

No. 54256*

Multilateral

Agreement between the Republic of Austria, the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. Vienna, 29 February 2016, 2 March 2016, 3 March 2016, 4 March 2016 and 9 March 2016

Entry into force: *9 September 2016 and with retroactive effect from 1 August 2014, in accordance with article 5*

Authentic texts: *English and German*

Registration with the Secretariat of the United Nations: *ex officio, 1 January 2017*

Note: *See also annex A, No. 54256.*

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Multilatéral

Accord entre la République d'Autriche, l'Organisation des Nations Unies, l'Agence internationale de l'énergie atomique, l'Organisation des Nations Unies pour le développement industriel et la Commission préparatoire du Traité d'interdiction complète des essais nucléaires. Vienne, 29 février 2016, 2 mars 2016, 3 mars 2016, 4 mars 2016 et 9 mars 2016

Entrée en vigueur : *9 septembre 2016 et avec effet rétroactif à compter du 1^{er} août 2014, conformément à l'article 5*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *d'office, 1^{er} janvier 2017*

Note : *Voir aussi annexe A, No. 54256.*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

Participant	Notification		
Austria	11 Jul	2016	n
International Atomic Energy Agency	25 Apr	2016	n
United Nations	22 Apr	2016	n

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Notification		
Agence internationale de l'énergie atomique	25 avr	2016	n
Autriche	11 juil	2016	n
Organisation des Nations Unies	22 avr	2016	n

Agreement between the Republic of Austria, the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

The Republic of Austria on the one part and the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (hereinafter referred to as the "International Organizations") on the other part (hereinafter collectively referred to as the "Parties"),

BEARING IN MIND the Agreement between the Republic of Austria and the International Atomic Energy Agency regarding the Headquarters of the International Atomic Energy Agency, the Agreement between the Republic of Austria and the United Nations regarding the seat of the United Nations in Vienna, the Agreement between the Republic of Austria and the United Nations Industrial Development Organization regarding the Headquarters of the United Nations Industrial Development Organization, and the Agreement between the Republic of Austria and the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization regarding the seat of the Commission;

CONSIDERING that the Republic of Austria has consistently expressed and demonstrated to the International Organizations its commitment to the existence of a school that serves the needs of the children of the officials of the International Organizations and of members of the diplomatic and consular corps; and

DESIRING to ensure the continued support of the Republic of Austria for the Seat of the International Organizations in Vienna by providing an essential contribution to the financing of schooling places for the children of officials of the International Organizations who are based in Austria, as well as of children of members of a diplomatic or consular service, irrespective of their nationality, taking into account the needs of such children and the special nature of international education;

HAVE agreed as follows:

Article 1

1. The Republic of Austria, in order to ensure the continued support of Vienna as Headquarters and Seat of the International Organizations, and on the basis of a common request of the International Organizations to contribute to the financing of appropriate schooling for the children of officials, shall make available the following amount (hereinafter referred to as the "Education Amount"): for the school year ending in 2015 4 Mio. €, in 2016 4 Mio. €, in 2017 3 Mio. €, in 2018 2 Mio. € and in 2019 2 Mio. € per school year. This contribution shall be continued unless the Agreement is terminated in accordance with Article 5.
2. The International Organizations shall nominate one organization (hereinafter referred to as the "Organization") to both receive and disburse the Education Amount.
3. The Education Amount shall be liquidated in six, as far as possible, equal instalments due February through July of the current school year, on the first day of the month following the respective months, to the Organization.
4. Notwithstanding paragraph 3 of this Article, for the school year 2014–2015, the relevant Education Amount shall be transferred by the Republic of Austria to the Organization between February and April 2016.

5. The International Organizations shall consult with each other and shall select, within the meaning of Article 2 below, an appropriate educational institution (hereinafter referred to as the "Institution"), to which the Education Amount shall be transferred by the Organization for the purpose set forth in paragraph 1 of this Article. The Education Amount so transferred by the Organization to the Institution shall not be subject to the payment of tax by the Institution to the Republic of Austria or otherwise. Each year, following the transfer of the Education Amount to the Institution, the Organization shall, without delay, at the latest by 31 December, provide a confirmation and documented information to the Republic of Austria concerning the transfer and the proper use of the Education Amount.
6. The Organization shall conclude an agreement with the Institution setting forth the conditions for the receipt and control of the Education Amount, the execution of payments thereof, the forwarding of the annual audit report of the Institution and the conditions for reclamation of the Education Amount.
7. The Republic of Austria is entitled to reclaim or to discontinue payment of the entire Education Amount, or parts thereof, if it is established, on the basis of the confirmation and documented information provided by the Organization in accordance with paragraph 5 of this Article, that the Education Amount or parts thereof, have not been transferred or used in accordance with the provisions of this Agreement.

Article 2

An appropriate educational institution within the meaning of this Agreement shall be deemed exclusively one which is designated by the International Organizations and which:

- (a) has an organizational structure that takes into account the needs of children of officials of international organizations based in Austria, as well as of children of members of diplomatic and consular corps, irrespective of their nationality;
- (b) offers educational programmes and curricula that address the requirements and special nature of international education; and
- (c) guarantees an appropriate number of schooling places to the children of persons enumerated in paragraph (a) of this Article.

Article 3

With the aim of ensuring the location of an educational institution within reasonable proximity of the Vienna International Centre, the Republic of Austria shall provide, at least until July 2024, a property presently owned by the Republic of Austria, including buildings and facilities for the exclusive use for educational activities of the Institution, unless the conditions for the use of this property to be agreed between the Republic of Austria and the Institution prior to the entry into force of this Agreement are not met.

Article 4

Any dispute arising between any of the International Organizations and the Republic of Austria concerning the interpretation or application of this Agreement shall be settled in the manner provided for in the headquarters agreements of the United Nations, the International Atomic Energy Agency, the United Nations Industrial Development Organization and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.