

No. 50958

**Global Crop Diversity Trust
and
Germany**

Agreement between the Global Crop Diversity Trust and the Federal Republic of Germany concerning the Headquarters of the Global Crop Diversity Trust (with exchange of notes). Berlin, 29 June 2012

Entry into force: *provisionally on 29 June 2012 by signature*

Authentic texts: *English and German*

Registration with the Secretariat of the United Nations: *Global Crop Diversity Trust, 18 June 2013*

**Fonds fiduciaire mondial pour la diversité des cultures
et
Allemagne**

Accord de siège entre le Fonds fiduciaire mondial pour la diversité des cultures et la République fédérale d'Allemagne (avec échange de notes). Berlin, 29 juin 2012

Entrée en vigueur : *provisoirement le 29 juin 2012 par signature*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Fonds fiduciaire mondial pour la diversité des cultures, 18 juin 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

Agreement

between the Global Crop Diversity Trust

and

the Federal Republic of Germany

concerning the Headquarters of the Global Crop Diversity Trust

The Global Crop Diversity Trust

and

the Federal Republic of Germany -

Recalling the Agreement for the Establishment of the Global Crop Diversity Trust, which entered into force on 21 October 2004 and which established the Global Crop Diversity Trust as an international fund with its own international legal personality and to which the Federal Republic of Germany acceded in 2012.

Recalling the objective of the Global Crop Diversity Trust of ensuring the long-term conservation and availability of plant genetic resources for food and agriculture;

Inspired by a common will to work closely together to pursue this objective with a view to promote global food security and sustainable agriculture;

Recalling the adoption of the International Treaty on Plant Genetic Resources for Food and Agriculture which provides an agreed international framework for the conservation and sustainable use of plant genetic resources for food and agriculture, in harmony with the Convention on Biological Diversity, at the 31st session in November 2001 of the Conference of the Food and Agriculture Organization of the United Nations, and its entry into force on 29 June 2004;

Recognizing that the Global Crop Diversity Trust is an essential element of the Funding Strategy of the International Treaty on Plant Genetic Resources for Food and Agriculture;

Desiring to conclude an Agreement regulating matters arising from the establishment of and the necessity for the effective discharge of the functions of the Global Crop Diversity Trust in the Federal Republic of Germany -

Have agreed as follows:

Article 1
Definitions

For the purpose of this Agreement, the following definitions shall apply:

- (a) "the Trust" means the Global Crop Diversity Trust;
- (b) "the host country" means the Federal Republic of Germany;
- (c) "the Government" means the Government of the Federal Republic of Germany;
- (d) "the Executive Secretary" means the Executive Secretary of the Trust and, during his or her absence from duty, any official designated by him or her to act on his or her behalf;
- (e) "the competent authorities" means Bund (federal), Länder (state) or local authorities under the laws, regulations and customs of the Federal Republic of Germany;
- (f) "Headquarters seat" means any land or building owned or leased by, loaned to or otherwise at the disposal of the Trust in the Federal Republic of Germany for the purpose of establishing its Headquarters; and with the concurrence of the Government, and for the duration of such use, any other land or building in the Federal Republic of Germany which is temporarily used for meetings convened by the Trust;
- (g) "property of the Trust" means all property, including funds, income and other assets, belonging to the Trust or held or administered by the Trust in furtherance of its constitutional functions;
- (h) "archives of the Trust" includes records, including digital records, correspondence, documents, manuscripts, still and motion pictures, films, and sound recordings, belonging to or held by the Trust in furtherance of its Constitutional functions;
- (i) "officials of the Trust" includes the Executive Secretary and all members of the staff of the Trust appointed by him or her or on his or her behalf, irrespective of nationality, with the exception of those who are locally recruited and assigned to hourly rates;

- (j) “experts on missions” means persons, other than officials of the Trust, undertaking missions for the Global Crop Diversity Trust.
- (k) “immediate dependents” means the spouse or registered civil union partner and children who are under 18 years of age or, if economically dependent and forming part of the household, under 28 years of age.

Article 2

Purpose and scope of the Agreement

This Agreement shall regulate matters arising out of the establishment and the proper functioning of the Trust in the Federal Republic of Germany.

Article 3

Juridical personality and legal capacity

1. The Trust, which is an international fund with its own international legal personality and which has close institutional links with the Food and Agriculture Organization of the United Nations, which is a specialized agency of the United Nations system, shall possess in the host country full juridical personality and the capacity:

- (a) to contract;
- (b) to acquire and dispose of movable and immovable property;
- (c) to institute legal proceedings.

2. For the purpose of this Article, the Trust shall be represented by the Executive Secretary.