

No. 23688

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**UNITED NATIONS, UNITED NATIONS INDUSTRIAL  
DEVELOPMENT ORGANIZATION,  
and INTERNATIONAL ATOMIC ENERGY AGENCY  
and  
AUSTRIA**

**Exchange of notes constituting an agreement concerning the continued application to the United Nations, the International Atomic Energy Agency and the United Nations Industrial Development Organization of the Agreement of 28 September 1979 regarding the Common Headquarters area (as supplemented on 19 January 1981) and of the Agreement of 19 January 1981 regarding the establishment and administration of a common fund for financing major repairs and replacements at the Headquarters seats of the United Nations and of the International Atomic Energy Agency at the Vienna International Centre, with Protocol. Vienna, 20 December 1985**

*Authentic texts: English and German.*

*Registered ex officio on 1 January 1986.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS, THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION, THE INTERNATIONAL ATOMIC ENERGY AGENCY AND AUSTRIA CONCERNING THE CONTINUED APPLICATION TO THE UNITED NATIONS, THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION OF THE AGREEMENT OF 28 SEPTEMBER 1979 REGARDING THE COMMON HEADQUARTERS AREA<sup>2</sup> (AS SUPPLEMENTED ON 19 JANUARY 1981)<sup>3</sup> AND OF THE AGREEMENT OF 19 JANUARY 1981 REGARDING THE ESTABLISHMENT AND ADMINISTRATION OF A COMMON FUND FOR FINANCING MAJOR REPAIRS AND REPLACEMENTS AT THE HEADQUARTERS SEATS OF THE UNITED NATIONS AND OF THE INTERNATIONAL ATOMIC ENERGY AGENCY AT THE VIENNA INTERNATIONAL CENTRE<sup>4</sup>

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I

UNITED NATIONS  
INTERNATIONAL ATOMIC ENERGY AGENCY  
UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

Vienna, 20 December 1985

Sir,

We have the honour to refer to the entry into force of the Constitution of the United Nations Industrial Development Organization (UNIDO) on 21 June 1985 leading to the conversion of UNIDO,<sup>5</sup> which had been established as an organ of the United Nations by General Assembly Resolutions 2089(XX) of 20 December 1965<sup>6</sup> and 2152(XXI) of 17 November 1966,<sup>7</sup> into a new international organization established by the said Constitution.

Pending the entry into force of new instruments concerning the seat of UNIDO and of the United Nations offices in Vienna, required to be negotiated and concluded as a result of these changes, we have the honour to propose that

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<sup>1</sup> Came into force on 1 January 1986, the Government of Austria having notified (on 15 July 1986) the completion of its necessary constitutional requirements, in accordance with the provisions of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1145, p. 359.

<sup>3</sup> *Ibid.*, vol. 1252, p. 353.

<sup>4</sup> *Ibid.*, vol. 1237, No. I-19984.

<sup>5</sup> *Ibid.*, vol. 1401, p. 3.

<sup>6</sup> United Nations, *Official Records of the General Assembly, Twentieth Session, Supplement No. 14 (A/6014)*, p. 28.

<sup>7</sup> *Ibid.*, *Twenty-first Session, Supplement No. 16 (A/6316)*, p. 24.

the following instruments shall continue to apply to these United Nations offices, the International Atomic Energy Agency and the United Nations Industrial Development Organization:

1. Agreement between the Federal Government of the Republic of Austria, the International Atomic Energy Agency and the United Nations regarding the common headquarters area, dated 28 September 1979,<sup>1</sup> BGBI. Nr. 465/1979.

2. Agreement between the Republic of Austria, the United Nations and the International Atomic Energy Agency regarding the headquarters area common to the United Nations and the International Atomic Energy Agency at the Vienna International Centre, dated 19 January 1981,<sup>2</sup> BGBI. Nr. 363/1981.

3. Agreement between the Republic of Austria, the United Nations and the International Atomic Energy Agency regarding the establishment and administration of a common fund for financing major repairs and replacements at their headquarters seats at the Vienna International Centre, dated 19 January 1981, including an Exchange of Notes of the same date regarding dispute settlement under this Agreement,<sup>3</sup> BGBI. Nr. 364/1981, provided that:

- a) UNIDO is considered to be a party to this Agreement in addition to the United Nations;
- b) UNIDO is considered to be listed in the provision formulated in Article 3(2) (a) of the Agreement;
- c) The sums indicated in Articles 3(1) and 3(2) (a) of the Agreement are replaced by US\$ 25,000 and US\$ 150,000, respectively.

The further application of a supplemental agreement concluded between the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Federal Government of the Republic of Austria pursuant to the aforementioned agreements shall be regulated by a supplemental agreement between the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Federal Government of the Republic of Austria which will enter into force together with the present Agreement.

If the Republic of Austria agrees to this proposal, we have the honour to propose that this Note and your Note of confirmation shall constitute an Agreement between the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Republic of Austria which shall enter into force on 1 January 1986, subject to a notification by the Republic of Austria that the necessary constitutional requirements for the entry into force of this Agreement have been met.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1145, p. 359.

<sup>2</sup> *Ibid.*, vol. 1252, p. 353.

<sup>3</sup> *Ibid.*, vol. 1237, No. I-19984.

Accept, Sir, the assurances of our highest consideration.

[Signed]<sup>1</sup>  
Director-General  
United Nations  
Office at Vienna

[Signed]<sup>2</sup>  
Director-General  
International Atomic  
Energy Agency

[Signed]<sup>3</sup>  
Director-General  
United Nations  
Industrial Development  
Organization

His Excellency Mag. Leopold Gratz  
Federal Minister for Foreign Affairs  
Vienna

[GERMAN TEXT — TEXTE ALLEMAND]

VEREINTE NATIONEN  
INTERNATIONALE ATOMENERGIE-ORGANISATION  
ORGANISATION DER VEREINTEN NATIONEN FÜR INDUSTRIELLE ENTWICKLUNG

Wien, am 20. Dezember 1985

Exzellenz!

Wir beehren uns, auf das Inkrafttreten der Satzung der Organisation der Vereinten Nationen für Industrielle Entwicklung (UNIDO) am 21. Juni 1985 Bezug zu nehmen, das zur Umwandlung der UNIDO, die durch die Resolutionen der Generalversammlung 2089 (XX) vom 20. Dezember 1965 und 2152 (XXI) vom 17. November 1966 als ein Organ der Vereinten Nationen eingerichtet worden war, in eine neue, durch die genannte Satzung geschaffene internationale Organisation führte.

Bis zum Inkrafttreten neuer, als Folge dieser Änderungen zu verhandelnder und abzuschließender Abkommen betreffend den Sitz der UNIDO und der Ämter der Vereinten Nationen in Wien beehren wir uns vorzuschlagen, daß die folgenden Abkommen weiterhin auf diese Ämter der Vereinten Nationen, die Internationale Atomenergie-Organisation und die Organisation der Vereinten Nationen für Industrielle Entwicklung Anwendung finden:

1. Abkommen zwischen der Bundesregierung der Republik Österreich, der Internationalen Atomenergie-Organisation und den Vereinten Nationen über den gemeinsamen Amtssitzbereich vom 28. September 1979, BGB1. Nr. 465/1979.

2. Abkommen zwischen der Republik Österreich, den Vereinten Nationen und der Internationalen Atomenergie-Organisation über den Vereinten Nationen und der Internationalen Atomenergie-Organisation gemeinsamen Amtssitzbereich im Internationalen Zentrum Wien vom 19. Jänner 1981, BGB1. Nr. 363/1981.

3. Abkommen zwischen der Republik Österreich, den Vereinten Nationen und der Internationalen Atomenergie-Organisation über die Errichtung und

<sup>1</sup> Signed by Mowaffak Allaf — Signé par Mowaffak Allaf.

<sup>2</sup> Signed by Hans Blix — Signé par Hans Blix.

<sup>3</sup> Signed by Domingo L. Siazon, Jr. — Signé par Domingo L. Siazon, Jr.

## II

THE FEDERAL MINISTER  
FOR FOREIGN AFFAIRS

Vienna, 20 December 1985

Sirs,

I have the honour to acknowledge receipt of your Note of 20 December 1985 which reads as follows:

[See note I]

I have the honour to confirm that the Republic of Austria agrees to the above proposal and that your Note and this Note of reply shall constitute an Agreement between the Republic of Austria, the United Nations, the International Atomic Energy Agency and the United Nations Industrial Development Organization which shall enter into force on 1 January 1986, subject to a notification by the Republic of Austria that the necessary constitutional requirements for the entry into force of the Agreement have been met.

Accept, Sirs, the assurances of my highest consideration.

His Excellency  
MOWAFFAK ALLAF  
Director-General  
United Nations  
Office at Vienna  
Vienna

His Excellency  
HANS BLIX  
Director-General  
International Atomic  
Energy Agency  
Vienna

[Signed — Signé]<sup>1</sup>  
His Excellency  
DOMINGO L. SIAZON, Jr.  
Director-General  
United Nations  
Industrial Development  
Organization  
Vienna

[GERMAN TEXT — TEXTE ALLEMAND]

DER BUNDESMINISTER  
FÜR AUSWÄRTIGE ANGELEGENHEITEN

Wien, am 20. Dezember 1985

Exzellenzen!

Ich beehre mich, den Empfang Ihrer Note vom 20. Dezember 1985 zu bestätigen, die folgenden Wortlaut hat:

[See note I — Voir note I]

Ich beehre mich zu bestätigen, daß die Republik Österreich diesem Vorschlag zustimmt und daß Ihre Note und diese Antwortnote ein Abkommen zwischen der

<sup>1</sup> Signed by Leopold Gratz — Signé par Leopold Gratz.