

No. 32912

**INTERNATIONAL ATOMIC ENERGY AGENCY,
UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION
and
ITALY**

Agreement concerning the International Centre for Theoretical Physics at Trieste. Signed at Vienna on 15 March 1993 and at Paris on 19 March 1993

Authentic text: English.

Registered by the International Atomic Energy Agency on 28 June 1996.

**AGENCE INTERNATIONALE
DE L'ÉNERGIE ATOMIQUE,
ORGANISATION DES NATIONS UNIES
POUR L'ÉDUCATION, LA SCIENCE ET LA CULTURE
et
ITALIE**

Accord concernant le Centre international de physique théorique de Trieste. Signé à Vienne le 15 mars 1993 et à Paris le 19 mars 1993

Texte authentique : anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 28 juin 1996.

AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AND THE GOVERNMENT OF THE REPUBLIC OF ITALY CONCERNING THE INTERNATIONAL CENTRE FOR THEORETICAL PHYSICS AT TRIESTE

WHEREAS the International Centre for Theoretical Physics (hereinafter referred to as the "Centre") is governed by the Agreement between the International Atomic Energy Agency and the Government of the Republic of Italy Concerning the Seat of the International Centre for Theoretical Physics (hereinafter referred to as the "Seat Agreement")² which entered into force on 15 June 1968; the Agreement between the International Atomic Energy Agency and the United Nations Educational, Scientific and Cultural Organization Concerning the Joint Operation of the International Centre for Theoretical Physics at Trieste (hereinafter referred to as the "Joint Operation Agreement")³ which entered into force on 1 January 1970; and the Exchange of Letters between the International Atomic Energy Agency (hereinafter referred to as the "Agency") the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as "UNESCO") and the Government of the Republic of Italy (hereinafter referred to as the "Italian Government") concerning the financing of Centre signed on 11 December 1990;

WHEREAS pursuant to the Joint Operation Agreement the administration of the Centre is carried out by the Agency on behalf of UNESCO and itself;

WHEREAS the Agency and UNESCO consider that it is desirable, having regard to their respective mandates, to transfer the administration of the Centre from the Agency to UNESCO;

WHEREAS the Agency, UNESCO and the Italian Government desire to make permanent arrangement for the financing of the Centre;

WHEREAS pursuant to the foregoing it is necessary to effect consequential amendments to the Seat Agreement and to the Joint Operation Agreement;

¹ Came into force on 1 January 1996, i.e., the 1st of January of the year following that during which the Parties had notified each other of its acceptance or ratification, in accordance with article 13 (3).

² United Nations, *Treaty Series*, vol. 794, p. 359.

³ *Ibid.*, vol. 733, p. 357.

BEARING IN MIND the outstanding contribution that Professor Abdus Salam, the Nobel-prize-winner, has made to the creation and development of the Centre;

NOW, THEREFORE, the Agency, UNESCO and the Italian Government have agreed as follows:

ARTICLE 1

Seat Agreement

UNESCO shall replace the Agency as a party to, and shall take over all rights and obligations of the Agency under the existing Seat Agreement on the understanding that the relevant provisions of the Agreement on the Privileges and Immunities of the Agency shall continue to be applicable, mutatis mutandis, with regard to the Centre after its transfer to UNESCO. Accordingly, the words "the Agency" are replaced as appropriate with "UNESCO" in the existing Seat Agreement.

ARTICLE 2

Organization

The Centre shall have an organizational framework consisting of the following:

- (a) the Steering Committee,
- (b) the Director
- (c) the Scientific Council

ARTICLE 3

The Steering Committee

1. Steering Committee shall be composed of the following members:

- (a) (i) one high level representative designated by the Director-General of UNESCO;
- (ii) one high level representative designated by the Director General of the Agency;
- (iii) one high level representative designated by the Italian Government;
- (b) such other members as may be appointed by the Steering Committee in order to ensure appropriate representation of those countries or institutions having made particularly important contributions to or having a particular interest in the activities of the Centre;
- (c) the Director who shall also be ex officio Chairperson of the Steering Committee.

2. The representatives mentioned in paragraphs 1(a) and (b) of this Article, may be accompanied by experts.

3. The Chairperson of the Scientific Council shall attend meetings of the Steering Committee in an advisory capacity.

ARTICLE 4

Functions of the Steering Committee

The functions of the Steering Committee shall be:

- (a) to formulate the general guidelines for Centre's activities, taking into account its objectives as specified in the Joint Operation Agreement;
- (b) subject to the budgetary appropriation by the respective competent organs, to determine:
 - (i) the annual level of the budget;
 - (ii) the level of respective contributions;

- (iii) the financial plans;
 - (iv) how the funds available for the operation of the Centre are to be used;
- (c) to consider the proposals of the Director for the programme, work plans, financial plans, and budget proposals of the Centre and to take decisions thereon;
 - (d) to consider the annual and other reports of the Director on the activities of the Centre;
 - (e) to submit a report on the Centre's activities to UNESCO and the Agency;
 - (f) to recommend to the Director General of UNESCO the names of candidates for the post of the Director of the Centre;
 - (g) adopt its own rules of procedure, which shall include the following provisions: the Steering Committee shall normally meet twice a year; the decisions of the Steering Committee shall be taken by a two third majority except in cases concerning the level of contributions in which case decisions shall require the consent of each contributor concerned.

ARTICLE 5

The Director

1. The Director-General of UNESCO shall, in consultation with the Director General of the Agency and the Italian Government, appoint from among the candidates recommended by the Steering Committee the Director of the Centre for a period of five years, renewable.

2. The Director shall be the chief academic and administrative officer of the Centre. In this capacity, the Director shall, inter alia:

- (a) administer the Centre;