

No. 48811

**Austria, International Bank for Reconstruction and Development,
International Finance Corporation
and
Multilateral Investment Guarantee Agency**

Agreement between the Republic of Austria and the International Bank for Reconstruction and Development, the International Finance Corporation and the Multilateral Investment Guarantee Agency regarding the establishment of liaison offices in Vienna (with annex). Washington, 21 July 2010

Entry into force: *1 February 2011, in accordance with article 22*

Authentic texts: *English and German*

Registration with the Secretariat of the United Nations: *Austria, 15 August 2011*

**Autriche, Banque internationale pour la reconstruction
et le développement, Société financière internationale
et
Agence multilatérale de garantie des investissements**

Accord entre la République d'Autriche et la Banque internationale pour la reconstruction et le développement, la Société financière internationale et l'Agence multilatérale de garantie des investissements concernant la création de bureaux de liaison à Vienne (avec annexe). Washington, 21 juillet 2010

Entrée en vigueur : *1^{er} février 2011, conformément à l'article 22*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat des Nations Unies : *Autriche, 15 août 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN
THE REPUBLIC OF AUSTRIA
AND
THE INTERNATIONAL BANK FOR RECONSTRUCTION AND
DEVELOPMENT, THE INTERNATIONAL FINANCE CORPORATION AND
THE MULTILATERAL INVESTMENT GUARANTEE AGENCY
REGARDING
THE ESTABLISHMENT OF LIAISON OFFICES IN VIENNA**

Preamble

The Republic of Austria, on the one side, and the International Bank for Reconstruction and Development (IBRD), the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA) (together, hereinafter referred to as the “Organizations”), on the other side;

HAVING REGARD to

- (i) the Articles of Agreement of the International Bank for Reconstruction and Development of 27 December 1945, as amended with effect of 16 February 1989, which include Article VII on IBRD's status, immunities and privileges;
- (ii) the Articles of Agreement of the International Finance Corporation of 25 May 1955, as amended with effect of 28 April 1993, which include Article VI on IFC's status, immunities and privileges; and
- (iii) the Convention establishing the Multilateral Investment Guarantee Agency of 11 October 1985, which includes Chapter VII on MIGA's

privileges and immunities (together, hereinafter referred to as "instruments establishing the Organizations");

HAVING REGARD to the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, to which the Republic of Austria became a party as of 21 July 1950 with respect to Annex VI concerning the IBRD, as of 10 November 1959, with respect to Annex XIII concerning the IFC; and also to the MIGA Convention which was ratified by the Republic of Austria on September 17, 1997;

NOTING that the Organizations have established or may establish a liaison office or offices in Vienna;

DESIRING to define the status, privileges and immunities of such liaison office or offices in the Republic of Austria and to enable the liaison office or offices to fulfill its purposes and functions;

HAVE AGREED as follows:

Article 1

DEFINITIONS

For the purpose of this Agreement:

- (a) "Austrian authorities" means such federal, state, municipal or other authorities in the Republic of Austria as may be appropriate in the context, and in accordance with the laws and customs applicable in the Republic of Austria;
- (b) "Organizations" means the International Bank for Reconstruction and Development, the International Finance Corporation and the Multilateral Investment Guarantee Agency;

- (c) "Office" means the liaison office or offices of the Organizations in the Republic of Austria;
- (d) "Resident Representative" means the head of the Office for each of the Organizations;
- (e) "Staff Members of the Office" means all staff members of the Office except those who are both locally recruited and assigned to hourly rates;
- (f) "Officials of the Office" means all Staff Members of the Office including all persons serving with a Government or an international organization and seconded to work at the Office;
- (g) "Official activities" means any activities necessary for carrying out the purpose of the Organizations as set forth in the instruments establishing the Organizations; and
- (h) "Official visitors" means representatives of Governments and international organizations co-operating with the Organizations as well as other participants in meetings of the Organizations, invited by the Office.

Article 2

LEGAL PERSONALITY

The Republic of Austria recognizes the international juridical personality of the Organizations, deriving from the instruments establishing the Organizations, and their legal capacity within Austria, in particular their capacity:

- (a) to contract;
- (b) to acquire and dispose of immovable and movable property;
- (c) to institute and respond to legal proceedings; and
- (d) to take such other action as may be necessary or useful for their purpose and activities.

Article 3

SEAT

(1) The seat of the Office shall comprise the land, installations and offices that the Office occupies for its activities. Its area shall be defined by common understanding between the Organizations and the Government of the Republic of Austria.

(2) Any building in or outside Vienna used with the agreement of the Government for meetings convened by the Office shall be deemed temporarily to form part of the seat precinct.

Article 4

INVIOABILITY OF THE SEAT

(1) The seat of the Office shall be inviolable. No officer or official of the Republic of Austria, or other person exercising any public authority within the Republic of Austria, may enter the seat to perform any duties except with the consent of, and under conditions approved by, the Resident Representative. However, in the event of fire or other such emergency, such consent shall be deemed to have been given if immediate protective measures are required.

(2) Except as otherwise provided in this Agreement and subject to the right of the Organizations to make regulations including employment rules and policies governing Officials of the Organizations, the laws of the Republic of Austria shall apply within the seat.

(3) Legal instruments issued by Austrian authorities may be served upon each of the Organizations through their respective representatives at the seat premises.