

**AGREEMENT ON THE PRIVILEGES
AND IMMUNITIES OF THE
INTERNATIONAL ATOMIC ENERGY AGENCY**

WHEREAS Article XV.C of the Statute of the International Atomic Energy Agency provides that the legal capacity, privileges and immunities referred to in that Article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under the instructions of the Board of Governors, and the Members;

WHEREAS an Agreement Governing the Relationship between the Agency and the United Nations has been adopted in accordance with Article XVI of the Statute; and

WHEREAS the General Assembly of the United Nations, contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various agencies brought into relationship with the United Nations, has adopted the Convention on the Privileges and Immunities of the Specialized Agencies, and a number of Members of the United Nations have acceded thereto;

THE BOARD OF GOVERNORS

1. HAS APPROVED, without committing the Governments represented on the Board, the text below, which in general follows the Convention on the Privileges and Immunities of the Specialized Agencies; and

2. INVITES the Members of the Agency to consider and, if they see fit, to accept this Agreement.

ARTICLE I

Definitions

Section I In this Agreement:

- (i) The expression "the Agency" means the International Atomic Energy Agency;
- (ii) For the purposes of Article III, the words "property and assets" shall also include property and funds in the custody of the Agency or administered by the Agency in furtherance of its statutory functions;
- (iii) For the purposes of Articles V and VIII, the expression "representatives of Members" shall be deemed to include all Governors, representatives, alternates, advisers, technical experts and secretaries of delegations;
- (iv) In sections 12, 13, 14 and 27, the expression "meetings convened by the Agency" means meetings:
 - (1) of its General Conference and of its Board of Governors;
 - (2) of any international conference, symposium, seminar or panel convened by it; and
 - (3) of any committee of any of these bodies;
- (v) For the purposes of Articles VI and IX, the expression "officials of the Agency" means the Director General and all members of the staff of the Agency except those who are locally recruited and assigned to hourly rates.

ARTICLE II

Juridical Personality

Section 2. The Agency shall possess juridical personality. It shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property and (c) to institute legal proceedings.

ARTICLE III

Property, Funds and Assets

Section 3. The Agency, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 4. The premises of the Agency shall be inviolable. The property and assets of the Agency, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 5. The archives of the Agency, and in general all documents belonging to it or held by it, shall be inviolable, wherever located.

Section 6. Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) The Agency may hold funds, gold or currency of any kind and operate accounts in any currency,
- (b) The Agency may freely transfer its funds, gold or currency from one country to another or within any country and convert any currency held by it into any other currency.

Section 7. The Agency shall, in exercising its rights under section 6, pay due regard to any representations made by the Government of any State party to this Agreement in so far as it is considered that effect can be given to such representations without detriment to the interests of the Agency.

Section 8. The Agency, its assets, income and other property shall be:

- (a) Exempt from all direct taxes; it is understood, however, that the Agency will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Agency for its official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;
- (c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of its publications.