



International Atomic Energy Agency

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THE TEXTS OF THE AGENCY'S AGREEMENTS WITH THE UNITED NATIONS

The text of the Special Agreement Extending the Jurisdiction of the Administrative Tribunal of the United Nations to the International Atomic Energy Agency, with Respect to Applications by Staff Members of the International Atomic Energy Agency Alleging Non-Observance of the Regulations of the United Nations Joint Staff Pension Fund, which entered into force on 18 October 1963, is reproduced in this document for the information of all Members.

SPECIAL AGREEMENT EXTENDING THE JURISDICTION OF THE ADMINISTRATIVE TRIBUNAL OF THE UNITED NATIONS TO THE INTERNATIONAL ATOMIC ENERGY AGENCY, WITH RESPECT TO APPLICATIONS BY STAFF MEMBERS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY ALLEGING NON-OBSERVANCE OF THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

WHEREAS, by an agreement concluded with the Secretary-General of the United Nations, in conformity with the Regulations of the United Nations Joint Staff Pension Fund, the International Atomic Energy Agency became a member organization of the United Nations Joint Staff Pension Fund and accepted, subject to the provisions of the agreement, as applicable to itself and to the members of its staff, the Regulations of the Fund,

WHEREAS, by Resolution 678 (VII) of 21 December 1952, the General Assembly of the United Nations recommended that the specialized agencies which are member organizations of the United Nations Joint Staff Pension Fund accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the Fund,

WHEREAS, the Board of Governors of the International Atomic Energy Agency decided on 19 September 1963 that the Agency should accept the jurisdiction of the United Nations Administrative Tribunal with respect to applications by staff members of the Agency alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund, and authorized the Director General of the Agency to enter into an agreement with the United Nations for this purpose,

WHEREAS, the United Nations Joint Staff Pension Board, at its annual meeting in April 1953, recorded its understanding that for matters involving the Regulations of the United Nations Joint Staff Pension Fund full faith, credit and respect shall be given to the proceedings, decisions and jurisprudence of the Administrative Tribunal, if any, of the agency concerned relating to the staff regulations of that agency, as well as to the established procedures for the interpretation of such staff regulations,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

ARTICLE I

1. The United Nations Administrative Tribunal shall be competent to hear and pass judgement, in accordance with the applicable provisions of its Statute and its Rules, upon applications alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund presented by:

- (a) Any staff member of the International Atomic Energy Agency, eligible under article II of the Regulations as a participant in the Fund, even after his employment has ceased, and any person who has succeeded to such staff member's rights on his death;
- (b) Any other person who can show that he is entitled to rights under the Regulations of the United Nations Joint Staff Pension Fund by virtue of the participation in the Fund of a staff member of the International Atomic Energy Agency.

2. In the event of a dispute as to whether the Tribunal has competence, the matter shall be settled by the decision of the Tribunal.

ARTICLE II

The judgements of the Tribunal shall be final and without appeal and the International Atomic Energy Agency agrees, insofar as it is affected by any such judgement, to give full effect to its terms.

ARTICLE III

1. The administrative arrangements necessary for the functioning of the Tribunal with respect to cases arising under this Agreement shall be made by the Secretary-General of the United Nations in consultation with the Director General of the International Atomic Energy Agency.

2. The additional expenses which may be incurred by the United Nations in connection with the proceedings of the Tribunal relating to cases arising under this Agreement shall be borne by the United Nations Joint Staff Pension Fund. These additional expenses shall include:

- (a) Any travel and subsistence expenses of the members of the Tribunal and of the Tribunal staff when such expenses are specially required for dealing with cases under this Agreement and are in excess of those required by the Tribunal for dealing with cases relating to staff members of the United Nations;
- (b) Any wages of temporary staff, cables, telephone communications and other "out of pocket" expenses when such expenses are specially required for dealing with cases under this Agreement.

ARTICLE IV

This Agreement, of which the English and French texts are equally authentic, has been duly signed in duplicate in each of these languages at Vienna on 4 October 1963 and at New York on 18 October 1963.

FOR THE UNITED NATIONS

FOR THE INTERNATIONAL ATOMIC
ENERGY AGENCY

(signed) U Thant
Secretary-General

(signed) Sigvard Eklund
Director General