



DZIENNIK USTAW

RZECZPOSPOLITEJ POLSKIEJ

Warszawa, dnia 16 września 1996r. **Nr 109**

UMOWA MIĘDZYNARODOWA

512 - Porozumienie między Rządem Rzeczypospolitej Polskiej a Organizacją Narodów Zjednoczonych do Spraw Oświaty, Nauki i Kultury w sprawie utworzenia i funkcjonowania Międzynarodowego Instytutu Biologii Molekularnej i Komórkowej w Warszawie, sporządzone w Paryżu dnia 26 maja 1995r.....2409

AGREEMENT

between the Government of the Republic of Poland and the United Nations Educational, Scientific and Cultural Organization concerning the establishment and operation of the International Institute of Molecular and Cell Biology in Warsaw

The Government of the Republic of Poland and the United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as "UNESCO"),

Bearing in mind the significance and importance of research and the need for broad international co-operation in the field of molecular and cell biology,

Taking into consideration that the achievements of the Polish institutions operating within the framework of the Global Molecular and Cell Biology Network (MCBN) of UNESCO have met with recognition by both the Polish and the international scientific community,

Bearing in mind UNESCO's contribution to the supporting of research in the field of molecular and cell biology,

Noting the benefits arising from co-ordination of activities with the competent organizations and institutions within the framework of the MCBN of UNESCO,

Convinced of the suitability of establishing a new centre for molecular and cell biology in Warsaw which, through cooperation with other scientific institutions could join in the implementation of tasks and the achievement of the objectives of the MCBN of UNESCO,

Desiring to set forth the conditions and the modalities of their co-operation regarding both the establishment and the activities of the aforementioned centre,

Have agreed as follows:

Article I

Establishment of the Institute

The Government of the Republic of Poland, taking into account the opinion and substantial contribution of the Polish Academy of Sciences, expresses the willingness to take any measures which are required to establish an International Institute of Molecular and Cell Biology in Warsaw (hereinafter referred to as the "Institute").

UNESCO shall endeavour to associate the Institute with the Global Molecular and Cell Biology Network of UNESCO.

The Institute will be a scientific centre enjoying a large autonomy, possessing legal personality and established in accordance with Polish legislation.

Article II

Objectives and Activities of the Institute

1. The main objectives of the Institute are:

- to contribute, through research and training, to the progress of knowledge in molecular and cellular biology as well as related fields with emphasis on medical, veterinary and environmental problems;
- to promote and maintain international scientific cooperation, exchange and communication;
- to stimulate implementation of research findings into clinical applications;
- to popularize scientific achievements.

2. To this effect the Institute will carry out the following activities:

- conduct experimental and theoretical research;
- provide specialized training;
- participate in the MCBN of UNESCO as a possible co-ordinator of regional activities;
- provide a forum for contacts and exchange of information between scientists of all countries;
- co-operate with medical and industrial establishments in order to implement scientific discoveries into practice;
- disseminate biological and medical knowledge first of all through publications and the organization of scientific meetings.

3. The Institute will also carry out such other activities as may be entrusted to it by UNESCO under separate arrangements.

4. UNESCO shall endeavour to associate the Institute with its own activities and with the activities of other institutions or networks pursuing similar objectives. UNESCO shall ensure dissemination of information concerning research experiments and results of those activities of the Institute which might be considered as being of interest at regional or at a wider international level.

Article III

Financial Arrangements

1. The resources necessary for the activities of the Institute shall consist of the contributions allocated by the Government of the Republic of Poland, of contributions of UNESCO, and of such other contributions, gifts and grants as may be offered by other organizations and institutions, whether public or private, by associations or by individuals.

2. The Polish Party shall take the necessary steps in order to ensure the Institute's premises with the basic equipment, as an initial contribution. The subsequent allocations of the Polish Party shall be determined from time to time, in accordance with the applicable rules and regulations. The contributions of the Polish Party will be provided under separate contracts concluded for specific purposes and projects.

3. The initial contribution of UNESCO will not be less than 85,000 US dollars. The subsequent contributions of UNESCO will be determined taking into account the relevant decisions of the General Conference of UNESCO concerning its programme and budget. The contributions of UNESCO will be provided under separate contracts concluded for specific purposes or projects.

4. The Government of the Republic of Poland and or the Institute may make arrangements with other authorities or institutions in order to determine their contributions to, or modalities of co-operation with the Institute. UNESCO shall be informed of any such arrangement.

5. The Government of the Republic of Poland and UNESCO will cooperate in order to mobilize extra-budgetary resources for the activities of the Institute.

Article IV

Organizational Framework

The bodies of the Institute shall be:

- a/ The Director,
- b/ The International Advisory Board.

Article V

International Advisory Board

1. The International Advisory Board shall be composed of not less than 10 members appointed by the appropriate organ of public administration, after consultation with the Director-General of UNESCO. The Director-General of UNESCO or his Representative may participate ex-officio in the meetings of the International Advisory Board.

2. The functions of the International Advisory Board shall be:

- to consider reports of the Director on the activities of the Institute;
- to formulate general guidelines for the Institute's activities;
- to consider proposals of the Director concerning the programme and budget of the Institute as well as its structure and modes of activities and to give its advice thereon.

3. The International Advisory Board shall adopt its own rules of procedure which shall specify, inter alia, the frequency of the meeting and the methods of its decision-making.

Article VI

The Director and the Staff

1. The Director of the Institute shall be appointed and recalled by the appropriate organ of public administration on behalf of the Government of the Republic of Poland, after consultation with the Director-General of UNESCO, from among persons of recognized competence and possessing the qualifications required for appointment to the highest academic posts.

2. The Director shall be the chief administrator and representative of the Institute. In this capacity, the Director shall inter alia:

- a/ administrate the Institute;
- b/ prepare the draft programme and budget of the institute;
- c/ execute the programme and budget within the framework of general guidelines formulated by the International Advisory Board.

3. Scientific and general service staff will be appointed by the Director of the Institute.

4. Scientists and researchers, both from Poland and from other countries, may be employed to carry out specific activities on the basis of civil law contracts and employment contracts for definite periods.

5. Under separate arrangements, the staff members, consultants or associate experts of UNESCO may be made available by UNESCO to the Institute to carry out specific tasks for a definite period.

Article VII

Supplementary Agreements

The Government of the Republic of Poland and UNESCO may conclude, on the basis of the present Agreement, supplementary agreements deemed necessary for the proper implementation of specific tasks.

Article VIII

Amendments

This Agreement may be amended by mutual consent of the Government of the Republic of Poland and UNESCO. Before deciding on any amendments, the two Parties will request the members of the International Advisory Board to give their advice.

Article IX

Settlement of Disputes

Any dispute arising out of the interpretation or application of this Agreement, which is not settled by negotiation or as may be otherwise agreed, may at the request of either Party be submitted to an arbitration Tribunal. The Government of the Republic of Poland and the Director-General of UNESCO shall each designate an arbitrator, and the two arbitrators so designated shall appoint the third arbitrator who shall be the Chairperson of the Tribunal. If within thirty days from the request for arbitration, either Party has not designated an arbitrator, either Party may request the President of the International Court of Justice to appoint an arbitrator. The same procedure shall apply if within thirty days from the designation or appointment of the second arbitrator, the third arbitrator has not been elected. The arbitral procedure shall be established by the Tribunal, whose decisions, including all rulings concerning its constitution, procedure, jurisdiction and sharing of expenses between the Parties, shall be binding on all parties to the dispute. The remuneration of the arbitrators shall be determined on the same basis as that of ad hoc judges of the International Court of Justice under Article 32 (4) of its Statute.

Article X

Entry into Force, Duration, Termination

1. The present Agreement shall, after its signature by both Parties, enter into force when the Parties inform each other by a written notification that all necessary internal measures foreseen to that effect have been accomplished.

2. The present Agreement shall be valid for an indefinite period on the understanding, however, that either Party has the right to terminate it upon giving twenty-four months notice in writing to the other Party.

3. In the case of giving a notice of termination, the provisions of the Agreement shall continue to apply for the period and to the extent necessary to finalize the implementation of particular activities of the Institute, which were undertaken pursuant to the Agreement before giving the notice of termination.

4. Terms and procedures of liquidation of the Institute shall be defined by the Polish Law.

Done at Paris, this 26th day of May 1995, in duplicate in the English language.

For the
United Nations
Educational, Scientific
and Cultural Organization

Federico Mayor
Director-General

For the
Government
of the
Republic of Poland

Aleksander Łuczak
Deputy Prime Minister
Chairman of the State
Committee
for Scientific Research