

Model text

AGREEMENT BETWEEN THE  
UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION  
AND THE  
GOVERNMENT OF [*host country*] REGARDING THE ARRANGEMENTS FOR  
THE ..... OF UNIDO

WHEREAS during its ..... regular session, at its ..... meeting held on ....., the Industrial Development Board of the United Nations Industrial Development Organization ("UNIDO") welcomed the invitation of the Government of [*host country*] (the "Government") to hold the ..... at [*city, host country*], and

WHEREAS in accordance with General Assembly resolution 40/243, Section I, paragraph 5, the actual additional costs directly or indirectly involved in holding a conference away from the seat of the Organization shall be borne by the host Government,

NOW THEREFORE, UNIDO and the Government hereby agree as follows:

Article I  
Date and place of the Conference

The Conference shall be held at [*city*], from ..... to .....  
200...

Article II  
Attendance at the Conference

1. As specified in the rules of procedure of the General Conference, the Conference shall be open to participation by the representatives, alternates, advisers and experts of:

- (a) Member States;
- (b) States Members of the United Nations or of any of its specialized agencies or of the International Atomic Energy Agency and of States which enjoy observer status in the General Assembly of the United Nations;
- (c) The United Nations and United Nations organs when duly authorized by a competent intergovernmental organ or by the Secretary-General of the United Nations;

- (d) The specialized and related agencies of the United Nations system;
  - (e) Intergovernmental and governmental organizations with which UNIDO has concluded a relationship agreement pursuant to Article 19.1 (a) of the Constitution of UNIDO;
  - (f) Non-governmental organizations with which UNIDO has established relations pursuant to Article 19.1 (b) of the Constitution of UNIDO and whose participation has been approved by the Board;
  - (g) Any other intergovernmental organizations that have been designated on a continuing basis by the Economic and Social Council of the United Nations under rule 79 of its rules of procedure;
  - (h) Organizations and national liberation movements which have been invited in accordance with Article 4.1 of the Constitution of UNIDO and which have not been referred to in any of the preceding parts of this article.
2. The Director-General of UNIDO shall designate the officials of UNIDO required for the Conference.
3. The public meetings of the Conference shall be open to representatives of information media accredited by UNIDO at its discretion after consultation with the Government.

### Article III

#### Premises, equipment, utilities and supplies

1. The Government shall provide the necessary premises, including conference rooms for informal meetings, office space, working areas and other related facilities, as specified in the schedule hereto. The Government shall at its expense furnish, equip and maintain in good repair all these premises and facilities in a manner that UNIDO considers adequate for the effective conduct of the Conference. The conference rooms shall be equipped for reciprocal simultaneous interpretation into and from six languages and shall have facilities for sound recording in the original version and in the English translation as well as facilities for press, television, radio and film operations, to the extent required by UNIDO. The premises shall remain at the disposal of UNIDO 24 hours a day from two weeks prior to the Conference until a maximum of six days after its close.
2. The Government shall provide, if possible within the conference area: bank, post office, telephone and cable facilities, as well as appropriate eating facilities, a travel agency and a secretarial service centre, equipped in consultation with UNIDO, for the use of delegations to the Conference on a commercial basis.
3. The Government shall bear the cost of all necessary utility services, including local telephone communications, of the secretariat of the

Conference and its communications by fax, telex or telephone with UNIDO headquarters in Vienna when such communications are authorized by or on behalf of the Director-General of UNIDO.

4. The Government shall bear the cost of transport and insurance charges, from any established United Nations office to the site of the Conference and return, of all UNIDO equipment and supplies required for the adequate functioning of the Conference. UNIDO shall determine the mode of shipment of such equipment and supplies.

Article IV  
Accommodation

The Government shall ensure that adequate accommodation in hotels or residences is available at reasonable commercial rates for persons participating in or attending the Conference.

Article V  
Medical facilities

1. Medical facilities adequate for first aid in emergencies shall be provided by the Government within the conference area.
2. For serious emergencies, the Government shall ensure immediate transportation and admission to a hospital.

Article VI  
Transport

1. The Government shall provide transport between the [local] airport and the Conference area and principal hotels for the members of UNIDO's Secretariat servicing the Conference, including their arrival and departure.
2. The Government shall ensure the availability of transport for all participants and those attending the Conference between the [local] airport, the principal hotels and the conference area.
3. The Government shall provide an adequate number of cars with drivers for official use by the principal officers and the secretariat of the Conference, as well as such other local transportation as is required by the secretariat in connection with the Conference.

Article VII  
Police protection

The Government shall furnish such police protection as may be required to ensure the effective functioning of the Conference in an atmosphere of security and tranquillity free from interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close cooperation with a designated senior official of UNIDO.

Article VIII  
Local personnel

1. The Government shall appoint a Liaison officer who shall be responsible, in consultation with UNIDO, for making and carrying out the administrative and personnel arrangements for the Conference as required under this Agreement.

2. The Government shall recruit and provide an adequate number of secretaries, typists, clerks, personnel for the reproduction and distribution of documents, assistant conference officers, ushers, messengers, bilingual receptionists, telephone operators, cleaners and workmen required for the proper functioning of the Conference. The exact requirements in this respect will be established by UNIDO in consultation with the Government. Some of the persons shall be available at least one week before the opening of the Conference and until a maximum of six days after its close, as required by UNIDO.

Article IX  
Financial arrangements

1. The Government, in addition to the financial obligations provided for elsewhere in this Agreement, shall in accordance with General Assembly resolution 40/243, Section I, paragraph 5, bear the actual additional costs directly or indirectly involved in holding the Conference in [host country] rather than at the established headquarters of UNIDO at Vienna. Such costs, which are provisionally estimated at approximately US\$ ....., shall include, but not be restricted to, the actual additional costs of travel and staff entitlements of UNIDO officials assigned to plan for or attend the Conference including the costs of the preparatory mission(s) to [host country], as well as the costs of shipping any necessary equipment and supplies. Arrangements for the travel of UNIDO officials required to plan for or service the Conference and for the shipment of any necessary equipment and supplies shall be made by the Secretariat in accordance with the Staff Regulations and Rules of UNIDO and its related administrative practices regarding travel standards, baggage allowances, subsistence payments and terminal expenses.

2. The Government shall, not later than ....., deposit with UNIDO the sum of US\$ ..... representing the total estimated costs referred to in paragraph 1. If necessary, the Government shall make further advances as requested by UNIDO so that the latter will not at any time have to finance temporarily from its cash resources the extra costs that are the responsibility of the Government.

3. The deposit and the advances required by paragraph 2 shall be used only to pay the obligations of UNIDO in respect of the Conference.

4. After the Conference, UNIDO shall give the Government a detailed set of accounts showing the actual additional costs incurred by UNIDO and to be borne by the Government pursuant to paragraph 1. These costs shall be expressed in United States dollars, using the United Nations official rate of exchange at the time the payments are made. UNIDO, on the basis of this detailed set of accounts, shall refund to the Government any funds unspent out of the deposit or the advances required by paragraph 2. Should the actual additional costs exceed the deposit, the Government shall remit the outstanding balance within one month of the receipt of the detailed accounts. The final accounts shall be subject to audit as provided in the Financial Regulations and Rules of UNIDO, and the final adjustment of accounts shall be subject to any observations which may arise from the audit carried out by the External Auditor of UNIDO whose determination shall be accepted as final by both UNIDO and the Government.

#### Article X Liability

1. The Government shall be responsible for dealing with any action, claim or other demand against UNIDO or its officials and arising out of:

(a) Injury to persons or damage to or loss of property in the premises referred to in article III that are provided by or are under the control of the Government;

(b) The employment for the Conference of the personnel provided by the Government under article VIII;

(c) Any transportation provided by the Government for the Conference.

2. The Government shall indemnify and hold harmless UNIDO and its officials in respect of any such action, claim or other demand.

Article XI  
Privileges and immunities

1. In accordance with Article 21 of the Constitution of UNIDO, the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which [host country] is a party, shall be applicable in respect of the Conference. In particular, the representatives, alternates, advisers and experts of States or of the intergovernmental organs referred to in article II, paragraph 1 (a), (b) and (c) above, shall enjoy the privileges and immunities provided under article IV of the Convention, the officials of UNIDO performing functions in connection with the Conference referred to in article II, paragraph 2 above, shall enjoy the privileges and immunities provided under articles V and VII of the Convention and any experts on mission for UNIDO in connection with the Conference shall enjoy the privileges and immunities provided under articles VI and VII of the Convention.
2. The representatives or observers referred to in article II, paragraph 1 (e), (f), (g) and (h) above, shall [enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation in the Conference] [be granted the status of experts on mission for UNIDO pursuant to the Convention on the Privileges and Immunities of the United Nations].
3. The personnel provided by the Government under article VIII above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Conference.
4. The representatives of the specialized or related agencies, referred to in article II, paragraph 1 (d) above, shall enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, as appropriate.
5. Without prejudice to the preceding paragraphs of the present article, all persons performing functions in connection with the Conference, including those referred to in article VIII and all those participating in the Conference, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Conference.
6. All persons referred to in article II shall have the right of entry into and exit from [host country], and no impediment shall be imposed on their transit to and from the conference area. They shall be granted facilities for speedy travel. Visas and entry permits, where required, shall be granted free of charge, as speedily as possible and not later than two weeks before the date of the opening of the Conference; if the application is made later, the visa shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the

duration of the Conference are delivered at the airport or other specified points of entry to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the Conference.

7. For the purpose of the Convention on the Privileges and Immunities of the United Nations, the conference premises specified in article III, paragraph 1 above, shall be deemed to constitute premises of UNIDO in the sense of section 3 of the Convention and access thereto shall be subject to the authority and control of UNIDO. The premises shall be inviolable for the duration of the Conference, including the preparatory stage and the winding-up.

8. All persons referred to in article II above shall have the right to take out of [host country] at the time of their departure, without any restriction, any unexpended portions of the funds they brought into [host country] in connection with the Conference and to reconvert any such funds at the same rate at their departure.

9. The Government shall allow the temporary importation, tax- and duty-free, of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes on supplies necessary for the Conference. It shall issue without delay any necessary import and export permits for this purpose.

#### Article XII Settlement of disputes

Any dispute between UNIDO and the Government concerning the interpretation or application of this Agreement that is not settled by negotiation or other agreed mode of settlement shall be referred at the request of either party for final decision to a tribunal of three arbitrators, one to be named by the Director-General of UNIDO, one to be named by the Government and the third, who shall be the chairman, to be chosen by the first two; if either party fails to appoint an arbitrator within 60 days of the appointment by the other party, or if these two arbitrators should fail to agree on the third arbitrator within 60 days of their appointment, the President of the International Court of Justice may make any necessary appointments at the request of either party. However, any such dispute that involves a question regulated by the Convention on the Privileges and Immunities of the United Nations shall be dealt with in accordance with section 30 of that Convention.

Article XIII  
Final provisions

1. This Agreement may be modified by written agreement between UNIDO and the Government.

2. This Agreement shall enter into force immediately upon signature by the Parties and shall remain in force for the duration of the Conference and for such a period thereafter as is necessary for all matters relating to any of its provisions to be settled.

SIGNED this ..... day of ..... 200... at ..... in two copies, in the English and ..... languages. In case of discrepancy between the two texts, the English text shall prevail.

For the United Nations Industrial  
Development Organization:

For the Government of  
[host country]:

\_\_\_\_\_  
Director-General

\_\_\_\_\_