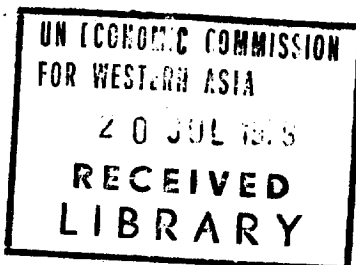




UNITED NATIONS  
ECONOMIC AND SOCIAL COUNCIL



0579

Distr. GENERAL  
E/ECWA/64  
5 September 1978  
ENGLISH  
Original: ARABIC

ECONOMIC COMMISSION FOR WESTERN ASIA

Fifth Session  
2-6 October 1978  
Amman, Jordan

Item 11 of the Provisional Agenda

Interim Report on the Commission's Headquarters

(Note from the Executive Secretary)

A. Report on the Commission's permanent headquarters in Baghdad, Iraq

1. During ECWA's first session in May 1974 the question of the Commission's permanent headquarters was discussed and it was agreed that consideration of this matter would be postponed until September of the same year when the Commission would hold a special session for this purpose <sup>1/</sup>.

2. At the first special session, held as scheduled, the Commission adopted its resolution 6(S-I) on 9 September 1974. Its operative paragraphs contained the following stipulations:

---

<sup>1/</sup> (E/5539) E/ECWA/9

- "(a) The 1976 regular session should be considered the final deadline for selecting the permanent headquarters of the Commission provided that the subject remains until that time as an item on its agenda;
- (b) Member States wishing to act as hosts for the Commission's permanent headquarters should submit, at the earliest possible time, their proposals with regard to the material and other facilities which they would undertake to make available to meet the Commission's needs;
- (c) With effect from the date of this resolution, Beirut shall be the provisional headquarters of the Commission for a period of five years during which the permanent headquarters shall have been selected and the premises constructed for the Commission to perform its basic functions;
- (d) During this transitional period the Lebanese Government shall provide the Commission with all the material and other facilities to enable it to implement its planned work programme and other projects <sup>2/</sup>".

3. At the third regular session held in Doha in May 1976 the Commission had before it three offers to host its permanent headquarters. During the discussions it was agreed to postpone the final choice of site for the permanent headquarters until a second special session which would also be held in Doha in August 1976, on the understanding that this would be the final deadline for deciding this matter so that the Commission's decision in this regard could be submitted to the resumed sixty-first session of the United Nations Economic and Social Council <sup>3/</sup>.

---

<sup>2/</sup> (E/5589) E/ECWA/12

<sup>3/</sup> (E/5785) E/ECWA/73

4. At ECWA's second special session held on 21 and 22 August 1976 the Commission studied the three offers to host its permanent headquarters submitted by the Syrian Arab Republic, the Republic of Iraq and the Lebanese Republic. As a result of the discussions the Commission adopted its resolution 35 (S-II) in which it decided to "recommend to the United Nations Economic and Social Council to accept the offer of the Government of Iraq to establish the permanent headquarters of the Commission at Baghdad <sup>4/</sup>".
5. In its resolution 2045 (LXI) of 27 October 1976 adopted during its resumed sixty-first session the Economic and Social Council endorsed the Commission's recommendation and decided that ECWA's permanent headquarters would be in Baghdad, Iraq. The representative of Lebanon advised the Council that his Government would reserve the right to raise the issue again in the future <sup>5/</sup>.
6. At the Commission's fourth regular session in Amman in April 1977 there had not been sufficient time since the Economic and Social Council's above-mentioned resolution to submit a report on what had been achieved up to that time regarding the site of the Commission's permanent headquarters, the action taken and the contacts made between the Government of Iraq, the United Nations Secretariat and the ECWA secretariat with regard to the headquarters buildings. It was agreed among these three parties that a delegation of Iraqi engineers and architects concerned with the proposed designs for the building of the Commission's permanent headquarters in Baghdad would visit the United Nations Secretariat in New York in January 1977 to agree with the officials responsible in the United Nations Secretariat on the details of the modifications to be made in these designs in order to meet the conditions which the United Nations considers to be essential to ensure the satisfactory progress of work on the Commission's permanent headquarters. Further to these consultations another delegation consisting of two

---

<sup>4/</sup> (E/5845) E/ECWA/40

<sup>5/</sup> Agenda item 4-E/SR, 2035

representatives from the United Nations Secretariat and the Economic Commission for Western Asia visited Baghdad in May 1977. As a result of these deliberations and subsequent correspondence among the three parties agreement was reached on the final designs - totalling 17 in number - for the building of the Commission's permanent headquarters in Baghdad.

7. As the time approached for the Commission's fifth regular session, scheduled for April 1978, the Executive Secretary of the Commission visited Baghdad from 12 to 16 February for consultations with the Iraqi Minister of Foreign Affairs and with a number of other officials concerned with the question of the Commission's permanent headquarters, prior to submitting a report on this subject to the Commission during its fifth session. During the meeting with the Minister of Foreign Affairs His Excellency raised the matter of ECWA's move to Baghdad after the expiry of the five year period stipulated for the provisional location of the Commission's headquarters in Beirut.
8. On 15 March 1978, after his return to Beirut, the Executive Secretary sent a letter (the text of which is reproduced in Annex 1 of this report) to the Iraqi Minister of Foreign Affairs.
9. On 7 April 1978 the Executive Secretary of the Commission sent a cable to the Resident Representative of the United Nations Development Programme in Baghdad requesting him to enquire at the Iraqi Ministry of Foreign Affairs as to when a reply could be expected from the Minister of Foreign Affairs to the Executive Secretary's letter of 15 March 1978. The Resident Representative of UNDP in Baghdad replied by cable on 18 April 1978 to the effect that the Iraqi Ministry of Foreign Affairs had informed him that its delegation to the Commission's fifth session would submit its report directly to the Commission.
10. On 30 June 1978 the Executive Secretary of the Commission received note verbale No. 14/10/765 dated 26 June 1978 from the Embassy of the Republic of Iraq in Beirut enclosing a letter dated 17 June 1978 from the Iraqi Minister of Foreign Affairs (of which the text is reproduced in Annex 2).

11. Subsequently, on 8 August 1978, the Executive Secretary received note No. 14/10/935 dated 5 August 1978 from the Embassy of the Republic of Iraq in Beirut enclosing a second letter from the Iraqi Minister of Foreign Affairs addressed to the Executive Secretary of the Commission (textually reproduced in Annex 3).

12. On 11 August 1978, the Executive Secretary of the Commission sent the letter textually reproduced in Annex 4 to the Iraqi Minister of Foreign Affairs.

13. On 29 August 1978, the Executive Secretary received a note from the Embassy of the Republic of Iraq in Beirut enclosing the text of a cable from the Iraqi Ministry of Foreign Affairs indicating that the Ministry would welcome a visit to Baghdad by a team from the ECWA secretariat to inspect the building assigned as a temporary headquarters for the Commission there.

14. The question of relocation of ECWA from its present provisional headquarters in Beirut to temporary premises in Baghdad in 1979 was referred to the legal counsel of the United Nations who has expressed the following opinion:

"14.1. It is clear that ECWA resolution 6(S-I) to designate Beirut as the provisional headquarters of the Commission for a period of five years, beginning on 9 September 1974, was made on the assumption that by the end of the five-year period "the permanent headquarters shall have been selected and the premises constructed for the Commission to perform its basic functions".

"14.2. It may be noted that neither ECWA resolution 35(S-II) nor ECOSOC resolution 2045(LXI) contained any mandate or prohibition on the relocation of ECWA from its provisional headquarters in Beirut to temporary premises in Baghdad in September 1979. The only clear mandate in those two resolutions, read in conjunction with ECWA resolution 6(S-I), is that if the construction of the permanent headquarters in Baghdad is completed in September 1979, ECWA should then move from its provisional headquarters in Beirut to its permanent headquarters in Baghdad".

"14.3. In these circumstances, it is for the Commission to consider whether the proposed temporary premises and facilities in Baghdad would enable the Commission "to perform its basic functions" and, if so, to recommend the relocation. This is not a decision which can be taken by the Secretariat. In considering this item ECWA will, of course, need the report by Iraq giving details of its proposed temporary premises as well as the statement by the Secretary-General on the financial implications of the proposal. The financial implications would require approval by the General Assembly even after a recommendation by ECWA endorsed by the Economic and Social Council".

B. The provisional headquarters of the Commission in Beirut, Lebanon

1. The fourth operative paragraph of ECWA's resolution 6(S-I) of 9 September 1974 stipulates as follows:

" 4. During this transitional period the Lebanese Government shall provide the Commission with all the material and other facilities to enable it to implement its planned work programme and projects<sup>6/</sup> .

2. In implementation of the terms of the above-mentioned paragraph the Lebanese Government allocated an annual amount of one million Lebanese Pounds to assist the Commission in its work. In this connexion the Lebanese Ministry of Foreign Affairs sent note No. 237/8 dated 5 April 1975 (reproduced in Annex 5) and the Lebanese Government paid this amount for the years 1975, 1976 and 1977.

3. Other measures taken by the Lebanese Government to assist the Commission in the discharge of its functions included the promulgation of Decree No. 9647 on 6 February 1975 which provided for the "granting of diplomatic status to senior staff in United Nations offices and organizations in Lebanon", including international staff members of the Commission holding specific grades, and their enjoyment of the diplomatic privileges, exemptions and immunities accorded to members of diplomatic missions. (The text of this legislative decree is reproduced in Annex 6). The Lebanese Government also entered into negotiations with the United Nations with a view to the conclusion of a special agreement to regulate its relations with the Economic Commission for Western Asia throughout the period of the location of its provisional headquarters in Beirut and which would be considered as complementing the general agreement on the privileges and immunities of the United Nations endorsed by the General Assembly of the United Nations in 1946.

---

<sup>6/</sup> (E/5589) E/ECWA/12

The negotiations relative to this agreement were interrupted when ECWA's headquarters were temporarily relocated to Amman in The Hashemite Kingdom of Jordan in July 1976 due to the events in Lebanon but they were subsequently resumed on the Commission's return to Beirut in the middle of 1977.

---



15 March 1978

Your Excellency,

I have pleasure in expressing my deep gratitude and sincere appreciation to the Government of the Republic of Iraq, and to you personally for the gracious hospitality and kind reception accorded to me during my visit to the Iraqi capital and also for the endeavours made by you and your staff to facilitate my task. In this connexion I would like to refer to my meeting with Your Excellency on 13 February 1978 at which numerous matters relating to the Economic Commission for Western Asia were discussed, including the question of the permanent headquarters which the members of the Commission decided to establish in Baghdad on the basis of the offer submitted by the Iraqi Government. As you will recall, the discussions also covered the change in the site allocated to the building, the scheduled date for completion of the building and other matters relating to the headquarters and the work of the Commission in general.

His Excellency Dr. Saadoun Hammadi  
Minister of Foreign Affairs  
Baghdad  
Republic of Iraq

Your Excellency kindly promised to instruct your staff to discuss this subject further with me and in due course this was done. It was also agreed that a letter would be addressed to the Secretariat of the Economic Commission for Western Asia enclosing the Iraqi Government's reply to the questions which I raised with Your Excellency regarding the following matters:

1. The site allocated to the Commission's permanent headquarters building.

The Iraqi Government has allocated another site for the Commission's headquarters building in place of the original site. As I explained to Your Excellency, the United Nations Secretariat may require that its experts and responsible officials examine the new site in order to give their professional opinion in this regard.

2. The date for the Commission's move to its new headquarters.

During our meeting Your Excellency expressed the opinion that the Commission should move to its headquarters in Baghdad as soon as the period of its temporary location in Beirut expires in September 1979. In this connexion I would like to enquire as to the appointed time set for completion of the Commission's permanent headquarters building and what the Iraqi Government has decided to do in the event of the construction work on the building not being completed by September 1979. In this regard it should be noted that, in the event of the secretariat's moving to Baghdad prior to the completion of the permanent headquarters, the temporary accommodation should offer the same standard of services and equipment as that specified for the permanent building.

3. Other facilities.

These include, in particular, the capacity of the international school in Baghdad to absorb the children of international staff members and the availability of a sufficient number of local staff to undertake translation, typing, secretarial and other work normally assigned to local staff. I would add that the time has now come to consider the matter of concluding a special agreement to regulate the status of the principal international offices of the United Nations outside the Secretariat Headquarters.

Your Excellency,

I would be most grateful if you would kindly instruct your staff to reply to the above-mentioned enquiries as soon as possible so that this reply can be conveyed to the Commission during its fifth session at Beirut from 2-6 May 1978, bearing in mind the fact that I have to provide the members of the Commission with all the documents relating to the agenda items, including my report on the permanent headquarters of the Commission, not less than six weeks before the date scheduled for the session.

Please accept the assurances of my highest consideration.

Signed: M.S. Al-Attar  
Executive Secretary

Annex 2

Baghdad

17 June 1978

The Executive Secretary  
Economic Commission for Western Asia

We would like to advise you that the Iraqi Government is prepared to provide a temporary headquarters for the offices of the Economic Commission for Western Asia with effect from September 1979.

We therefore request details of the requirements that need to be provided by the Iraqi Government for this move, together with your proposals regarding the form of agreement for the regulation of relations between the Iraqi Government and your Commission in order to enable us to take the appropriate action.

I take this opportunity to express my highest consideration.

Dr. Saadoun Hammadi  
Minister of Foreign Affairs

Baghdad, 3 August 1978

His Excellency the Executive Secretary  
Economic Commission for Western Asia

Dear Sir,

In reference to our letter of 17/6/1978, we would like to clarify the following:

1. ECOSOC Resolution No. LXI/2045 stipulates that ECWA is to move to Baghdad as its permanent headquarters following the end of the period of its temporary location in Beirut in September 1979.
2. Since it was not expected that the building to be assigned to ECWA in Baghdad would be completed by September 1979, we indicated in the aforementioned letter the readiness of Iraq to provide ECWA with a temporary building in 1979 to be used pending the completion of its permanent headquarters.
3. The same letter offered a temporary building at ECWA's permanent headquarters in Baghdad with effect from September 1979, not a temporary headquarters, as, according to the ECOSOC Resolution, Baghdad will become the permanent headquarters of ECWA beginning on that date.
4. We repeat the request made in the same letter concerning our need to have as soon as possible a list of the different requirements of ECWA when it moves to Baghdad in September 1979 so that an immediate start can be made on their preparation and the move can be effected as smoothly as possible. Likewise, we need to have a draft of the proposed agreement for ECWA's permanent headquarters.
5. We see no justification for ECWA to remain in Beirut beyond September 1979 as this would contravene the ECOSOC Resolution, as the offices that ECWA occupies in Beirut are temporary and leased, and as comparable or even superior offices will be provided in Baghdad pending the completion of ECWA's permanent building.

6. ECWA's permanent headquarters building will be erected in Baghdad on the same site that was earlier selected and approved by the United Nations committee that inspected it.

The Minister of Foreign Affairs

Dr. Saadoun Hammadi

11 August 1978

His Excellency Dr. Saadoun Hammadi  
Minister of Foreign Affairs  
Baghdad

Excellency,

Thank you for your letter of 17/6/1978 and the letter that followed it. I have also received the memorandum of the Iraqi Embassy in Beirut numbered 14/10/935 and dated 5/8/1978 and would like to make the following observations:

1. Upon receipt of your letter of 17/6/1978 from the Iraqi Embassy in Beirut, we informed the Embassy orally at the time that we would be happy to supply the Embassy with "the requirements needed..." for moving ECWA's offices to Baghdad. We confirmed this to the head of the Iraqi delegation to the second session (1978) of ECOSOC when we met in Geneva at the beginning of July 1978.
2. You no doubt appreciate the fact that the question of the move of ECWA's offices from its temporary quarters in Beirut to its permanent headquarters in Baghdad involves considerations that exceed the authority of the Executive Secretariat of the Commission and that require instructions from United Nations Headquarters in New York. As though to show your appreciation of this fact, you were good enough to send a copy of your letter of 17/6/1978 to the United Nations Secretariat through the Permanent Mission of the Republic of Iraq in New York.
3. Upon receiving their copy of your letter our colleagues in New York requested of us that our response to your letter includes the opinions on the subject expressed by the departments concerned at the Secretariat. We thereupon orally informed the Iraqi Embassy in Beirut of the matter at the beginning of August 1978 so as to keep it in the picture.

4. Since the Secretariat of the United Nations is the highest authority to decide upon these matters, we suggested to it that it assumes the responsibility for notifying you directly of its viewpoint on the matter, following its receipt of a copy of your letter dated 17/6/1978. We also sent a copy of your second letter to the Secretariat in New York so as to complete the file in their hands. Please recall that this subject is inscribed on the agenda of the coming fifth session of the Commission which will meet between 2 and 7 October, 1978.

In closing I would like to renew to Your Excellency my eagerness and that of all my colleagues of the ECWA secretariat, to assure that the move of ECWA's offices to its permanent headquarters takes place in accordance with the resolutions of the Commission, ECOSOC and the General Assembly and in keeping with the regulations of the United Nations and the instructions of its Secretariat.

Please accept, Excellency, the expression of my highest regards.

Mohamad Said Al-Attar  
Executive Secretary  
Economic Commission for Western Asia



Directorate of International Organizations  
File No.: 60/3  
Ser. No.: 237/8

The Ministry of Foreign Affairs and Emigrés presents its compliments to the secretariat of the Economic Commission for Western Asia.

With reference to your letter No. 305 sent to this Ministry on 8 October 1974 and the Ministry's note No. 237/8 dated 27 January 1974<sup>\*</sup>, the Ministry has the honour to inform you of the Council of Ministers' decision, taken at its meeting held on 19 March 1975, to allocate the sum of one million Lebanese Pounds in compliance with the resolution adopted during the Commission's first special session on 9 September 1974.

Provision will be made for this amount in the Government's budget and it will be allocated on an annual basis to facilitate the Commission's tasks and to enable it to carry out its scheduled work plans and programmes.

The Ministry of Foreign Affairs and Emigrés takes this opportunity to convey to the secretariat of the Economic Commission for Western Asia the assurances of its highest consideration.

Beirut, 5 April 1975

The Secretariat of  
The Economic Commission for Western Asia  
Beirut

\* correct date should read: 1975

Decree No. 9647

Amending Decree No. 12991 of 10 June 1963 under the terms of which diplomatic status was accorded to senior staff in United Nations offices and organizations in Lebanon.

The President of the Republic

In accordance with the Constitution;

In accordance with the legislative bill put into effect by virtue of Decree No. 4636 of 27 December 1972 (Granting the Government the right to legislate on customs matters);

In accordance with Decree No. 12991 of 10 June 1963 (Granting diplomatic status to senior staff in United Nations offices and organizations in Lebanon);

In accordance with the proposal of the Minister of Foreign Affairs and Emigrés and the Minister of Finance;

And after approval by the Council of Ministers at its meeting held on 11 September 1974;

decrees the following:

Article I: A clause shall be added to the text of Article I of Decree No. 12991 of 10 June 1963 to read as follows:

"International staff members holding a grade of P4 and above shall also be granted the same status and shall enjoy all the relevant privileges, exemptions and concessions".

Article II: Details regarding the implementation of this amendment shall be jointly determined by the Minister of Foreign Affairs and Emigrés and the Minister of Finance.

Article III: This Decree shall be published and communicated to all concerned.

Promulgated by the President of the Republic

Baabda, 6 February 1975

Signed: Suleiman Franjeh

Prime Minister

Signed: Rashid Al-Solh

Minister of Finance

Signed: Khalid Junblath

Minister of Foreign Affairs and Emigrés

Signed: Philippe Takla