

**No. 1008**

---

**UNITED NATIONS  
and  
UNITED NATIONS  
INDUSTRIAL DEVELOPMENT ORGANIZATION**

**Agreement for the transfer of assets (with schedules).  
Signed at Vienna on 11 March 1988**

*Authentic text: English.*

*Filed and recorded by the Secretariat on 11 March 1988.*

---

**ORGANISATION DES NATIONS UNIES  
et  
ORGANISATION DES NATIONS UNIES  
POUR LE DÉVELOPPEMENT INDUSTRIEL**

**Accord sur le transfert d'avoirs (avec annexes). Signé à  
Vienne le 11 mars 1988**

*Texte authentique : anglais.*

*Classé et inscrit au répertoire par le Secrétariat le 11 mars 1988.*

## AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION FOR THE TRANSFER OF ASSETS

---

The United Nations and the United Nations Industrial Development Organization,

In view of the conversion of the United Nations Industrial Development Organization (hereinafter UNIDO) from an organ of the United Nations into a specialized agency;

Desiring the above-mentioned conversion to take place smoothly and with minimum disruption in the activities of both organizations and in such a way that the various projects of both organizations, as well as their respective contractual rights and obligations, are preserved and maintained;

Taking into account:

(a) Paragraphs 9 and 10 of General Assembly resolution 34/96 of 13 December 1979 on transitional arrangements relating to the establishment of UNIDO as a specialized agency,<sup>2</sup> which read as follows:

“The General Assembly

“9. Also authorizes the Secretary-General to transfer to the new agency the assets of the United Nations used by the existing United Nations Industrial Development Organization, in accordance with arrangements to be entered into between the Secretary-General, acting in consultation with the Advisory Committee on Administrative and Budgetary Questions, and the Director-General of the new agency;

“10. Further authorizes the Secretary-General to transfer to the new agency the assets of the United Nations Industrial Development Fund, provided that the agency agrees to use such assets in accordance with any undertakings by the United Nations towards the donors of those assets;”

(b) Paragraphs (a) and (b) of Decision GC.1/Dec.35 of the first General Conference of UNIDO adopted at its eighth plenary meeting, on 12 December 1985, which read as follows:

“The General Conference,

“(a) Requests the Director-General to take the necessary measures to effect transfer of assets from the United Nations to UNIDO;

“(b) Authorizes the Director-General to enter into appropriate arrangements with the Secretary-General of the United Nations and the Administrator of the United Nations Development Programme, in respect of transfer of assets.”

Recognizing that in the light of the above, appropriate administrative arrangements for the transfer of assets from the United Nations to UNIDO have been made;

---

<sup>1</sup> Came into force on 11 March 1988 by signature.

<sup>2</sup> United Nations, *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 46 (A/34/46)*, p. 96.

Have concluded the following Agreement in order to confirm those arrangements:

#### A. ASSETS OF THE UNITED NATIONS INDUSTRIAL DEVELOPMENT FUND

*Article 1.* The assets and liabilities of the United Nations Industrial Development Fund (hereinafter UNIDF), as reflected in the audited financial statements of UNIDF for the year ended 31 December 1985\*, were transferred to UNIDO by the United Nations with the condition that UNIDO would use such assets in accordance with any undertakings by the United Nations towards the donors of those assets, bearing in mind the provisions concerning the management of UNIDF and the general procedures governing its operations as set forth in the annexes to United Nations General Assembly resolutions 31/202<sup>1</sup> and 31/203,<sup>2</sup> as well as in the special annex for UNIDF to the Financial Regulations and Rules of the United Nations (ST/SGB/UNIDF/Financial Rules/4 (1982)). The record of the transfer of the assets and liabilities of UNIDF in accordance with this Article is annexed to this Agreement as Schedule A.

#### B. OTHER FINANCIAL ASSETS

*Article 2. (a)* Assets, liabilities and fund balances relating to technical co-operation activities and to the Special Account for Programme Support costs, insofar as they relate to UNIDO, as shown as at 31 December 1985 in Statement XIV and Schedule 16.1 of the Audited Financial Statements of the United Nations for the Biennium 1984-1985\*\*, were transferred to UNIDO in accordance with Schedule B annexed hereto. All other assets and liabilities maintained in Vienna and shown in Volume I of the aforementioned Audited Financial Statements, including those relating to the General Fund of the United Nations, were, subject to sub-paragraph (b) below, retained by the United Nations.

*(b)* Financial assets, liabilities and fund balances relating to the Garage Administration and the Catering Service as at 31 December 1985 were transferred to UNIDO, in accordance with Schedule C. Assets, liabilities and fund balances relating to the Common Fund for Major Repairs and Replacements were transferred to UNIDO pursuant to the decision of the Joint Committee which administers the Common Fund, at its 10th session on 11 March 1986. The record of the transfer of such financial assets, liabilities and fund balances is annexed to this Agreement as Schedule D.

*Article 3.* Bank accounts held by UNIDO on behalf of the United Nations up to 31 December 1985 were transferred to UNIDO as from that date, in accordance with Schedule E annexed to the present Agreement, and their panels of signatories were amended accordingly. To the extent that any bank account so transferred to UNIDO comprised or contained an asset of a fund retained by the United Nations pursuant to Article 2 (a) of this Agreement, a cash settlement was made by UNIDO

\* See *Official Records of the General Assembly, Forty-first session, Supplement No. 51 (A/41/5/Add.9)*.

\*\* See *Official Records of the General Assembly, Forty-first session, Supplement No. 5 (A/41/5, volume I)*.

<sup>1</sup> United Nations, *Official Records of the General Assembly, Thirty-first Session, Supplement No. 39 (A/31/39)*, p. 170.

<sup>2</sup> *Ibid.*, p. 171.

to the United Nations of the amount in the account, as it appeared in the books of account as at 31 December 1985. The detailed record of the cash settlements is annexed to this Agreement as Schedule F.

C. EQUIPMENT, FURNITURE AND SUPPLIES AT  
THE VIENNA INTERNATIONAL CENTRE

*Article 4.* (a) Equipment, furniture and supplies at the Vienna International Centre which had been acquired by the United Nations for the use of UNIDO as an organ of the United Nations and for the United Nations units at Vienna, were divided by the parties on the basis of the inventory record existing on 31 December 1985 and those assets up to then used by UNIDO were transferred to UNIDO. The record of the apportionment of equipment, furniture and supplies in accordance with the present Agreement is annexed as Schedule G to this Agreement.

(b) Equipment, furniture and supplies in stores as at 31 December 1985, as well as such items on order on that date and chargeable to the 1984-85 United Nations Regular Budget funds, have been apportioned between the parties in accordance with administrative arrangements made between the parties. A record of such apportionment is included in Schedule G to this Agreement.

*Article 5.* Equipment, furniture and supplies transferred to UNIDO pursuant to Article 4 above that were used by UNIDO by virtue of its responsibilities under the Memorandum of Understanding concerning common services at the Vienna International Centre (1977), for Buildings Management, Catering Service, Conference Services, Language Training and Garage Administration, shall be retransferred to the United Nations to the extent that responsibility for any of these services should ultimately be conferred upon the United Nations.

D. EQUIPMENT AND SUPPLIES IN THE FIELD

*Article 6.* (a) Unless otherwise agreed between the United Nations Development Programme (hereinafter UNDP) and UNIDO, pursuant to paragraph (c) below, title to equipment and supplies in the field, purchased prior to 1 January 1986 with funds of UNDP, as detailed in the relevant project inventories and outstanding transfer of title documents and annexes, if any, shall remain with the United Nations and be vested in UNDP.

(b) In order to avoid interruption in the provision of technical assistance, UNIDO continued to be charged with the management and control of all such equipment and supplies involved in such technical assistance administered by it.

(c) UNIDO and UNDP may conclude an appropriate administrative arrangement regarding management and control of such equipment and supplies.

*Article 7.* Title to equipment and supplies in the field, purchased prior to 1 January 1986 from trust funds administered and managed by UNIDO as an organ of the United Nations, from UNIDF or from the United Nations Regular Budget, as detailed in the relevant project inventories and outstanding transfer of title documents and annexes, if any, was transferred to UNIDO as of 1 January 1986.

*Article 8.* On completion of the projects financed from UNDP funds, UNIDF or technical co-operation trust funds administered by UNIDO as an organ of the

United Nations, title to equipment has been or shall be transferred to the respective Governments receiving technical assistance, at the end of each project in accordance with the respective project document.

#### E. RIGHTS AND OBLIGATIONS UNDER EXISTING CONTRACTS

*Article 9.* (a) Subject to paragraph (b) below, the United Nations hereby transfers to UNIDO the rights and obligations arising from contracts concluded by UNIDO as an organ of the United Nations, for the purpose of acquiring equipment, supplies or services for implementation of technical assistance projects, or for supplier services, equipment or supplies at Vienna or for other official purposes.

(b) Where it is necessary to obtain the explicit consent of a third party to the transfer of rights and obligations arising from contracts concluded by UNIDO as an organ of the United Nations, the United Nations and UNIDO shall co-operate in facilitating the necessary arrangements.

(c) In all cases where UNIDO accepts contractual rights and obligations under existing contracts concluded by UNIDO as an organ of the United Nations, UNIDO shall hold harmless the United Nations for all actions, claims, requests and orders arising from future actions of UNIDO under such contracts; UNIDO shall defend all actions brought against the United Nations in respect of such contracts and shall indemnify the United Nations for any damages arising out of such contracts.

#### F. HEADQUARTERS PREMISES

*Article 10.* The United Nations and UNIDO recognize that any transfer of part of the premises of the Vienna International Centre cannot be effected directly by an arrangement between the United Nations and UNIDO but requires one or more agreements between the Government of Austria, the United Nations, UNIDO and the International Atomic Energy Agency. Separate arrangements shall therefore be made in this regard.

#### G. GENERAL PROVISIONS

*Article 11.* The United Nations and UNIDO shall resolve all disputes arising out of this Agreement through negotiations.

DONE this 11th day of March 1988, at Vienna.

For the United Nations:

[Signed]

MARGARET J. ANSTEE  
Director-General  
United Nations Office at Vienna

For the United Nations  
Industrial Development Organization:

[Signed]

DOMINGO L. SIAZON Jr.  
Director-General

## SCHEDULE A. UNITED NATIONS INDUSTRIAL DEVELOPMENT FUND

*Statement of assets and liabilities as at 31 December 1985*

(United States dollars)

*Assets*

Cash	17,909,365
Pledged contributions unpaid	6,753,278
Accounts receivable	365,639
Due from United Nations General Fund	332,747
Deferred charges and other assets	1,854,019
Total assets	27,215,048

*Liabilities*

Accounts payable	1,318,644
Unliquidated obligations	4,529,181
Unliquidated obligations, future years	1,853,734
Operating reserve	524,485
Deferred income	—
Total liabilities	8,226,044

*Fund Balance*

Balance available 1 January 1985	12,786,980
Add: excess of income over expenditure	6,228,008
Subtotal	19,014,988
Less: transfer to reserves	25,984
Balance available 31 December 1985	18,989,004
Total liabilities and fund balance	27,215,048

## SCHEDULE B. TECHNICAL CO-OPERATION ACTIVITIES

*Statement of assets and liabilities as at 31 December 1985*

(United States dollars)

*Assets*

Cash	12,651,514
Pledged contributions unpaid	—
Accounts receivable	3,147,266
Due from UNDP, UNFPA and UNEP for excess of expenditure over funds provided	23,410,753
Unspent allocations	114,768,975
Interfund balances receivable	—
Due from United Nations General Fund	895,347
Deferred charges and other assets	20,135,015
Total assets	175,008,870

*Liabilities*

Accounts payable	9,947,367
Unliquidated obligations	24,050,733
Unliquidated obligations for future years	17,140,068
Interfund balances payable	—
Due to special accounts for programme support costs	—
Due to United Nations General Fund	1,071,020
Operating fund	—
Deferred income	118,888,377
Total liabilities	171,097,565

*Fund balance*

Balance available 1 January 1984	24,158
Add: Excess of income over expenditure	3,887,147
Balance available 31 December 1985	3,911,305
Total liabilities and fund balance	175,008,870

## SPECIAL ACCOUNT FOR PROGRAMME SUPPORT COSTS

*Statement of assets and liabilities as at 31 December 1985*

(United States dollars)

*Assets*

Cash	14,112,734
Accounts receivable	218,339
Due from technical co-operation activities (statement XIV)	—
Due from United Nations General Fund	—
Deferred charges and other assets	—
Total assets	14,331,073

*Liabilities*

Accounts payable	25,610
Unliquidated obligations	963,741
Operating reserve	2,278,397
Due to United Nations General Fund	1,111,059
Total liabilities	4,378,807

*Fund balance*

Balance available 1 January 1984	6,273,430
Add: Net excess of income over expenditure	3,765,237
Less: Transfers to reserves	(86,401)
Balance available 31 December 1985	9,952,266
Total liabilities and fund balance	14,331,073

## SCHEDULE C. GARAGE ADMINISTRATION AND CATERING SERVICE

*Statement of assets and liabilities as at 31 December 1985*

(United States dollars)

*Assets*

Cash	15,774
Accounts receivable	114,887
Interest receivable	3,266
Inventory	92,311
Equipment	—
Due from United Nations General Fund	187,268
Total assets	413,506

*Liabilities*

Accounts payable	103,556
Unliquidated obligations	—
Reserves and contingencies for staff welfare	—
Operational reserve	50,000
Due to United Nations General Fund	—
Total liabilities	153,556

*Fund balance*

Balance available 1 January 1984	250,805
Add: Excess of income over expenditure	9,145
Transfer from operating reserve	—
Subtotal	259,950
Less: Transfer of retained earnings to staff welfare and other	—
Balance available 31 December 1985	259,950
Total liabilities and fund balance	413,506

## SCHEDULE D. COMMON FUND FOR MAJOR REPAIRS AND REPLACEMENTS

*Status of assets and liabilities as at 31 December 1985*

(United States dollars)

*Assets*

Cash at banks — current account	13,966
— deposit account	310,000
Accounts receivable:	
Accrued interest	16,509
Reimbursable expenditure	196,117
Reimbursement received	39,705
Materials on stock	91,168
Total assets	588,055

*Liabilities and Fund Balance*

Fund balance	588,055
Total liabilities and fund balance	588,055

**SCHEDULE E. BANK ACCOUNTS HELD BY UNIDO ON BEHALF OF  
THE UNITED NATIONS AS AT 31 DECEMBER 1985**

<i>Country</i>	<i>Name of Bank</i>	<i>A/C Code</i>	<i>Symbol</i>	<i>Local Currency</i>	<i>US\$ Equivalent</i>
Austria	Creditanstalt Bankverein	UN0500030	US\$	62,590.26	62,590.26
USA	Chemical Bank	UN0500456	US\$	21,471.98	21,471.98
Austria	Creditanstalt Bankverein	UN0510030	AS	2,054,917.94	116,096.96
Austria	Zentral & Kommerzialbk	UN0511030	AS	817,020.66	46,159.32
				Sub-total	246 318.52
Austria	Creditanstalt Bankverein	UN0600030	US\$	0.00	0.00
USA	Chemical Bank	UN0600456	US\$	0.00	0.00
Austria	Creditanstalt Bankverein	UN0610030	AS	3,999,979.24	225,987.52
Austria	Zentral & Kommerzialbk	UN0611030	AS	2,310,735.00	130,550.00
				Sub-total	356,537.52
Austria	Creditanstalt Bankverein	DP0500030	US\$	17,058.13	17,058.13
USA	Bankers Trust Co	DP0500456	US\$	2,766.23	2,766.23
Australia	Westpac Banking Corp.	DP0510027	A\$	3,920.93	2,704.09
Austria	Creditanstalt Bankverein	DP0510030	AS	28,092.99	1,587.17
Belgium	Scte Générale de Banques	DP0510048	BF	1,290,613.00	25,306.12
Bulgaria	Banque Bulg. du Comm Ext	DP0510057	LEVA	12,740.18	12,740.18
Czechosl.	Ceskos Obchodni Banka	DP0510114	KOS	124,167.07	10,797.13
Denmark	Den Danske Landmandsbank	DP0510120	DKR	666,014.47	73,188.40
France	Scte Générale	DP0510147	FF	1,332,320.78	174,159.58
Hungary	Magyar Nemzeti Bank	DP0510195	FT	416,300.23	8,583.52
Italy	Banca Naz. del Lavoro	DP0510222	LIT	850,401,030.00	495,860.66
Japan	Bank of Tokyo	DP0510231	Y	15,091,517.70	75,457.57
Netherl.	Amro Bank	DP0510300	FLS	25,195.39	8,998.34
Norway	Norges Bank	DP0510324	NKR	102,428.93	13,566.74
Poland	Narodowy Bank Polski	DP0510345	ZL	1,959,225.54	13,364.44
Spain	Banco Hispano Americano	DP0510399	PTS	479,105.96	3,090.98
Sweden	Post och Kreditbank	DP0510411	SKR	660,811.17	86,380.54

<i>Country</i>	<i>Name of Bank</i>	<i>A/C Code</i>	<i>Symbol</i>	<i>Local Currency</i>	<i>US\$ Equivalent</i>
USSR	Bank for Foreign Trade	DP0510447	R	148,030.36	191,749.16
UK	Midland Bank Ltd	DP0510453	£	24,729.14	36,690.15
FRG	Deutsche Bundesbank	DP0510525	DM	159,311.76	63,724.71
Switzerl.	Credit Suisse	DP0510575	SWF	359,504.02	172,011.50
				Sub-total	1,489,785.34
Austria	Creditanstalt Bankverein	DP0600030	US\$	0.00	0.00
USA	Bankers Trust Co	DP0600456	US\$	0.00	0.00
Austria	Creditanstalt Bankverein	DP0610030	AS	0.00	0.00
				Sub-total	0.00
Austria	Creditanstalt Bankverein	UF0500030	US\$	116,041.24	116,041.24
USA	Chemical Bank	UF0500456	US\$	336,913.52	336,913.52
FRG	Deutsche Bundesbank	UF0500525	US\$	485,811.66	485,811.66
Austria	Creditanstalt Bankverein	UF0510030	AS	670,759.68	37,896.01
Belgium	Scte Générale de Banques	UF0510048	BF	833,879.52	16,350.57
Bulgaria	Banque Bulg du Comm Ext	UF0510057	LEVA	222,203.13	222,203.13
China	Bank of China	UF0510086	YRMB	1,251,600.84	392,351.36
Cuba	Banco Nacional de Cuba	UF0510105	C\$	199,328.65	219,863.94
Czechosl.	Ceskos Obchodni Banka	UF0510114	KOS	892.01	77.57
Hungary	Magyar Nemzeti Bank	UF0510195	FT	3,722,468.56	76,751.93
India	Grindlays Bank Ltd	UF0510204	IRS	5,325,396.29	449,400.53
Mongolia	State Bank (Mongolia)	UF0510288	T	54,410.04	15,725.45
Pakistan	Grindlays Bank Ltd	UF0510330	PRS	4,666,395.62	289,478.64
Poland	Narodowy Bank Polski	UF0510345	ZL	2,585,397.77	17,635.72
Romania	Romanian Bank for Foreign Trade	UF0510366	LEI	28,416.45	2,471.00
Sweden	Post och Kreditbank	UF0510411	SKR	974,242.01	127,351.90
Turkey	Ottoman Bank	UF0510435	L.T.	32,237,480.92	57,566.92

<i>Country</i>	<i>Name of Bank</i>	<i>A/C Code</i>	<i>Symbol</i>	<i>Local Currency</i>	<i>US\$ Equivalent</i>
USSR	Bank for Foreign Trade USSR	UF0510447	R	478,255.97	619,502.54
Egypt	National Bank of Egypt	UF0510450	L.E.	16,808.51	20,456.26
Yugosl.	Investbanka Beograd	UF0510495	DIN	15,435,000.20	1,622.07
FRG	Deutsche Bundesbank	UF0510525	DM	53,029.28	21,211.72
GDR	Deutsche Auss. Hand.b.	UF0510530	M	706,489.38	282,595.75
				Sub-total	3,859,279.43
Austria	Creditanstalt Bankverein	UF0600030	US\$	2,500,000.00	2,500,000.00
Luxemb.	Bayerische Land. Bank	UF0600264	US\$	500,000.00	500,000.00
USA	Chemical Bank	UF0600456	US\$	0.00	0.00
Belgium	Scte Générale de Banques	UF0610048	BF	79,000,000.00	1,549,019.62
France	Scte Générale	UF0610147	FF	11,000,000.00	1,437,909.50
Italy	Banca Naz. del Lavoro	UF0610222	LIT	4,500,000,000.00	2,623,906.71
Japan	Bank of Tokyo	UF0610231	Y	90,000,000.00	450,000.00
Luxemb.	Bayerische Land. Bank	UF0610264	SWF	455,906.25	218,136.96
UK	Midland Bank Ltd	UF0610453	£	0.00	0.00
				Sub-total	9,278,971.79
USA	Chemical Bank	TF0500456	US\$	154,652.84	154,652.84
Austria	Zentral & Kommerzialbk	TF0501030	US\$	66,454.03	66,454.03
				Sub-total	221,106.87
Austria	Creditanstalt Bankverein	TF0600030	US\$	5,200,000.00	5,200,000.00
USA	Chemical Bank	TF0600456	US\$	0.00	0.00
Austria	Zentral & Kommerzialbk	TF0601030	US\$	3,900,000.00	3,900,000.00
				Sub-total	9,100,000.00
Austria	Creditanstalt Bankverein	D00500030	US\$	312,733.97	312,733.97
				Sub-total	312,733.97
Austria	Creditanstalt Bankverein	D00600030	US\$	10,600,000.00	10,600,000.00
Austria	Zentral & Kommerzialbk	D00601030	US\$	1,700,000.00	1,700,000.00
Luxemb.	Bayerische Land. Bank	D00600264	US\$	1,500,000.00	1,500,000.00
				Sub-total	13,800,000.00

<i>Country</i>	<i>Name of Bank</i>	<i>A/C Code</i>	<i>Symbol</i>	<i>Local Currency</i>	<i>US\$ Equivalent</i>
USSR	Bank for Foreign Trade	RP0510447	R	164,915.59	213,621.22
				Sub-total	213,621.22
Austria	Zentral & Kommerzialbk	MR0501030	US\$	13,966.07	13,966.07
Austria	Zentral & Kommerzialbk	MR0511030	AS	0.00	0.00
				Sub-total	13,966.07
Austria	Zentral & Kommerzialbk	MR0601030	US\$	310,000.00	310,000.00
				Sub-total	310,000.00

#### SCHEDULE F. CASH SETTLEMENTS<sup>1</sup> AS AT 31 DECEMBER 1985

<i>Country</i>	<i>Name of Bank</i>	<i>A/C Code</i>	<i>Symbol</i>	<i>Local Currency</i>	<i>US\$ Equivalent</i>
Austria	Creditanstalt Bankverein	UN0500030	US\$	62,590.26	62,590.26
USA	Chemical Bank	UN0500456	US\$	21,471.98	21,471.98
Austria	Creditanstalt Bankverein	UN0510030	AS	2,054,917.94	116,096.96
Austria	Zentral & Kommerzialbk	UN0511030	AS	817,020.66	46,159.32
Austria	Creditanstalt Bankverein	UN0610030	AS	3,999,979.24	225,987.52
Austria	Zentral & Kommerzialbk	UN0611030	AS	2,310,735.00	130,550.00
USSR	Bank for Foreign Trade	RP0510447	R	164,915.59	213,621.22
				TOTAL	816,477.26

<sup>1</sup> Funds of which the above-mentioned bank balances formed a part were retained by the United Nations. In accordance with Article 3, a cash settlement was made by UNIDO to the United Nations as part of the normal monthly settlement of inter-agency indebtedness between UNIDO and the United Nations.

#### SCHEDULE G<sup>1</sup>

<sup>1</sup> Not published herein in accordance with article 12 (2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations as amended in the last instance by General Assembly resolution 33/141 A of 19 December 1978.