

No. 1033

**INTERNATIONAL ATOMIC
ENERGY AGENCY
and
MONACO**

Agreement concerning the international laboratory of marine radioactivity and the privileges and immunities of the Agency within the Principality. Signed at Monaco on 16 May 1986

Authentic texts: English and French.

Filed and recorded at the request of the International Atomic Energy Agency on 29 May 1990.

**AGENCE INTERNATIONALE
DE L'ÉNERGIE ATOMIQUE
et
MONACO**

Accord relatif au laboratoire international de radioactivité marine et aux privilèges et immunités de l'Agence sur le territoire de la Principauté. Signé à Monaco le 16 mai 1986

Textes authentiques : anglais et français.

Classé et inscrit au répertoire à la demande de l'Agence internationale de l'énergie atomique le 29 mai 1990.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF HIS SERENE
HIGHNESS THE PRINCE OF MONACO AND THE INTERNA-
TIONAL ATOMIC ENERGY AGENCY CONCERNING THE IN-
TERNATIONAL LABORATORY OF MARINE RADIOACTIVITY
AND THE PRIVILEGES AND IMMUNITIES OF THE AGENCY
WITHIN THE PRINCIPALITY

The Government of His Serene Highness the Prince of Monaco and the
International Atomic Energy Agency, hereinafter referred to as "the Agency";

HAVING CO-OPERATED since 1961 in the implementation of the Agency's
programme concerning, in particular, the study of the effects of radioactivity
in the sea;

CONSIDERING that, as part of this co-operation, the Agency has established
in Monaco an International Laboratory of Marine Radioactivity, hereinafter
referred to as "the Laboratory";

BEARING IN MIND that the Statute of the Agency² provides, in Article XV.C,
that the legal capacity, privileges and immunities referred to in the said
Article shall be defined in agreements concluded between the Agency,
represented for this purpose by the Director General acting under instructions
of the Board of Governors, and the Members;

WISHING to determine the conditions for the establishment of the
Laboratory and to define the privileges and immunities of the Agency in Monaco;

Have agreed as follows:

Article 1

1. The premises and installations used by the Agency for its activities in
Monaco, as defined in Article 2 below, shall constitute the seat of the
Laboratory.
2. These premises and installations are graciously placed at the Agency's
disposal by the Government of His Serene Highness the Prince of Monaco, which
agrees to assume responsibility for defraying the following costs (except for
expenditure made necessary by negligence or omission on the part of the Agency
or its staff):

¹ Came into force on 17 October 1986 by the exchange of the instruments of approval, in accordance with
article 17 (1).

² United Nations, *Treaty Series*, vol. 276, p. 3, and vol. 471, p. 334.

- (a) Regular maintenance costs;
- (b) The cost of services provided from outside: electricity, water, heat, gas, sewage disposal, collection of refuse and fire protection;
- (c) Property insurance and premiums.

Article 2

1. The activities of the Laboratory shall be devoted primarily to the study of radioactivity and its effects in the sea and in marine organisms.
2. These activities include, in particular, research into the behaviour of radionuclides in the marine environment, the development of radionuclide measurement techniques, the performance of intercalibration exercises, the training of research workers and participation in other international programmes relating to the radioactive and non-radioactive pollution of the sea.

Article 3

1. The Seat of the Laboratory shall be inviolable. No officer or official of the Principality shall enter the Seat except with the consent or at the request of the Director General of the Agency or his representative. This consent may be presumed in the case of fire or other calamities necessitating prompt action.
2. The Agency shall not allow the Seat of the Laboratory to be used as a refuge for any person sought in connection with a crime or offence or the subject of a court summons, conviction, deportation order or refusal of admittance issued by the Monegasque authorities.

Article 4

1. The Agency shall enjoy immunity from legal process, except insofar as in any particular case it shall have waived its immunity, notice thereof being given by the Director General or his representative.
2. The Seat of the Laboratory and the movable property of the Agency, wherever located, shall enjoy immunity from distraint, except insofar as the Agency shall have expressly waived this immunity and given notice thereof through the Director General or his representative.

3. The Seat of the Laboratory and the property referred to in paragraph 2 above, wherever located, shall also enjoy immunity from all forms of search, requisition, confiscation, expropriation and any other form of administrative or judicial restraint.

Article 5

1. The archives of the Laboratory and, in general, all documents held by the Laboratory or belonging to the Agency shall be inviolable, wherever located.

Article 6

1. Except as otherwise provided for in this agreement and subject to any regulation enacted under paragraph 2 below, the laws of the Principality shall apply within the Seat of the Laboratory.

2. The Agency shall, however, have the right to enact regulations, to be applied within the Seat of the Laboratory for the purpose of establishing the conditions required for the full discharge of its functions; the Government of His Serene Highness the Prince of Monaco shall be informed of such regulations before they become operative.

3. To the extent that they are incompatible with any of these regulations, the laws of the Principality shall not apply within the Seat of the Laboratory. Any dispute between the Government of His Serene Highness the Prince of Monaco and the Agency as to whether a regulation of the Agency complies with the preceding paragraph or whether a law of the Principality is incompatible with a regulation enacted by the Agency under the preceding paragraph shall be promptly settled in accordance with the provisions of Article 16 below. Pending such settlement, the Agency's regulation alone shall have effect within the Seat of the Laboratory.

Article 7

1. Without being subject to any financial controls, regulations or moratoria of any kind, the Agency, in the exercise of its official functions in Monaco, may freely:

- (a) Receive and hold funds and foreign exchange of all kinds and operate accounts in any currency;
- (b) Transfer its funds and foreign exchange within the Principality, and from Monaco to other countries and vice versa.