

No. 49640

**United Nations Industrial Development Organization
and
India**

Agreement between the United Nations Industrial Development Organization and the Government of the Republic of India regarding the establishment of a UNIDO Sub-regional Office in India covering the Islamic State of Afghanistan, the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of Maldives, the Federal Democratic Republic of Nepal and the Democratic Socialist Republic of Sri Lanka (with annexes). Vienna, 7 August 2009

Entry into force: *provisionally on 7 August 2009 by signature, in accordance with article VI*

Authentic text: *English*

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**Organisation des Nations Unies pour le développement industriel
et
Inde**

Accord entre l'Organisation des Nations Unies pour le développement industriel et le Gouvernement de la République de l'Inde sur l'établissement d'un bureau sous-régional de l'ONUDI en Inde couvrant l'État islamique d'Afghanistan, la République populaire du Bangladesh, le Royaume du Bhoutan, la République de l'Inde, la République des Maldives, la République fédérale démocratique du Népal et la République socialiste démocratique de Sri Lanka (avec annexes). Vienne, 7 août 2009

Entrée en vigueur : *provisoirement le 7 août 2009 par signature, conformément à l'article VI*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION AND THE GOVERNMENT OF THE REPUBLIC OF INDIA REGARDING THE ESTABLISHMENT OF A UNIDO SUB-REGIONAL OFFICE IN INDIA COVERING THE ISLAMIC STATE OF AFGHANISTAN, THE PEOPLE'S REPUBLIC OF BANGLADESH, THE KINGDOM OF BHUTAN, THE REPUBLIC OF INDIA, THE REPUBLIC OF MALDIVES, THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL AND THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Preamble

WHEREAS by its resolution GC.7/Res.11 of 4 December 1997 the General Conference of the United Nations Industrial Development Organization (hereinafter "UNIDO") urged donor countries to contribute generously to the financing of field representation and urged beneficiary countries to finance the sub-regional offices in a manner proportionate to their means and resources;

WHEREAS the Government of the Republic of India (hereinafter "the Government") has requested UNIDO to establish a UNIDO Sub-regional Office to enhance its cooperation at the country level in the sub-region constituted by the Islamic State of Afghanistan, the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of Maldives, the Federal Democratic Republic of Nepal and the Democratic Socialist Republic of Sri Lanka;

WHEREAS by letter D.O.NO.UNIDO-4(7)/97 of 02 May 2000, the Government has confirmed its commitment to contribute towards the cost of a UNIDO Sub-regional Office in the Republic of India; and

WHEREAS UNIDO has decided to establish a UNIDO Sub-regional Office in New Delhi, Republic of India;

NOW THEREFORE UNIDO and the Government of the Republic of India hereby agree as follows:

Article I

1. The UNIDO Sub-regional Office shall be responsible for providing technical support and advice in the priority areas shared by the countries of the sub-region and in respect of all the countries included in the sub-region. It will address issues of sub-regional concern in the area and analyse industrial development issues with sub-regional dimensions and suggest appropriate measures for technical or project assistance. It will interact with the multilateral development and financing institutions operating in the sub-region, undertake dialogue and negotiations with Member States on behalf of UNIDO, carry out sub-regional-level funds mobilization and undertake monitoring and coordinating functions as may be prescribed from time to time.

2. The UNIDO Sub-regional Office shall further perform the functions of a UNIDO Country Office in the Islamic State of Afghanistan, the People's Republic of Bangladesh, the Kingdom of Bhutan, the Republic of India, the Republic of Maldives, the Federal Democratic Republic of Nepal and the Democratic Socialist Republic of Sri Lanka.

3. The UNIDO Sub-regional Office shall be headed by a UNIDO Representative and Head (hereinafter "the UR"). In the performance of his/her duties the UR shall:

In accordance with field representation policy and procedures, and in coordination with Headquarters:

- a. Act as accredited representative of UNIDO in the countries of the sub-region as well as UNIDO representative for important international/regional organizations located in such countries;
- b. Promote UNIDO's services in the countries of the sub-region;
- c. Develop a strategic framework of cooperation, annual work programme and active partnerships between the countries in the sub-region and

UNIDO; fruitful relationships and communication with host government(s), business associations, enterprises, non-governmental organizations, all other United Nations (UN) agencies and the Resident Coordinator of the UN system, and representatives of other multilateral and bilateral organizations. This will entail, insofar as India is concerned, prior consultations on all policy and programme-related matters with the Department of Industrial Policy and Promotion, UNIDO's nodal ministry in the country;

- d. Lead and coordinate the overall programme and project development and mobilize financial resources in the countries of the sub-region;
- e. Support, monitor, and contribute to the management of all other UNIDO activities in the countries of the sub-region;
- f. Implement projects and provide advice within criteria established;
- g. Manage the multidisciplinary team located in the Sub-regional Office in order to provide high-quality technical support to other UNIDO field offices and UNIDO programmes in the sub-region;
- h. Lead the development (and possible implementation) of UNIDO programmes and activities at the sub-regional level, in close cooperation with other UNIDO representatives of the sub-region and Headquarters;
- i. Ensure that the Sub-regional Office operates as a node for the UNIDO sub-regional information network;
- j. Promote positive interaction and cross-fertilization between UNIDO sub-regional or regional institutions located in the sub-region, including

funds mobilization from development financing institutions;

- k. Inform/advise UNIDO Headquarters on changing patterns of demand at the sub-regional level; and
- l. Manage the Sub-regional Office and its resources and ensure its sustainability, in particular through the mobilization of the host country's in-kind and financial contributions.

Article II

1. UNIDO and the Government shall jointly finance the establishment and the operation of a UNIDO Sub-regional Office in New Delhi. The Government shall contribute towards the costs of the UNIDO Sub-regional Office by providing resources as scheduled in Annex A.

2. The Government contributions are to be made annually, in the first quarter of the year, to an account number designated for this purpose by the Director-General of UNIDO (Annex B). The funds shall be administered by UNIDO in accordance with its applicable financial regulations and rules. The continued operation of the UNIDO Sub-regional Office shall be subject to the receipt in time by UNIDO of the Government's annual payment. The level of contributions shall be reviewed annually for each subsequent year.

Article III

1. The Government shall apply to UNIDO, including its property, funds, assets and its officials, including the UR and his staff in the country, the provisions of the Convention on the Privileges and Immunities of the United Nations, except that if the Government has acceded in respect of UNIDO to the Convention on the Privileges and Immunities of the Specialized Agencies, the Government shall apply the provisions of the latter Convention, including any Annex to that Convention applicable to UNIDO.