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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1976-1977 AND MEDIUM-TERM PLAN FOR THE PERIOD 1976-1979

Exchange of properties between the Etat de Genève and the United Nations

Second report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the proposed exchange of properties between the Etat de Genève and the United Nations (A/C.5/1674).
2. The Secretary-General's report contemplates the exchange of various plots of land owned by the United Nations, outside the perimeter of the properties on which the Palais des Nations was built, for land owned by the Etat de Genève which is adjacent to the United Nations park. A map showing the position of the plots to be exchanged is included in the Secretary-General's report (A/C.5/1674, annex I).
3. According to the Secretary-General's report, acquisition by the Etat de Genève of properties now owned by the United Nations will facilitate the development, by the Swiss authorities, of a high-capacity road network, which has been made necessary by the increasing number of international organizations in this section of Geneva. Acquisition by the United Nations of the "ex-Birkigt" plot from the Etat de Genève would round off a complex of properties already owned by the United Nations.
4. As proposed, the transfer of lands is to take place on an "even exchange" basis, that is to say, without the payment of additional money by either party, even though the property to be transferred by the Geneva authorities is valued at 12,152 Swiss francs more than that to be ceded by the United Nations. A listing of the various plots, their size and valuation, is contained in paragraph 11 of the Secretary-General's report. The valuation was carried out by two experts, one appointed by each of the two parties.

5. The Advisory Committee inquired into the basis for the difference in valuation of the various properties and the Committee was informed that the value of all properties involved in the exchange is based on the location, shape and the construction possibilities of each plot. The Advisory Committee notes, however, that the whole of the property to be transferred to the United Nations (ex-Birkigt) is valued at 264 Swiss francs per square metre, even though nearly 4,000 square metres of it is subject to a building prohibition (see A/C.5/1674, para. 12 (b)). On the other hand, the Committee understands from information provided to it that the Geneva authorities have accepted to value the Sous-Carlton plot (one of the properties to be offered by the United Nations) as a whole at the value it would have had if the access road to WHO (Avenue Appia) had not cut through it, including in the price the surface of the road itself and not taking into account the fact that, in its present condition, no construction can be effected on either portion of the plot. Moreover, the Committee is aware that the final valuations are the result of considerable give-and-take among the parties concerned.

6. The Committee inquired as to whether ceding part A of the Petit-Crepins plot would reduce the usefulness to the United Nations of part B (see A/C.5/1674, annex I). The Committee was informed that part B, because of its size and configuration, can accommodate a building of substantial size and that therefore the loss of part A does not greatly affect the use of part B.

7. The Committee notes that the exchange is subject to the conditions set forth in paragraph 12 of the Secretary-General's report. In this connexion, the Advisory Committee sought assurances that the building prohibition on certain of the properties to be transferred by the United Nations would not, at some future date, be lifted by legislative action on the part of the Etat de Genève. In seeking these assurances, the Advisory Committee bore in mind that the plots of land in question were acquired by the League of Nations in order to preserve the natural setting in which the Palais des Nations had been built. The Committee was informed that, while it is not possible in a given contract to guard against each and every eventuality, it should be pointed out that:

(a) The instrument of exchange would constitute a formal contract which cannot be unilaterally amended by either party;

(b) The construction programme for the Canton de Genève and the related regulations are the responsibility of the Executive Branch (the Legislative Branch intervenes only as regards appropriation of funds);

(c) The part of Campagne Rigot adjacent to the Place des Nations (1991 square metres), as well as Superficia, are, in actual practice, already considered as an extension of the Place des Nations; thus, the prospect of Geneva authorities wishing to construct buildings on these plots is highly improbable.

8. The Advisory Committee notes that, for reasons set forth in paragraph 12 of his report, the Secretary-General considers that the exchange of properties with the Etat de Genève will be in the best interests of the Organization. Further, the Secretary-General states that the proposed exchange will not involve any expenditure by the United Nations other than a share of conveyance charges and surveyors' fees as described in paragraph 12 (f) of his report.

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9. In the light of the information available to it and of the Secretary-General's report, the Advisory Committee concurs with the view of the Secretary-General. The Committee recommends to the General Assembly that it approve the exchange of properties between the Etat de Genève and the United Nations on the terms set out in the exchange of letters between the Director-General of the United Nations Office at Geneva and the Etat de Genève (A/C.5/1674, annexes II, III, and IV) and described in the Secretary-General's report.
