director in consultation with the Secretary-General of the United Nations on the grounds of the responsibilities of their positions in the Unit, shall be accorded the same privileges and immunities, exemptions and facilities as the Government accords to members, having comparable rank, of the staffs of chiefs of diplomatic missions accredited to the Hellenic Republic.

*Section 23.* Experts (other than officials coming within the scope of sections 21 and 22) performing missions authorized by, serving on committees or other subsidiary organs of, or consulting at its request in any way with the Unit, shall enjoy, within and with respect to the Hellenic Republic, the following privileges and immunities so far as may be necessary for the effective exercise of their functions:

(a) Immunity from personal arrest or detention and from seizure of their personal and official baggages;

(b) Immunity from legal process of any kind with respect to words spoken or written, and all acts done by them in the performance of their official functions, such immunity to continue notwithstanding that the persons concerned may no longer be employed on missions for, serving on committees of, or acting as consultants for, the Unit, or may no longer be present at the headquarters seat or attending meetings convened by the Unit;

(c) Inviolability of all papers, documents and other official material;

(d) The right, for the purpose of all communications with the Unit, to use codes and to dispatch or receive papers, correspondence or other official material by courier or in sealed bags;

(e) Exemption with respect to themselves and their spouses from immigration restrictions and alien registration;

(f) The same protection and repatriation facilities with respect to themselves, their spouses, their dependent relatives and other members of their households as are accorded in time of international crisis to members, having comparable rank, of the staffs of chiefs of diplomatic missions accredited to the Hellenic Republic;

(g) The same privileges with respect to currency and exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(h) The same immunities and facilities with respect to their personal and official baggage as the Government accords to members, having comparable rank, of the staffs of chiefs of diplomatic missions accredited to the Hellenic Republic;

(i) Where the incidence of any form of taxation depends upon residence, periods during which the persons designated in this section may be present in the Hellenic Republic for the discharge of their duties shall not be considered as periods of residence; in particular, such persons shall be exempt from taxation on their salaries and emoluments received from the Unit during such periods of duty; and

(j) Experts of Greek nationality shall enjoy the privileges, immunities and exemptions provided for in this section only in so far as those privileges, immunities and exemptions coincide with those specified in section 22 of the General Convention.

*Section 24.* (a) The Director shall communicate to the Government a list of the officials of the Unit and experts within the scope of this article and shall revise such list from time to time as may be necessary.

(b) The Government shall furnish persons within the scope of this section with an identity card bearing the photograph of the holder. This card shall serve to identify the holder in relation to all Greek authorities.

### *Article XIII.* SETTLEMENT OF DISPUTES

*Section 25.* The Director shall make provision for appropriate methods of settlement of:

- (a) Disputes arising out of contracts and disputes of a private law character to which the Unit is a party; and, in consultation with the Government,
- (b) Disputes involving an official of the Environment Secretariat who, by reason of his official position, enjoys immunity, if such immunity has not been waived.

*Section 26.* (a) Any dispute between the Government and the Unit concerning the interpretation or application of this Agreement or of any supplemental agreement, or any question affecting the headquarters seat or the relationship between the Government and the Unit, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators: one to be chosen by the Executive Director, one to be chosen by the Minister for the time being responsible for foreign affairs of the Hellenic Republic and the third, who shall be chairman of the tribunal, to be chosen by the first two arbitrators.

Should the first two arbitrators fail to agree upon the third within six months following the appointment of the first two arbitrators, such third arbitrator shall be chosen by the President of the International Court of Justice at the request of the Government or the Secretary-General of the United Nations.

(b) The Government or the Secretary-General of the United Nations may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral

tribunal shall be observed by both parties. Thereafter, the tribunal shall render a final decision, having regard to the opinion of the Court.

*Article XIV. GENERAL PROVISIONS*

*Section 27.* The Hellenic Republic shall not incur by reason of the location of the headquarters seat of the Unit within its territory any international responsibility for acts or omissions of the Unit or of officials of the Environment Secretariat acting or abstaining from acting within the scope of their functions, other than the international responsibility which the Hellenic Republic would incur as a Member of the United Nations.

*Section 28.* Without prejudice to the privileges and immunities accorded by this Agreement, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the Hellenic Republic. They also have a duty not to interfere in the internal affairs of the Hellenic Republic.

*Section 29. (a)* The Executive Director and the Director shall take every precaution to ensure that no abuse of a privilege or immunity conferred by this Agreement shall occur.

*(b)* Should the Government consider that an abuse of a privilege or immunity conferred by this Agreement has occurred, the Executive Director shall, upon request, consult with the appropriate Greek authorities to determine whether any such abuse has occurred. If such consultations fail to achieve a result satisfactory to the Government and to the Executive Director, the matter shall be determined in accordance with the procedure set out in section 26.

*Section 30.* This Agreement shall apply irrespective of whether the Government maintains or does not maintain diplomatic relations with the State concerned and irrespective of whether the State concerned grants a similar privilege or immunity to diplomatic envoys or nationals of the Hellenic Republic.

*Section 31.* Whenever this Agreement imposes obligations on the appropriate Greek authorities, the ultimate responsibility for the fulfillment of such obligations shall rest with the Government.

*Section 32.* The provisions of this Agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this Agreement and any provision of the General Convention relate to the same subject matter, the two provisions shall, whenever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other.

*Section 33.* This Agreement shall be construed in the light of its primary purpose of enabling the Unit at its headquarters at Athens fully and efficiently to discharge its responsibilities and fulfil its purposes.

*Section 34.* Consultation with respect to modification of this Agreement shall be entered into at the request of the Government or the United Nations. Any such modification shall be by mutual consent.

*Section 35.* The Government and the Unit may enter into such supplementary agreements as may be necessary.

*Section 36.* This Agreement shall cease to be in force:

(i) By mutual consent of the Government and the United Nations; or

(ii) If the permanent headquarters of the Unit is removed from the territory of the Hellenic Republic, except for such provisions as may be applicable in connexion with the orderly termination of the operations of the Unit at its permanent headquarters at Athens and the disposal of its property therein.

*Section 37.* This Agreement shall enter into force provisionally upon signature and definitely upon its ratification or approval in accordance with the Greek constitutional process.

DONE at Nairobi in two originals in the English language on this eleventh day of February 1982.

For the Hellenic Republic:

[Signed]

ALEXANDER AFENTOULIS  
Ambassador of Greece

For the United Nations:

[Signed]

MOSTAFA K. TOLBA  
Executive Director of the United  
Nations Environment Programme

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