

No. 21420

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**UNITED NATIONS  
and  
SPAIN**

**Agreement for the continuation of the activities and the extension of the International Centre for Environmental Education and Training (CIFCA) (with annex and Additional Protocol signed at New York on 3 November 1982). Signed at Madrid on 9 June 1982**

*Authentic texts: English and Spanish.*

*Registered ex officio on 14 December 1982.*

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**ORGANISATION DES NATIONS UNIES  
et  
ESPAGNE**

**Accord relatif à la poursuite des activités du Centre international pour l'éducation et la formation en matière d'environnement (CIFCA) et à l'expansion du Centre (avec annexe et Protocole additionnel signé à New York le 3 novembre 1982). Signé à Madrid le 9 juin 1982**

*Textes authentiques : anglais et espagnol.*

*Enregistré d'office le 14 décembre 1982.*

# AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF SPAIN FOR THE CONTINUATION OF THE ACTIVITIES AND THE EXTENSION OF THE INTERNATIONAL CENTRE FOR ENVIRONMENTAL EDUCATION AND TRAINING

The United Nations and the Government of Spain,

Having regard to the need to consolidate the functioning of the International Centre for Environmental Education and Training, which was established by the Government of Spain and the United Nations Environment Programme in 1975 and has been functioning since that time in Madrid,

Having regard, in particular, to the decision (*Acuerdo*) taken at Montevideo on 21 November 1980 by the Governments of the Latin American and the Caribbean Countries and Spain on Co-operation in the Activities of the International Centre for Environmental Education and Training as well as to Section II of decision 10/25 B, entitled "Environmental Education for Latin America and the Caribbean", adopted by the Governing Council of the United Nations Environment Programme on 31 May 1982,

Have agreed as follows:

## CHAPTER I. SCOPE OF ACTIVITIES, LEGAL PERSONALITY AND HEADQUARTERS

*Article 1.* The activities of the International Centre for Environmental Education and Training (hereinafter referred to as "CIFCA") shall cover the countries of Latin America, the Caribbean and Spain.

*Article 2.* CIFCA shall enjoy full legal personality for the purpose of accomplishing its objectives.

*Article 3.* The headquarters of CIFCA shall be in Madrid, Spain.

## CHAPTER II. FUNCTIONS

*Article 4.* CIFCA shall promote environmental education and training in the countries of Latin America, the Caribbean and Spain by:

- a) Elaborating and developing educational and training programmes and activities, regard being had to the needs and priorities of each country or group of countries, strengthening the objectives of each institution and facilitating their attainment;
- b) Serving as a forum for the discussion of environmental problems common to the region;
- c) Encouraging the exchange of professors, professionals and specialists dealing with environmental matters, whether from the region or not, thereby lending support and guidance to all activities directed towards facilitating the mobilization and joint use of human resources;
- d) Promoting research and information activities that make it possible to establish criteria for education and training, especially at a high level, and having as far as possible a multiplier effect on the institutions of the region with experience in this field;
- e) Preparing recommendations with a view to establishing a co-ordinated approach to post-graduate training in environmental management in these countries;

<sup>1</sup> Came into force provisionally on 14 December 1982, the date of the confirmation of the *ad referendum* signatures affixed on behalf of Spain, in accordance with articles 31 and 32 of the Agreement and article 5 of the Additional Protocol, with retroactive effect from 3 November 1982, the date of the *ad referendum* signature of the additional Protocol on behalf of Spain.

- f) Carrying out research and promotional activities in matters that may contribute to enhancing environmental science and the techniques for conserving, managing and improving the environment;
- g) The preparation and publication of materials relating to the environment;
- h) Supporting a network of institutions providing environmental education and training in response to regional, subregional and national needs and characteristics and serving as an instrument for strengthening existing institutions in the area;
- i) In general, any other activities relating to environmental training and research.

#### CHAPTER III. ORGANS OF CIFCA

*Article 5.* The organs of CIFCA are:

- a) A Council;
- b) An Executive Committee; and
- c) A Director.

#### CHAPTER IV. THE COUNCIL

*Article 6.* The Council shall be the supreme organ of CIFCA. It shall be composed of:

- a) The Government of Spain;
- b) The United Nations Environment Programme (hereinafter referred to as “UNEP”);
- c) The Governments of Latin American and Caribbean countries that accept an invitation to be made to them, upon the entry into force of this Agreement, to participate in the work of the Council.

*Article 7.* Any Government that has accepted the aforementioned invitation shall remain a member of the Council until such time as it has, upon three months' notice, expressed its desire to withdraw from the Council.

Any Government that has withdrawn from the Council may be readmitted to membership [in] it if the Council, at its request, so decides.

*Article 8.* The Council shall have, among others, the following functions:

- a) To lay down the objectives and general policy guidelines of the programme of CIFCA and make the corresponding financial provisions;
- b) To approve or reject, on the recommendation of the Executive Committee, the report on the work of CIFCA and the development of its activities, as well as the accounts submitted by the Director;
- c) To lay down the guidelines for the relations of CIFCA with the Government of Spain, the countries of Latin America and the Caribbean and UNEP, and to provide policy guidance in this regard to the Executive Committee;
- d) To lay down the guidelines for the relations of CIFCA with Governments and institutions of other regions, as well as with governmental or nongovernmental organizations, and make recommendations to the Executive Committee in that regard;
- e) To elect the three Governments of Latin America and the Caribbean members of the Executive Committee;
- f) To elect the Director of CIFCA;
- g) To elaborate the regulations of CIFCA, which are to govern both personnel and financial matters;

*Article 9.* Each member of the Council shall have one vote. The decisions of the Council shall be taken by the majority of the members present and voting. The Council shall adopt its rules of procedure. It shall have a president, elected by simple majority from among the representatives of Governments members of the Council. He shall hold office until the next annual session of the Council. The president may be re-elected.

*Article 10.* The President of the Council shall:

- a) Call and preside over the meetings of the Council;
- b) Call the meetings of commissions and attend those meetings, if he considers it advisable to do so, without the right to vote;
- c) Attend meetings of the Executive Committee and make statements thereat, if he considers it advisable to do so.

#### CHAPTER V. THE EXECUTIVE COMMITTEE

*Article 11.* The Executive Committee shall, under the authority of the Council, be responsible for the administration of CIFCA. It shall be composed of five members as follows:

- a) The Government of Spain;
- b) UNEP; and
- c) Three Governments of Latin America and the Caribbean elected by the Council from among its members. Due regard shall be had, in electing them, to equitable geographical distribution.

The Executive Committee shall meet as often as is necessary for the discharge of its functions.

*Article 12.* The persons appointed by the Governments members of the Executive Committee to represent them thereon shall, as far as possible, be experts in the matters that are the subject of CIFCA's activities and belong to the civil service.

*Article 13.* The Executive Committee, which shall adopt its decisions by a majority of the members present and voting, shall have the following functions:

- a) Within the framework of the objectives and policy guidelines laid down by the Council, it shall approve the programmes, as well as the budgets, plans and projects for the activities of CIFCA and oversee their implementation;
- b) It shall study and inform the Council of the proposals concerning the implementation and re-adjustment of the programmes of CIFCA;
- c) It shall make recommendations to the Council on the annual report on the work and the development of activities of CIFCA and the accounts submitted by the Director;
- d) It shall oversee the relations between CIFCA and the Governments of Spain, Latin America and the Caribbean, as well as with UNEP, and give instructions in that regard to the Director in accordance with the decisions and recommendations of the Council;
- e) In accordance with the decisions and recommendations of the Council, it shall oversee the relations between CIFCA and the Governments of countries of other regions, as well as with international organizations, governmental or nongovernmental, entities and institutions, both public and private, giving instructions in that regard to the Director;
- f) It shall approve the administrative structure and the administrative manual of CIFCA, as well as the regulations, salary scales, the policy with regard to salaries, grades of staff and financial rules;

- g) It shall appoint, on the proposal of the Director of CIFCA, the official of CIFCA ranking immediately below the Director;
- h) It shall fix grades above which appointments of staff by the Director shall be subject to the prior approval of the Executive Committee;
- i) It shall give its approval to the appointments referred to in the preceding paragraph;
- j) It shall perform all the other functions delegated to it by the Council.

*Article 14.* The elective members of the Executive Committee shall be elected for terms of two years.

*Article 15.* The Chairman of the Executive Committee shall be elected, from among its members, at the first regular session. His powers shall be those conferred on him by the Executive Committee.

#### CHAPTER VI. THE DIRECTOR

*Article 16.* The Director shall be the chief administrative and technical officer of CIFCA, of which he shall be the legal representative.

*Article 17.* The Director shall have the following functions:

- a) To carry out the administrative and technical management of CIFCA with a view to attaining its objectives;
- b) To conduct negotiations and conclude agreements with the Governments of Spain, Latin America and the Caribbean, as well as with the governments of countries of other regions and with international organizations, governmental or nongovernmental, as well as entities and institutions, public and private, in order to establish cooperation with them;
- c) To propose to the Executive Committee the programmes, budgets, plans and projects for the annual activities of CIFCA, in accordance with the objectives and guidelines laid down by the Council of the Executive Committee;
- d) To appoint the staff of every category, the prior approval of the Executive Committee being obtained when required, in accordance with such rules as may be laid down, engage consultants, experts, co-operators, technicians and specialists as may be required for the implementation of the programmes of CIFCA;
- e) To propose to the Executive Committee the administrative structure of CIFCA and the administrative manual, as well as regulations, grades, the policy with regard to salaries, and the financial rules;
- f) To see to it that the decisions and recommendations of the Council and the Executive Committee are carried out and submit accounts to both;
- g) To implement the annual programme of activities and the budget of CIFCA;
- h) To submit to the Council and the Executive Committee the annual report on the work of CIFCA and the annual accounts;
- i) To notify the members of the Council and the Executive Committee, on behalf of the presiding officers of these organs, of the date, venue of and provisional agenda for their sessions, as well as to provide and distribute the corresponding documentation;
- j) To attend, personally or through an official designated by him, the meetings of the Council and the Executive Committee;
- k) To propose to the Executive Committee the acceptance by CIFCA of gifts and financial contributions from public or private, national or international sources for the implementation of the programmes of CIFCA;

l) In general, to carry out such administrative duties as the functioning of CIFCA may require and the tasks that the Council of the Executive Committee may entrust to him.

*Article 18.* The Director shall be elected by the Council for a term of two years. He may be re-elected for two consecutive terms only.

*Article 19.* In the performance of his functions, the Director shall be assisted by the second-ranking official of CIFCA, who shall act in his stead whenever he is absent or ill and shall be appointed by the Executive Committee on the proposal of the Director.

#### CHAPTER VII. RESOURCES AND ADMINISTRATION

*Article 20.* CIFCA shall derive its revenues from voluntary contributions made by the Government of Spain, UNEP, any other government, whether or not a member of the Council, intergovernmental organizations, foundations and other nongovernmental sources, as well as from income accruing from its own activities and assets, no other type of assessment being imposed on the parties hereto.

The financing of CIFCA shall not, beyond the voluntary contributions by UNEP and governments mentioned in the preceding paragraph, have any financial implications for the budgets of the United Nations and the governments.

*Article 21.* Some of the contributions mentioned in the preceding article may be made in kind by means of activities conforming to the programme of CIFCA and in accordance with such rules for their evaluation as may be agreed to in advance with CIFCA.

*Article 22.* The amount of the contributions to which article 20 refers shall be communicated to the Council of CIFCA sufficiently in advance of the financial period to which they are assigned to make possible adequate programming as well as the preparation of the budgets for which they are earmarked.

*Article 23.* Any government, UNEP or any other entity that makes contributions to CIFCA shall be enabled to carry out the inspections necessary to make sure, in accordance with the applicable rules, that its contributions are used precisely for accomplishing the aims of CIFCA.

*Article 24.* The Director of CIFCA shall, at the end of each financial period, prepare the accounts and a report on the execution of the budget for submission to the Executive Committee, in order that the latter may in turn submit them to the Council with a view to their final approval.

*Article 25.* This Agreement may be denounced by means of a written notification addressed to the other party. The denunciation shall not become effective until one year has elapsed following its communication to the Council of CIFCA.

#### CHAPTER VIII. TRANSITIONAL PROVISIONS

*Article 26.* All contracts concluded by CIFCA, either with officials or any other individual or entity, prior to the entry into force of this Agreement shall continue in force in accordance with their terms. The same shall be the case with all acts and decisions internal to CIFCA effected or made prior to that date except insofar as those acts or decisions are not in conformity with the present Agreement and subject to their being modified in accordance with it.

*Article 27.* Pending the entry into force of the Annex to which article 30 refers, the Government of Spain shall, through the Ministry of the Presidency, provide CIFCA with the technical and administrative support required for the adequate functioning of CIFCA and the execution of its activities.

*Article 28.* If upon the entry into force of the present Agreement the project document concluded between the Government of Spain and UNEP on 10 February 1981 with regard to CIFCA has not yet expired, that project document shall be applied only insofar as it is not inconsistent with the present Agreement.

#### CHAPTER IX. FINAL PROVISIONS

*Article 29.* In order to ensure that the institution functions in a sufficiently flexible manner, the Council, in its capacity as the supreme organ of CIFCA, shall be empowered to recommend to the parties to this Agreement such modifications thereto as may facilitate the adjustments necessary to accomplish the objectives of CIFCA as fully as possible.

*Article 30.* The privileges and immunities of CIFCA are laid down in the Annex hereto.

*Article 31.* This Agreement shall enter into force as soon as the Government of Spain informs UNEP that the internal formalities necessary in order that the Government may become bound by it have been carried out. This Agreement shall nevertheless be applied provisionally as from the time it is signed.

#### CHAPTER X. EFFECTIVENESS OF THIS AGREEMENT

*Article 32.* This Agreement shall have no effect so long as the parties thereto have not concluded a Protocol, complementary to this Agreement, containing provisions concerning the dissolution of CIFCA. The parties hereto undertake to negotiate such a Protocol as soon as possible.

IN WITNESS WHEREOF, the duly authorized representatives of the Government of Spain and the United Nations have signed this Agreement in two copies in the English and Spanish languages, each of which is equally authentic.

DONE at Madrid on 9 June 1982.

For the United Nations:

[Signed]

GENADY GOLUBEV  
Subdirector

Oficina del Programa  
Programa de las Naciones Unidas  
para el Medio Ambiente<sup>1</sup>

For the Government of Spain:

*Ad referendum*

[Signed]

JOAQUÍN ORTEGA SALINAS  
Subsecretario  
de Asuntos Exteriores<sup>2</sup>

#### ANNEX

*Article 1.* The CIFCA headquarters premises shall be inviolable, irrespective of who owns them. No agent of the Spanish authorities may enter those premises without the consent of the Director of CIFCA or his authorized representative.

In case of fire or other disaster requiring urgent preventive action, the consent of the Director shall be presumed.

*Article 2.* The archives of CIFCA, its official correspondence and, in general, all the documents that belong to it or are in its possession and are destined for its official use shall be inviolable, wherever they may be located.

<sup>1</sup> Program Office, United Nations Environmental Protection Programme—Le Sous-Directeur exécutif du Programme des Nations Unies pour l'environnement.

<sup>2</sup> Undersecretary for Foreign Affairs—Le Sous-Secrétaire aux affaires extérieures.

*Article 3.* CIFCA shall be exempt from all taxes or levies, national, regional or municipal, affecting the premises to which article 1 refers.

This exemption shall not apply to taxes and levies that, in conformity with Spanish law, are to be borne by the natural or legal person contracting with CIFCA. Nor will the exemption apply in the case of taxes or levies that constitute payments for specific services rendered. In general, the exemption shall not apply to such indirect taxes as are normally included in the price of goods and services.

*Article 4.* CIFCA shall be exempt from all customs duties or related levies of any kind, with the exception of those corresponding to charges for storage, transport and services rendered, as well as from prohibitions and restrictions on importation or exportation, in respect of articles destined for its official use.

Articles imported under this exemption shall not be sold [nor] otherwise disposed of in Spain without the authorization of the Directorate General of Customs, which is to be applied for through the Ministry for Foreign Affairs, and shall require the clearance or consumption of the articles involved subject to the prior completion of the formalities applicable in the field of international trade and payment of the corresponding taxes.

*Article 5.* For the accomplishment of its objectives, CIFCA shall have the right to hold funds or foreign exchange of any kind and to operate accounts in any currency. It shall also be entitled freely to receive and transfer its funds or foreign exchange and to convert into any other currency foreign exchange held by it.

The Government shall assist CIFCA in obtaining the most favourable conditions for its exchange operations and transfers of currency.

*Article 6.* The Government of Spain shall take adequate measures to facilitate the entrance into, departure from and sojourn in Spain of the following categories of persons, irrespective of their nationality:

- a) Representatives of governments and international organizations participating in or collaboration with CIFCA;
- b) The Director, officials, teaching staff, consultants and lecturers of CIFCA;
- c) Spouses, sons or daughters or members of the families of the persons referred to in the preceding two sub-paragraphs who belong to their households;
- d) All holders of CIFCA scholarships;
- e) Any other person who, in the exercise of his or her functions, needs to have access to CIFCA on official business.

*Article 7.* Officials of CIFCA shall, irrespective of their nationality, enjoy immunity from legal process in respect of words spoken or written or acts carried out in the exercise of their functions, such immunity to continue after they have ceased to be officials of CIFCA.

*Article 8.* 1. Officials who are not Spanish nationals and do not reside in Spain upon their recruitment by CIFCA shall also enjoy the following exemptions and facilities:

- a) Exemption from all taxes on the salaries, emoluments and benefits paid by CIFCA;
- b) Exemption from immigration restrictions and alien registration in respect of themselves, their spouses, their dependent relatives and domestics;
- c) The same facilities with respect to protection and repatriation as are accorded to members of diplomatic missions accredited in Spain, for themselves as well as their spouses, dependent relatives and domestics;
- d) The right to import, for personal use, under customs franchise and without being bound by any prohibitions or restrictions on imports:
  - (1) Furniture, household and personal effects on first arrival;
  - (2) One automobile, it being understood that this right may be exercised only once and within one year from the time the official definitively enters upon his or her duties.

2. The Director shall, in agreement with the Government, designate the non-Spanish officials who enjoy the privileges and immunities, exemptions and facilities provided for in paragraph 1 of this article.

*Article 9.* The Director of CIFCA shall enjoy the immunities and privileges, exemptions and facilities accorded to heads of diplomatic missions.

*Article 10.* Officials of CIFCA who are not Spanish nationals shall be exempt from the operation of Spanish laws and regulations concerning social security. This shall, however, be without prejudice to the right of those officials to participate in the Spanish social security system on a purely voluntary basis.

*Article 11.* The Ministry of Foreign Affairs shall provide an identity card to each of the officials of CIFCA, as well as to the members of their families who belong to their households and do not exercise any gainful activity. This card shall serve to identify its bearer vis-à-vis the Spanish authorities.

CIFCA shall transmit to the Ministry [of] Foreign Affairs, on a regular basis, lists of the officials of CIFCA and the members of their families, indicating for each one date of birth, nationality, address in Spain and the category or type of function of each official.

*Article 12.* The privileges and immunities enjoyed by the officials of CIFCA under this Agreement are not granted with a view to the personal benefit of those officials but for the purpose of ensuring the freedom of action of CIFCA and the fully independent exercise of their functions by its agents, whatever the circumstances.

The Director of CIFCA shall have the right and the duty to waive the immunity of any official whenever, in his opinion, such immunity would impede the course of justice and can be waived without detriment to CIFCA.

#### ADDITIONAL PROTOCOL TO THE AGREEMENT BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF SPAIN FOR THE CONTINUATION OF THE ACTIVITIES AND THE EXTENSION OF THE INTERNATIONAL CENTRE FOR ENVIRONMENTAL EDUCATION AND TRAINING (CIFCA)

The United Nations and the Government of Spain, having on 9 June 1982 concluded the Agreement for the Continuation of the Activities and the Extension of the International Centre for Environmental Education and Training (CIFCA), hereby agree to this Additional Protocol in accordance with Article 32 of the Agreement.

1. There shall be established from the financial resources of CIFCA a Reserve Fund to guarantee the financial liquidity of CIFCA in case of its dissolution;
2. The level of the Reserve Fund shall be determined and kept under constant review by the United Nations and the Government of Spain, taking into account the estimated income and expenditures of CIFCA for the following financial year;
3. Any programme, budget, plan or project for the activities of CIFCA adopted pursuant to paragraph (a) of Article 13 may be declared null within two weeks by any member of the Executive Committee, if in its view the implementation of such activities would cause the Reserve Fund to be exhausted;
4. In case of the dissolution of CIFCA, the Executive Committee shall be responsible for discharging all liabilities. If any assets remain thereafter, they shall be distributed within three months to the governments and intergovernmental organizations on a basis proportionate to their contributions (excluding contributions by governments referred to in paragraph (c) of Article 6 of the Agreement that are used for projects within their own territory);
5. This Protocol shall enter into force on the date of its signature. It constitutes an integral part of and shall remain in force as long as the Agreement but may be revised with the mutual consent of the two parties for the better accomplishment of the objectives for which the Reserve Fund was established.

IN WITNESS WHEREOF, the duly authorized representatives of the United Nations and the Government of Spain have signed this Additional Protocol in two copies in the English and Spanish languages, each of which is equally authentic.

DONE at New York on 3 November 1982.

For the United Nations:

*[Signed]*

MOSTAFA KAMAL TOLBA  
Executive Director

United Nations Environment Programme

For the Government of Spain:

*Ad referendum*

*[Signed]*

Don JAIME DE PINIÉS  
Ambassador Extraordinary and  
Plenipotentiary

Permanent Representative of Spain  
to the United Nations

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