

**THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.**

**(CAP. 202.)**

49 Vol. II 416

**DIPLOMATIC PRIVILEGES (FOOD AND AGRICULTURE  
ORGANIZATION) ORDER.**

1. This Order may be cited as the Diplomatic Privileges (Food and Agriculture Organization) Order.

**A.—THE ORGANIZATION.**

2. The Food and Agriculture Organization (hereinafter referred to as “the Organization”) is an organization of which Her Majesty’s Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The Organization shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any of the publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The Organization shall have exemption from prohibitions and restrictions on the importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publications of the Organization directly imported or exported by it.

8. The Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

**B.—REPRESENTATIVES OF MEMBERS: CHAIRMAN OF THE COUNCIL OF THE ORGANIZATION.**

9.—(1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent and, in the case of the Chairman of the Council of the Organization, by the Council of the Food and Agriculture Organization, representatives of member Governments, and the Chairman of the Council of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives.
- (c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief

from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions and during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order, the expression "representatives of member Governments" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

#### C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organization, officers of the Organization holding the offices of Director-General and Deputy Director-General shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organization.

#### D.—PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organization, persons (other than officials of the Organization) serving on Committees of, or on behalf of the Organization shall enjoy :—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organization.

#### E.—OTHER OFFICIALS OF THE ORGANIZATION.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organization, all officials of the Organization (other than those referred to in clause 10 above) shall enjoy :—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties ;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organization.

#### F.—GENERAL.

13. The names of the persons to whom the provisions of clauses 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.

(CAP. 202.)

49 Vol. II 419     DIPLOMATIC PRIVILEGES (INTERNATIONAL CIVIL AVIATION  
ORGANIZATION) ORDER.

1. This Order may be cited as the Diplomatic Privileges (International Civil Aviation Organization) Order.

A.—THE ORGANIZATION.

2. The International Civil Aviation Organization set up under Article 43 of the Convention on International Civil Aviation signed at Chicago on 7th December, 1944 (hereinafter referred to as "the Organization") is an organization of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The Organization shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The Organization shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publication of the Organization directly imported or exported by it.

8. The Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS.

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents,

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives.

(c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order, the expression "representatives of member Governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or the member of the staff of and accompanying any such representative.

#### C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organization, the Secretary-General or the Deputy Secretary-General of the Organization and the President of the Council of the Organization shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organization.

#### D.—PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organization, persons (other than officials of the Organization) serving on Committees of, or employed on missions on behalf of the Organization shall enjoy:—

(a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization.

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organization.

**E.—OTHER OFFICIALS OF THE ORGANIZATION.**

12. Except in so far as in any particular case any privilege or immunity is waived by the Organization, officials of the Organization (other than those referred to in clause 10 above) shall enjoy :—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties, and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organization.

**F.—GENERAL.**

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13. The names of the persons to whom the provisions of clauses 9, 10, 11 and 12 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the Office or employment in question, and the date when he ceased to hold that office or employment.

THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.

## (CAP. 202.)

DIPLOMATIC PRIVILEGES (INTERNATIONAL LABOUR  
ORGANIZATION) ORDER.

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1. This Order may be cited as the Diplomatic Privileges (International Labour Organization) Order.

## A.—THE ORGANIZATION.

2. The International Labour Organization is an organization of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The International Labour Organization shall have the legal capacities of a body corporate and except in so far as in any particular case it has expressly waived its immunity, immunity from suit and process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The International Labour Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The International Labour Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The International Labour Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any of the publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The International Labour Organization shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publications of the Organization directly imported or exported by it.

8. The International Labour Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matters for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B.—REPRESENTATIVES OF MEMBERS: MEMBERS OF THE GOVERNING BODY  
OF THE INTERNATIONAL LABOUR OFFICE.

9.—(1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent; and in the case of members and deputy members of the Governing Body of the International Labour Office and their substitutes, by the Governing Body, representatives of member Governments and the employers' and workers' members and deputy members of the Governing Body of the International Labour Office and their substitutes shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents,

- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives or as members of the Governing Body of the International Labour Office, as the case may be.
- (c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions or during their journey to and from the place of meeting.

The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order the expression "representatives of member Governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or a member of the staff of such a representative or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

#### C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organization, officers of the International Labour Organization holding the offices of Director-General, Deputy Director-General and Assistant Director-General shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organization.

#### D.—PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege is waived by the Organization, persons (other than officials of the Organization) serving on Committees of, or employed on missions on behalf of the International Labour Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization;
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the International Labour Organization.

## E.—OTHER OFFICIALS OF THE ORGANIZATION.

12. Except in so far as in any particular case any privilege or immunity is waived by the International Labour Organization, all officials of the Organization (other than those referred to in clause 10 above) shall enjoy:—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties, and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the International Labour Organization.

## F.—GENERAL.

13. The names of the persons to whom the provisions of clauses 9, 10, 11 and 12 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment. Cap. 202

## SCHEDULE.

INTERNATIONAL CONVENTION ON PRIVILEGES AND IMMUNITIES FOR THE  
SPECIALIZED AGENCIES OF THE UNITED NATIONS ADOPTED BY THE  
GENERAL ASSEMBLY OF THE UNITED NATIONS  
ON 21ST NOVEMBER, 1947.

Whereas the General Assembly of the United Nations adopted on 13th February, 1946, \* a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialized agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies:

Consequently, by a resolution 179 (II) adopted on 21st November, 1947, the General Assembly has approved the following Convention, which is submitted to the specialized agencies for acceptance and to every Member of the United Nations and to every other State member of one or more of the specialized agencies for accession.

## ARTICLE I.

*Definitions and scope.**Section 1.*

In this Convention—

(i) The words “standard clauses” refer to the provisions of Articles II to IX.

(ii) The words “specialized agencies” mean:—

- (a) The International Labour Organization;
- (b) The Food and Agriculture Organization of the United Nations;
- (c) The United Nations Educational, Scientific and Cultural Organization;
- (d) The International Civil Aviation Organization;
- (e) The International Monetary Fund;
- (f) The International Bank for Reconstruction and Development;
- (g) The World Health Organization;
- (h) The Universal Postal Union;
- (i) The International Telecommunications Union; and
- (j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

\* See Resolutions adopted by the General Assembly during the first part of its first session, resolution No. 22 (1) D, page 33.



(iii) The word "Convention" means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.

(iv) For the purposes of Article III, the words "property and assets" shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.

(v) For the purposes of Articles V and VII, the expression "representatives of members" shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.

(vi) In sections 13, 14, 15 and 25, the expression "meetings convened by a specialized agency" means meetings: (1) of its assembly and of its executive body (however designated), and (2) of any commission provided for in its constitution; (3) of any international conference convened by it; and (4) of any committee of any of these bodies.

(vii) The term "executive head" means the *principal executive official* of the specialized agency in question, whether designated "Director-General" or otherwise.

#### Section 2.

Each State party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connexion with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with section 36 or 38.

### ARTICLE II.

#### *Juridical personality.*

#### Section 3.

The specialized agencies shall possess juridical personality. They shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property, (c) to institute legal proceedings.

### ARTICLE III.

#### *Property, funds and assets.*

#### Section 4.

The specialized agencies, their 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 they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

#### Section 5.

The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, 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 6.

The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

#### Section 7.

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

(a) The specialized agencies may hold funds, gold or currency of any kind and operate accounts in any currency.

(b) The specialized agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

*Section 8.*

Each specialized agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interests of the agency.

*Section 9.*

The specialized agencies, their assets, income and other property shall be :

- (a) Exempt from all direct taxes ; it is understood, however, that the specialized agencies 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 specialized agencies for their 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 their publications.

*Section 10.*

While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

## ARTICLE IV.

*Facilities in respect of communications.**Section 11.*

Each specialized agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

*Section 12.*

No censorship shall be applied to the official correspondence and other official communications of the specialized agencies.

The specialized agencies shall have the right to use codes and to despatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialized agency.

## ARTICLE V.

*Representatives of Members.**Section 13.*

Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities :

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind ;
- (b) Inviolability for all papers and documents ;

- (c) The right to use codes and to receive papers or correspondence by courier or in sealed bags ;
- (d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions ;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions ;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

*Section 14.*

In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

*Section 15.*

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

*Section 16.*

Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

*Section 17.*

The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

## ARTICLE VI.

*Officials.**Section 18.*

Each specialized agency will specify the categories of officials to which the provisions of this Article and of Article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall, from time to time, be made known to the above-mentioned Governments.

*Section 19.*

Officials of the specialized agencies shall :—

- (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity ;
- (b) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations ;
- (c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration ;

- (d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions ;
- (e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions ;
- (f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

*Section 20.*

The officials of the specialized agencies shall be exempt from national service obligations, provided that, in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the State concerned.

Should other officials of specialized agencies be called up for national service, the State concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

*Section 21.*

In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

*Section 22.*

Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for the personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

*Section 23.*

Each specialized agency shall co-operate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connexion with the privileges, immunities and facilities mentioned in this Article.

## ARTICLE VII.

### *Abuses of privilege.*

*Section 24.*

If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

*Section 25.*

1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that :

2.—(i) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.

(ii) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned ; and, if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

## ARTICLE VIII.

*Laissez-passer.**Section 26.*

Officials of the specialized agencies shall be entitled to use the United Nations laissez-passer in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to issue laissez-passer may be delegated. The Secretary-General of the United Nations shall notify each State party to this Convention of each administrative arrangement so concluded.

*Section 27.*

States parties to this Convention shall recognize and accept the United Nations laissez-passer issued to officials of the specialized agencies as valid travel documents.

*Section 28.*

Applications for visas, where required, from officials of specialized agencies holding United Nations laissez-passer, when accompanied by a certificate that they are travelling on the business of a specialized agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

*Section 29.*

Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations laissez-passer, have a certificate that they are travelling on the business of a specialized agency.

*Section 30.*

The executive heads, assistant executive heads, heads of departments and other officials of a rank not lower than head of department of the specialized agencies, travelling on United Nations laissez-passer on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

## ARTICLE IX.

*Settlement of disputes.**Section 31.*

Each specialized agency shall make provisions for appropriate modes of settlement of—

- (a) Disputes arising out of contracts or other disputes of private character to which the specialized agency is a party ;
- (b) Disputes involving any official of a specialized agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

*Section 32.*

All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

## ARTICLE X.

*Annexes and application to individual specialized agencies.**Section 33.*

In their application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

*Section 34.*

The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

*Section 35.*

Draft annexes 1 to 9 are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

*Section 36.*

The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

*Section 37.*

The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other States members of the specialized agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.

*Section 38.*

If, after the transmission of a final annex under section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

*Section 39.*

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

*Section 40.*

It is understood that the standard clauses, as modified by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate so as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialized agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

## ARTICLE XI.

*Final provisions.**Section 41.*

Accession to this Convention by a Member of the United Nations and (subject to section 42) by any State member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

*Section 42.*

Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

*Section 43.*

Each State party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by a subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

*Section 44.*

This Convention shall enter into force for each State party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken to apply the provisions of the Convention to that agency in accordance with section 43.

*Section 45.*

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43. The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

*Section 46.*

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

*Section 47.*

1. Subject to the provisions of paragraphs 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification until such time as a revised convention or annex shall have become applicable to that agency and the said State shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.

2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention from any specialized agency which ceases to be in relationship with the United Nations.

4. The Secretary-General of the United Nations shall inform all member States parties to this Convention of any notification transmitted to him under the provisions of this section.

*Section 48.*

At the request of one-third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

*Section 49.*

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the Government of each Member of the United Nations.

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**ANNEX I.****INTERNATIONAL LABOUR ORGANIZATION.**

In their application to the International Labour Organization the standard clauses shall operate subject to the following provisions:—

1. Article V (other than paragraph (c) of section 13) and section 25, paragraphs 1 and 2 (i), of Article VII shall extend to the Employers' and Workers' members and deputy members of the Governing Body of the International Labour Office and their substitutes; except that any waiver of the immunity of any such person member under section 16 shall be by the Governing Body.

2. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the International Labour Office and any Assistant Director-General of the International Labour Office.



3.—(i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions :—

- (a) immunity from personal arrest or seizure of their personal baggage ;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization ;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions ;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connexion with (d) of 3 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

#### ANNEX II.

##### FOOD AND AGRICULTURE ORGANIZATION.

In their application to the Food and Agriculture Organization of the United Nations (hereinafter called “ the Organization ”) the standard clauses shall operate subject to the following provisions :—

1. Article V and section 25, paragraphs 1 and 2 (i), of Article VII shall extend to the Chairman of the Council of the Organization, except that any waiver of the immunity of the Chairman under section 16 shall be by the Council of the Organization.

2.—(i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions :—

- (a) immunity from personal arrest or seizure of their personal baggage ;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for the Organization ;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions ;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connexion with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any experts in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the Organization,

## ANNEX III.

## INTERNATIONAL CIVIL AVIATION ORGANIZATION.

In their application to the International Civil Aviation Organization (hereinafter called "the Organization") the standard clauses shall operate subject to the following provisions:—

1. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the President of the Council of the Organization.

2.—(i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:—

- (a) immunity from personal arrest or seizure of their personal baggage;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connexion with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

## ANNEX IV.

## THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION.

The standard clauses shall operate in respect to the United Nations Educational, Scientific and Cultural Organization (hereinafter called "the Organization") subject to the following provisions:—

1. Article V and section 25, paragraphs 1 and 2 (i) of Article VII shall extend to the President of the Conference and members of the Executive Board of the Organization, their substitutes and advisers except that any waiver of the immunity of any such person of the Executive Board under section 16, shall be by the Executive Board.

2. The Deputy Director-General of the Organization, his spouse and minor children shall also enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic envoys in accordance with international law, which Article VI, section 21, of the Convention, ensures to the Executive Head of each specialized agency.

3.—(i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:—

- (a) Immunity from personal arrest or seizure of their personal baggage;

- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization ;
  - (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions.
- (ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

#### ANNEX VII.

##### WORLD HEALTH ORGANIZATION.

In their application to the World Health Organization (hereinafter called "the Organization") the standard clauses shall operate subject to the following modifications:—

1. Article V and section 25, paragraphs 1 and 2 (i), of Article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of any such persons under section 16 shall be by the Board.

2.—(i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:—

- (a) immunity from personal arrest or seizure of their personal baggage ;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization ;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions ;
- (d) inviolability for all papers and documents ;
- (e) the right to use codes and to receive documents and correspondence by courier or in sealed despatch bags for their communications with the World Health Organization.

(ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

#### ANNEX X.

##### THE INTERNATIONAL REFUGEE ORGANIZATION.

The standard clauses shall apply without modification.

*Note.*—Only those Annexes the texts of which have been adopted by the appropriate specialized agency are here published.

THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.

## (CAP. 202.)

DIPLOMATIC PRIVILEGES (INTERNATIONAL REFUGEE  
ORGANIZATION) ORDER.

49 Vol. II 427

1. This Order may be cited as the Diplomatic Privileges (International Refugee Organization) Order.

## A.—THE ORGANIZATION.

2. The International Refugee Organization (hereinafter referred to as "the Organization") is an organization of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The Organization shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The Organization shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publication of the Organization directly imported or exported by it.

8. The Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

## B.—REPRESENTATIVES OF MEMBERS.

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives.
- (c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed, shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the

incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order, the expression "representatives of member Governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or the member of the staff of and accompanying any such representative.

#### C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organization, the Director-General or the Deputy Director-General of the Organization shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organization.

#### D.—PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organization, persons employed on missions on behalf of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organization.

#### E.—OTHER OFFICIALS OF THE ORGANIZATION.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organization, officials of the Organization (other than those referred to in clause 10 above or officials engaged locally and remunerated by payment calculated on the number of hours worked) shall enjoy:—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties, and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organization.

#### F.—GENERAL.

13. The names of the persons to whom the provisions of clauses 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.

## (CAP. 202.)

## DIPLOMATIC PRIVILEGES (UNITED NATIONS AND INTERNATIONAL COURT OF JUSTICE) ORDER. 48 Vol. II 211

1. This Order may be cited as the Diplomatic Privileges (United Nations and International Court of Justice) Order.

## PART I.

## THE UNITED NATIONS.

*A.—The Organization.*

2. The United Nations set up by the Charter signed at San Francisco on the 26th June, 1945, is an organization of which Her Majesty's Government in the United Kingdom and the governments of foreign sovereign Powers are members.

3. The United Nations shall have the legal capacity of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The United Nations shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The United Nations shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The United Nations shall have exemption from taxes on the importation of goods directly imported by the organization for its official use in the Colony or for exportation, or on the importation of any publications of the organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The United Nations shall have exemption from prohibitions and restrictions on importation and exportation in the case of goods directly imported or exported by the organization for its official use and in the case of any publications of the organization directly imported or exported by it.

8. The United Nations shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

*B.—Representatives of Members.*

9. Except in so far as in any particular case any privilege or immunity is waived by the member governments whom they represent Representatives of member governments to the General Assembly or to any Council or other organ of the United Nations shall enjoy :—

(a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents ;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives ;

(c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony while exercising their functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

10. For the purposes of the application of this Order, the expression "representatives of member governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations, but shall not include any person, who is a British subject and who is not the representative of a government of Her Majesty or the member of the staff of and accompanying any such representative.

*C.—High Officials of the United Nations.*

11. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General or the Security Council of the United Nations, the Secretary-General and Assistant Secretaries-General of the United Nations (and not exceeding at one time six in number) shall be accorded in respect of themselves, their spouses and children under the age of twenty-one the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children. They shall also enjoy exemption from income tax in respect of emoluments received by them as officers of the United Nations.

*D.—Persons employed on Missions on behalf of the United Nations.*

12. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, persons employed on missions on behalf of the United Nations shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions.

*E.—Other Officials of the United Nations.*

13. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, officials of the United Nations (other than those referred to in Article 11 above, and officials engaged locally and remunerated by payment calculated by the number of hours worked) shall enjoy:—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties, and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Colony.

## PART II.

## INTERNATIONAL COURT OF JUSTICE.

14. Except in so far as in any particular case any privilege or immunity is waived by the Court, the judges and Registrar of the International Court of Justice (including any officer of the Court acting as Registrar) shall, when engaged on the business of the Court and during any journey to and from the place where the Court is sitting in connexion with such business, enjoy the like immunity from suit and legal process, the like inviolability of residence and also unless they are British subjects whose usual place of abode is in the Colony the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

15. The judges and Registrar of the International Court of Justice shall enjoy exemption from income tax in respect of all emoluments received by them as judges or Registrar.

16. Except in so far as in any particular case any privilege or immunity is waived by the government whom they represent before the Court, the agents, counsel and advocates of parties before the Court shall enjoy:—

- (a) When engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connexion with such missions, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in this capacity;
- (c) When engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connexion with such mission, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief from customs or excise duties except in respect of goods imported as part of their personal baggage. They shall not, where incidence of any form of tax depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony while exercising these functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

The provisions of this Article do not apply to any British subject acting on behalf of any other Government except a Government of Her Majesty.

17. The names of the persons to whom the provisions of Articles 9, 10, 11, 12, 14, 15 and 16 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Cap. 202.

## ANNEX 1.

GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS, TOGETHER WITH CERTAIN RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 13TH FEBRUARY, 1946.

## I

The GENERAL ASSEMBLY approves the annexed Convention on the Privileges and Immunities of the United Nations and proposes it for accession by each Member of the United Nations.



CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF  
THE UNITED NATIONS.

Whereas Article 104 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes ; and

Whereas Article 105 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of the functions in connexion with the Organization.

Consequently the General Assembly by a Resolution adopted on the 13th February, 1946, approved the following Convention and proposes it for accession by each Member of the United Nations.

ARTICLE I.  
JURIDICAL PERSONALITY.

Section 1.—The United Nations shall possess juridical personality. It shall have the capacity—

- (a) to contract ;
- (b) to acquire and dispose of immovable and movable property ;
- (c) to institute legal proceedings.

ARTICLE II.  
PROPERTY, FUNDS AND ASSETS.

Section 2.—The United Nations, 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 3.—The premises of the United Nations shall be inviolable. The property and assets of the United Nations 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 4.—The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5.—Without being restricted by financial controls, regulations or moratoria of any kind—

- (a) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency ;
- (b) the United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6.—In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representatives without detriment to the interests of the United Nations.

Section 7.—The United Nations, its assets, income and other property shall be—

- (a) exempt from all direct taxes ; it is understood, however, that the United Nations 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 United Nations 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 with the Government of that country ;

- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8.—While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable. Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

### ARTICLE III. FACILITIES IN RESPECT OF COMMUNICATIONS.

Section 9.—The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10.—The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

### ARTICLE IV. THE REPRESENTATIVES OF MEMBERS.

Section 11.—Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:—

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and also
- (g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12.—In order to secure for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13.—Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

Section 14.—Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the United Nations. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15.—The provisions of sections 11, 12 and 13 are not applicable as between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.

Section 16.—In this Article the expression “representatives” shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

#### ARTICLE V. OFFICIALS.

Section 17.—The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18.—Officials of the United Nations shall—

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity ;
- (b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations ;
- (c) be immune from national service obligations ;
- (d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration ;
- (e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned ;
- (f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys ;
- (g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19.—In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20.—Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21.—The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connexion with the privileges, immunities and facilities mentioned in this Article.

## ARTICLE VI.

## EXPERTS ON MISSIONS FOR THE UNITED NATIONS.

Section 22.—Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connexion with their missions. In particular they shall be accorded—

- (a) immunity from personal arrest or detention and from seizure of their personal baggage ;
- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations ;
- (c) inviolability for all papers and documents ;
- (d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags ;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions ;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23.—Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

## ARTICLE VII.

## UNITED NATIONS LAISSEZ-PASSER.

Section 24.—The United Nations may issue United Nations laissez-passer to its officials. These laissez-passer shall be recognized and accepted as valid travel documents, by the authorities of Members, taking into account the provisions of section 25.

Section 25.—Applications for visas (where required) from the holders of United Nations laissez-passer, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26.—Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations laissez-passer, have a certificate that they are travelling on the business of the United Nations.

Section 27.—The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations laissez-passer on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28.—The provisions of this Article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

## ARTICLE VIII.

## SETTLEMENT OF DISPUTES.

Section 29.—The United Nations shall make provisions for appropriate modes of settlement of—

- (a) disputes arising out of contracts or other disputes of a private law character, to which the United Nations is a party ;
- (b) disputes involving any official of the United Nations who by reason of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30.—All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

## FINAL ARTICLE.

Section 31.—This Convention is submitted to every Member of the United Nations for accession.

Section 32.—Accession shall be effected by deposit of an instrument with the Secretary-General of the United Nations and the Convention shall come into force as regards each Member on the date of deposit of each instrument of accession.

Section 33.—The Secretary-General shall inform all Members of the United Nations of the deposit of each accession.

Section 34.—It is understood that, when an instrument of accession is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this Convention.

Section 35.—This Convention shall continue in force as between the United Nations and every Member which has deposited an instrument of accession for so long as that Member remains a Member of the United Nations, or until a revised general Convention has been approved by the General Assembly and that Member has become a party to this revised Convention.

Section 36.—The Secretary-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this Convention so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the General Assembly.

## ANNEX 2.

## 1. Extracts from the Statute of the Court

## ARTICLE 19.

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

## ARTICLE 30.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

## ARTICLE 32.

1. Each member of the Court shall receive an annual salary.
2. The President shall receive a special annual allowance.
3. The Vice-President shall receive a special allowance for every day on which he acts as President.
4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their travelling expenses refunded.

8. The above salaries, allowances and compensation shall be free of all taxation.

#### ARTICLE 42.

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

2. Privileges and Immunities of Members of the International Court of Justice, the Registrar, Officials of the Registry, Assessors, the Agents and Counsel of the parties and of witnesses and experts.

By a resolution adopted on 13th February, 1946, the General Assembly with a view to ensuring that the International Court of Justice should enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purposes, in the country of its seat and elsewhere, invited the Court at its first session to consider this question and to inform the Secretary-General of its recommendations.

The Court has accordingly examined the problem in its various aspects during its first session, held at The Hague from 3rd April to 6th May, 1946, and has transmitted to the General Assembly its conclusions.

The General Assembly considered the recommendations of the Court during the second part of its first session, and the report of the Sixth Committee.

#### THE GENERAL ASSEMBLY.

1. APPROVES the agreements concluded between the International Court of Justice and the Netherlands Government, as recorded in the exchange of letters between the President of the Court and the Minister of Foreign Affairs of the Netherlands.

2. RECOMMENDS that if a judge, for the purpose of holding himself permanently at the disposal of the Court, resides in some country other than his own, he should be accorded diplomatic privileges and immunities during the period of his residence there.

3. RECOMMENDS that judges should be accorded every facility for leaving the country where they may happen to be, for entering the country where the Court is sitting, and again for leaving it. On journeys in connexion with the exercise of their functions, they should, in all countries through which they may have to pass, enjoy all the privileges, immunities and facilities granted by these countries to diplomatic envoys.

This provision should also apply to the Registrar and to any officer of the Court acting as Registrar.

4. RECOMMENDS that—

(a) Officials of the Court should enjoy in any country where they may be on the business of the Court, or in any country through which they may pass on such business, such privileges, immunities and facilities for residence and travel as may be necessary for the independent exercise of their functions.

The Registrar, and any officer of the Court acting as Registrar, should, while on the business of the Court, be accorded diplomatic privileges and immunities ;

- (b) Inasmuch as these privileges and immunities are granted to officials of the Court in the interests of the International Court of Justice, and not for the personal benefit of the individuals themselves, the Registrar of the Court, with the President's approval, should have the right and the duty to waive the immunity in any case where, in his opinion, the immunity would impede the course of justice, and can be waived without prejudice to the interests of the Court. In the case of the Registrar, the Court should have the right to waive immunity.

5. RECOMMENDS that—

- (a)—(i) The agents, counsel and advocates before the Court should be accorded, during the period of their missions, including the time spent on journeys in connexion with their missions, the privileges and immunities provided for in Article IV, sections 11, 12 and 13 of the Convention on the Privileges and Immunities of the United Nations under the conditions of Article IV, section 15, of that Convention ;
- (ii) Assessors of the Court should be accorded, during the period of their missions, including the time spent on journeys in connexion with their missions, the privileges and immunities provided for in Article VI, section 22 of the Convention on the Privileges and Immunities of the United Nations ;
- (iii) Witnesses, experts and persons performing missions by order of the Court should be accorded, during the period of their missions, including the time spent on journeys in connexion with their missions, the privileges and immunities provided for in Article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations.
- (b) Inasmuch as the privileges and immunities referred to above under (a) are granted in the interests of the due administration of justice and not for the personal benefit of the individuals themselves, the appropriate authority should have the right and the duty to waive the immunity in any case, where, in its opinion, the immunity would impede and can be waived without prejudice to the course of justice.

For this purpose, the competent authority in the case of agents, counsel and advocates representing a State will be the State concerned. In other cases (including those of assessors of the Court, persons performing missions by order of the Court and witnesses or experts), the competent authority will be the International Court of Justice or, when the Court is not sitting, the President of the Court.

6. RECOMMENDS that—

- (a) The authorities of Members should recognize and accept United Nations laissez-passers, issued by the International Court of Justice to the members of the Court, the Registrar and the officials of the Court, as valid travel documents, taking into account the provisions of sub-paragraph (b) ;
- (b) Applications for visas (where required) from the judges of the Court and the Registrar should be dealt with as speedily as possible. All other holders of laissez-passers should receive the same facilities when the applications for visas are accompanied by a certificate that they are travelling on the business of the Court. In addition, all holders of laissez-passers should be granted facilities for speedy travel ;
- (c) Similar facilities to those specified in sub-paragraph (b) should be accorded to experts and other persons who, though not the holders of United Nations laissez-passers delivered by the International Court of Justice, have a certificate that they are travelling on the business of the Court.

## THE DIPLOMATIC PRIVILEGES (EXTENSION) LAW.

(CAP. 202.)

### DIPLOMATIC PRIVILEGES (UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION) ORDER. 49 Vol. II 421

1. This Order may be cited as the Diplomatic Privileges (United Nations Educational, Scientific and Cultural Organization) Order.

#### A.—THE ORGANIZATION.

2. The United Nations Educational, Scientific and Cultural Organization (hereinafter referred to as “the Organization”) is an organization of which Her Majesty’s Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The Organization shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any of the publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The Organization shall have exemption from prohibitions and restrictions on the importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publications of the Organization directly imported or exported by it.

8. The Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

#### B.—REPRESENTATIVES OF MEMBERS: THE PRESIDENT OF THE CONFERENCE: MEMBERS OF THE EXECUTIVE BOARD OF THE ORGANIZATION.

9.—(1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent; in the case of the President of the Conference, by the Organization; and in the case of members of the Executive Board, by the Executive Board of the Organization; representatives of member Governments, the President of the Conference of the Organization, and members of the Executive Board of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives.
- (c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited



to Her Majesty, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions and during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order, the expression "representatives of member Governments" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organization, officers of the Organization holding the offices of Secretary-General and Deputy Secretary-General shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organization.

D.—PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organization, persons employed on missions on behalf of the Organization shall enjoy:—

(a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization.

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organization.

E.—OTHER OFFICIALS OF THE ORGANIZATION.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organization, all officials of the Organization (other than those referred to in clause 10 above) shall enjoy:—

(a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organization.

F.—GENERAL.

13. The names of the persons to whom the provisions of clauses 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

THE DIPLOMATIC PRIVILEGES (EXTENSION)  
LAW.

## (CAP. 202.)

DIPLOMATIC PRIVILEGES (WORLD HEALTH ORGANIZATION) 49 Vol. II 424  
ORDER.

1. This Order may be cited as the Diplomatic Privileges (World Health Organization) Order.

## A.—THE ORGANIZATION.

2. The World Health Organization is an organization of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

3. The World Health Organization shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

4. The World Health Organization shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

5. The World Health Organization shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

6. The World Health Organization shall have exemption from taxes on the importation of goods directly imported by the Organization for its official use in the Colony or for exportation, or on the importation of any publications of the Organization directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs and Excise may prescribe for the protection of the revenue.

7. The World Health Organization shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organization for its official use and in the case of any publications of the Organization directly imported or exported by it.

8. The World Health Organization shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the Colony), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B.—REPRESENTATIVES OF MEMBERS AND OF THE EXECUTIVE BOARD OF THE  
WORLD HEALTH ORGANIZATION.

9.—(1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of member Governments, by the member Governments whom they represent, and in the case of persons designated to serve on the Executive Board of the World Health Organization and their alternates and advisers, by the Executive Board, representatives of member Governments and persons designated to serve on the Executive Board of the Organization and their alternates and advisers shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents.

- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives.
- (c) While exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the Colony during any period when they are present in the Colony whilst exercising their functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the Colony.

(2) For the purpose of the application of this Order, the expression "representatives of member Governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this clause shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in the Colony or as a member of the staff of such a representative or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty's Government in the Colony or a member of the staff of and accompanying any such representative.

#### C.—HIGH OFFICIALS.

10. Except in so far as in any particular case any privilege or immunity is waived by the World Health Organization, officers of the Organization holding the offices of Director-General or Deputy Director-General shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, and they shall also enjoy exemption from income tax in respect of emoluments received by them as officers of the World Health Organization.

#### D.—PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANIZATION.

11. Except in so far as in any particular case any privilege or immunity is waived by the World Health Organization, persons (other than officials of the Organization) serving on Committees of, or employed on missions on behalf of the Organization shall enjoy:—

- (a) While exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organization.
- (b) Immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the person concerned is no longer employed on missions on behalf of the Organization.

E.—OTHER OFFICIALS OF THE ORGANIZATION.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organization, all officials of the World Health Organization, other than those referred to in clause 10 above, shall enjoy :—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties ;
- (b) exemption from income tax in respect of emoluments received by them as officers and servants of the World Health Organization.

F.—GENERAL.

13. The names of the persons to whom the provisions of clauses 9, 10, 11 and 12 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

Cap. 202.